

2016



**NORTH FORK
CROW RIVER**
WATERSHED DISTRICT

Personnel Policy Manual

ESTABLISHED: MAY 10, 1985

AMENDED AND RESTATED: SEPTEMBER 28, 2016

Amended [Position Definitions Amendment]: November 19th, 2015

Addendum Added – Salary Administration Policy: January 11th, 2016

Amended [PTO and Overtime]: September 28th, 2016

Table of Contents

1. INTRODUCTION	4
2. DEFINITIONS.....	4
3. EQUAL OPPORTUNITY EMPLOYER STATEMENT.....	4
4. CODE OF CONDUCT.....	4
5. EMPLOYMENT APPLICATION	5
6. NEPOTISM	5
7. TEMPORARY EMPLOYEES.....	5
8. TERMINATION OF EMPLOYMENT	6
9. SEVERANCE PAY	6
10. RESIGNATION NOTICE	6
11. HARASSMENT.....	7
12. DISCIPLINE.....	8
13. CONFLICT OF INTEREST.....	8
Financial Conflict of Interest	8
14. OUTSIDE ACTIVITIES.....	9
15. PERSONNEL FILES.....	9
16. WORKING HOURS AND OVERTIME	9
17. COMPENSATION FOR WORK AWAY FROM THE OFFICE	10
18. DECLARED HOLIDAYS	10
19. INCLEMENT WEATHER POLICY.....	11
20. PAID TIME OFF (PTO)	11
21. LEAVES OF ABSENCE	12
A. Parental Leave.....	12
B. Court and Jury Leave.....	12
C. Military Leave.....	12
D. Funeral Leave.....	12
E. School Conference and Activity Leave	13
F. Extended Leave and Leave of Absence.....	13
22. TRAINING AND CAREER DEVELOPMENT.....	13
23. PAY PERIOD	13
24. PAY DETERMINATION	14

25. JOB PERFORMANCE REVIEWS..... 14

26. ACCIDENT REPORTS/WORKERS COMPENSATION INSURANCE..... 14

27. BENEFITS 14

28. FLEX BENEFITS PLAN 14

29. COMPUTER AND INTERNET USE POLICY..... 14

 A. Accessing the Internet. 15

 B. Prohibited Activities..... 15

 C. Prohibited Uses..... 15

 D. Communicating Information..... 15

 E. Non-Business Use..... 15

 F. Waiver of Privacy 15

 G. Compliance with Applicable Laws and Licenses. 16

 H. Amendments..... 16

30. INDIVIDUAL EMPLOYMENT CONTRACTS 16

31. DURATION..... 16

RECEIPT & ACKNOWLEDGMENT 17

1. INTRODUCTION

The North Fork Crow River Watershed District Board of Managers establishes a personnel policy for all employees as permitted by the Laws of the State of Minnesota. These policies shall apply to all employees of the North Fork Crow River Watershed District unless otherwise superseded by an independent labor agreement or State Statute.

The North Fork Crow River Watershed District Board of Managers reserves the right to delegate certain functions of personnel administration where appropriate and in the best interest of the North Fork Crow River Watershed District Board of Managers.

The NFCR Watershed District Board of Managers recognizes that this personnel policy manual is not a comprehensive list of work rules for NFCR Watershed District employees. In the event that situations arise which are not referenced in this policy, the NFCR Watershed District reserves the right to set those policies.

These policies and procedures are not an employment contract. As a NFCR Watershed District employee you are an employee-at-will. Employment at will means that either you or the NFCR Watershed District Board of Managers may terminate the employment relationship at any time for any reason. Any representations to the contrary are not binding upon the NFCR Watershed District unless signed in writing by the NFCR Watershed District Chairman and attested to by the Secretary of the NFCR Watershed District. NFCR Watershed District also reserves the right to change any or all of its policies and procedures. This personnel policy is intended to replace and revoke all prior personnel policy manuals.

2. DEFINITIONS

ADMINISTRATION: The entire NFCR Watershed District Board of Managers and the Administrator of the NFCR Watershed District.

ADMINISTRATOR: Administrator of the NFCR Watershed District, hired by the NFCR Watershed District Board of Managers.

CHAIRPERSON: Chairperson of the NFCR Watershed District Board of Managers.

3. EQUAL OPPORTUNITY EMPLOYER STATEMENT

It is the policy and intent of the NFCR Watershed District to provide equality in employment to all persons. This policy expressly prohibits discrimination because of race, color, creed, religion, national origin, disability, marital status and status with regard to public assistance, sex, sexual orientation, or age in all aspects of its personnel policies, programs, practices and operations.

4. CODE OF CONDUCT

It is the policy of the NFCR Watershed District to promote high ethical standards and the highest standards of conduct. The NFCR Watershed District [code of conduct](#) is designed to instruct and guide employees in the conduct expected and required in both their official duties and their general conduct.

THE BASIC CODE OF ETHICS

An employee of the NFCR Watershed District is expected to:

- A. Perform his or her duties with his or her best effort and thought.
- B. Seek to find and employ more efficient and economical ways of accomplishing tasks.
- C. Never discriminate by the dispensing of special favors or privileges to any person, whether for remuneration or not; and never accept, for self or family, favors or benefits under circumstances which might be construed as influencing the performance of the NFCR Watershed District duties.
- D. Make no private promises of any kind binding upon the duties of his or her office.
- E. Engage in no business with NFCR Watershed District either directly or indirectly, which is inconsistent with the conscientious performance of NFCR Watershed District duties.

5. EMPLOYMENT APPLICATION

Applicants for NFCR Watershed District positions shall submit an employment application and supporting materials to the NFCR Watershed District Managers or Administration of the NFCR Watershed District. Applicants may be required to provide a current resume and references. An offer of employment may be made conditionally upon successful completion of a criminal background check.

6. NEPOTISM

It is the policy of the NFCR Watershed District that an employee shall not be directly supervised by that employee's spouse, parent, brother, sister, son, daughter, or that employee's spouse's parent, brother, sister, son, or daughter.

7. TEMPORARY EMPLOYEES

Any temporary, part-time or seasonal employee who is hired for that type of position shall receive no benefits, unless benefits are approved in writing by the NFCR Watershed District Board of Managers. A temporary, part-time or seasonal employee who is hired by the Board of Managers shall remain at that status, unless, or until, the NFCR Watershed District Board of Managers approves in writing the position for full-time.

Position Type	Full Time / Part Time	Comp-Time Eligible	FLEX Plan Eligible	PERA Eligible	NFCRWD Benefit Eligible
Seasonal <i>(Non-Exempt)</i>	Full Time	Yes ¹	No	Yes if expected to earn > \$5,100 in that calendar year	No
	Part Time	No			No
Temporary	Full Time	Yes	No		No

¹ FLSA - requires employers to pay covered non-exempt employees at least the federal minimum wage for all hours worked, and overtime pay for all hours worked over 40 in a work week. NFCRWD employees in seasonal positions should not be permitted to work > 40 hours per work week if possible.

<i>(Non-Exempt)</i>	Part Time	No		Yes if expected to earn > \$5,100 in that calendar year	No
Regular <i>(Non-Exempt)</i>	Full Time	Yes	Yes	Yes	Yes
	Part Time	No	Yes if ≥ 30 hrs / week; No if < 30 hrs / week	Yes if expected to earn > \$5,100 in that calendar year	No

Position Type Definitions:

1. Seasonal² – A position working 120 days a year or less for the employer. Days need not be consecutive.
2. Regular – Employees whose employment is not limited to a specific period of time and who are employed under an approved job description listed as being an employee in a regular position.
3. Temporary – A person intended to be employed for a defined period of time or tasks that is not a permanent employee.
4. Full Time³ – Regular positions assigned to normally work 40 hour / week.
5. Part Time – employees assigned to work < 40 hours per week.

List of NFCRWD Benefits

1. PTO
2. Flex Plan Employer Contribution
3. Holiday Pay

8. TERMINATION OF EMPLOYMENT

All employees are employed at will and their employment may be terminated at any time for any reason.

9. SEVERANCE PAY

Employees who have at least one year eligible service, who subsequently leave the employment of the NFCR Watershed District, are laid off, or retired, shall be paid for accrued paid time off at the employee’s current salary or wage. Compensatory time, not to exceed 80 hours, shall also be paid at the employee’s current salary or wage.

10. RESIGNATION NOTICE

Employees wishing to resign in good standing shall give written notice not less than 10 working days, or one pay period, before resignation. The employee who terminates without proper notice is not eligible for rehire, the employee’s personnel record will indicate that termination was without proper notice. Employees

² Information as defined by the PPACA – NFCRWD does not qualify to meet requirements under this act. This definition is to be used due to a lack of definitions under FLSA.

³ FLSA does not define “Full-Time” – This is an employer definition.

who leave without notice forfeit any accumulated paid time off and shall be entitled to no other compensation other than the regular salary due till the date last worked.

Unauthorized absence of an employee without notification to the Administrator for three consecutive work days may be considered by the NFCR Watershed District Administration a resignation of such employee.

11. HARASSMENT

The NFCR Watershed District is committed to providing a work environment that is free of discrimination. Employees at all times should treat others respectfully and with dignity. Harassment based upon a person's sex, race, color, religion, gender, national origin, age, disability, creed, marital status, status with regard to public assistance, or sexual orientation is unlawful under federal and state law, and will not be tolerated.

Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her sex, race, color, religion, gender, national origin, age, disability, creed, marital status, status with regard to public assistance, or sexual orientation, or that of his or her relatives, friends, or associates and that:

- A. Has the purpose or effect of creating an intimidating, hostile, or offensive work environment;
- B. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- C. Otherwise adversely affects an individual's employment opportunities.

Harassment includes, but is not limited to, the following:

- A. Epithets, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to race, color, religion, gender, national origin, age, disability, creed, marital status, status with regard to public assistance, or sexual orientation;
- B. Written or graphic material that denigrates or shows hostility or aversion toward an individual or a group because of sex, race, color, religion, gender, national origin, age, disability, creed, marital status, status with regard to public assistance, or sexual orientation that is placed on walls, bulletin Board of Managers or elsewhere on the NFCR Watershed District premises, or circulated in the workplace.

Sexual harassment is any unwelcome sexual advance, request for sexual favor and other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct is made, either explicitly or implicitly, as a term or condition of employment;
- B. Submission to or rejection of such conduct is used as a factor in any employment decision affecting any individual; or
- C. Such conduct has the purpose or effect of unreasonably interfering with any employee's work performance or creating an intimidating, hostile or offensive working environment.

Harassment is a serious offense and will not be tolerated. Likewise, retaliation against an employee who makes a charge of harassment will not be tolerated.

Anyone found guilty of harassment or retaliation will meet with appropriate sanctions, which may include suspension without pay or discharge.

If you believe you have been harassed, or have observed another employee being harassed by a co-worker, supervisor, vendor or agent of the NFCR Watershed District, you should promptly report the facts and names of the individuals involved to your supervisor. If you believe your supervisor to be the source of or a party to the harassment, talk to the Chairperson. The NFCR Watershed District will promptly investigate, and attempt to resolve, all such complaints. If, for any reason, you believe that this has not accrued within a reasonable period of time, refer the problem to any member of the NFCR Watershed District Board of Managers.

The NFCR Watershed District will not condone retaliation against any employee who reports possible harassment or assists with an investigation.

12. DISCIPLINE

Discipline may be in one or more of the following forms:

- A. Oral reprimand
- B. Written reprimand
- C. Suspension - with or without pay at the discretion of the Board of Managers
- D. Discharge

Reprimands, notices of suspension, and discharge may be provided to the employee in writing and may be required to be acknowledged by signature of the employee. Any such written notices shall become part of the employee's personnel file.

Any NFCR Watershed District action taken pursuant to this policy will be consistent with requirements of Minnesota Statutes and Watershed District policies. The Watershed District will take such disciplinary action it deems necessary and appropriate; discipline is not required to be progressive. Notwithstanding anything contained in this section, all employees are employed at will and their employment may be terminated at any time for any reason.

13. CONFLICT OF INTEREST⁴

Employees must avoid any action which might result in or create the appearance of using this office for private gain. No employee may have a financial interest, direct or indirect that conflicts substantially with an employee's duties and responsibilities.

Financial Conflict of Interest

An employee will not solicit any gift, gratuity, favor, entertainment, meal, loan or other things of value from people doing or seeking to do business with the NFCR Watershed District.

⁴ See NFCRWD "Conflict of Interest Policy"

An employee may accept unsolicited gifts of nominal value such as advertising or promotional items. An employee may accept food and refreshment of nominal value on infrequent occasions. (See Minnesota Statute 10A.071)

14. OUTSIDE ACTIVITIES

Employees shall not participate in any activities which are in conflict with their duties as a NFCR Watershed District employee or which overlap with their work hours. Employees shall not engage in political activities during their working hours. The NFCR Watershed District Administration and employee shall confer if it appears that an employee is engaging in outside activities which conflict with his or her employment. Employees shall discontinue any outside activity within seven (7) days if the NFCR Watershed District Administration gives written notice of that.

15. PERSONNEL FILES

All employee information collected and maintained by the NFCR Watershed District is classified in accordance with federal and state laws [Minnesota Data Practices Act](#).

Most employee information is classified as public. Individuals may obtain public employees' information by either calling or writing the Administrator of the NFCR Watershed District.

Employees have the following rights under Minnesota law with regard to their personnel files:

- A. The right, upon written request, to review the employee's "personnel records" as defined by law;
- B. The right, after (or in lieu of) the review, upon written request, to receive a copy of the records;
- C. The right to dispute information contained in those records;
- D. The right to file a rebuttal statement in the file if the NFCR Watershed District refuses to change the information in the file;
- E. The right not to be retaliated against for asserting these rights; and
- F. The right to compel compliance, the right to recover actual damages plus costs, and in the event of retaliation for asserting his/her rights, the right to recover actual damages, back pay, and reinstatement, or other make-whole equitable relief, plus attorneys fees.

16. WORKING HOURS AND OVERTIME⁵

Normal working hours for the NFCR Watershed District shall be 8 hours per day, 40 hours per week. An employee may be required to work different hours from as work related projects require. Any time over the 40 hours per week must be approved by the NFCR Watershed District Administrator. Nonexempt Employees are generally allowed two paid fifteen minute breaks during the working day plus 1/2 hour

⁵ Resolution 2016-18 (September 28th, 2016)

unpaid for noon meal. Employees may need to work through their paid breaks without additional compensation as work related projects require.

In accordance with the Fair Labor Standards Act (“FLSA”), nonexempt employee may receive compensatory time off at a rate of not less than one and one-half hours for each overtime hour worked instead of cash overtime pay. Further, the District encourages the use of compensatory time to be used in lieu of overtime whenever possible.

Accumulation of compensatory time may not exceed 80 hours at any one time, and it must be used within 26 pay periods after it is earned. Compensatory time shall be used at the earliest possible time, without compromising the job or project integrity.

Upon termination of employment, an employee shall be paid for unused compensatory time. Employees will be allowed to use compensatory time within a reasonable period after requesting its use unless doing so would unduly disrupt the NFCR Watershed District’s operations. Compensatory time WILL NOT exceed 80 hours at any one time. Compensatory time in excess of 80 hours will be paid out at the next payroll date. Exempt employees do not accrue compensatory time.

17. COMPENSATION FOR WORK AWAY FROM THE OFFICE

When the nonexempt employee is required to work away from the office he or she shall be paid at his or her regular hourly wage for hours worked. Nonexempt employees will be paid for travel time other than home to work travel time. Mileage will be paid according to IRS guidelines if it pertains. Any expenses such as motel rooms, meals, and registration fees shall be submitted on a claim sheet along with receipts in accordance with the District’s per diem policy. Employees are requested to use discretion for any expenses that will be submitted for reimbursement.

18. DECLARED HOLIDAYS ⁶

The following are declared Holidays for the NFCR Watershed District full time employees. If the declared holiday falls on a Saturday or Sunday, the preceding Friday or following Monday will be observed as the holiday.

New Year’s Day	January 1
Martin Luther King Day	3 rd Monday in January
President’s Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1 st Monday in September
Veterans Day	November 11th
Thanksgiving Day	4 th Thursday in November
Christmas Day	December 25

⁶ Resolution 2011-09 (September 12th, 2011)

Floating Holiday To be used at employee's discretion.

The NFCR Watershed District Board of Managers may designate additional days as holidays.

19. INCLEMENT WEATHER POLICY

The NFCR Watershed District office may be closed due to inclement weather. In the event of office closure due to inclement weather, time lost will be considered paid time. If the an employee is absent from work because of inclement weather and the office remains open, the employee may use accrued paid time off, compensatory time, or make up time by special arrangement with the NFCR Watershed District Administrator or Chairperson. The employee should make an effort to contact the Administrator if he or she cannot make it to work because of weather conditions.

20. PAID TIME OFF (PTO)

Paid time off ("PTO") for full time employees of the NFCR Watershed District will be based on years of employment or individual contract stipulations. PTO is in lieu of separate vacation, personal time, and sick leave. Eligible employees will accrue PTO as follows⁷:

<u>Years of Employment</u>	<u>Days</u>
1st day of employment through end of calendar year	Pro rata portion of 120 hours
1 st full calendar year	120 Hours
2 nd through the 15 th full calendar year	8 additional hours are added each year

* Maximum Earned PTO after 15th year is equal to 232 hours per year.

PTO is accrued pro rata throughout the year on a payroll by payroll basis. ⁸An employee is allowed to carry a maximum of 240 hours of PTO forward from year to year. Any current, or carried forward, PTO in excess of 240 hours total not used at the end of each calendar year will be forfeited.

Part time employees may only accumulate paid time off upon specific written agreement with the Board of Managers.

Employees are requested to give 30 days advance notice whenever possible, before taking 5 or more consecutive working days away from the office. All PTO shall be arranged at the discretion of the Administrator. In case of conflicting requests for PTO dates, the NFCR Watershed District Administrator and the NFCR Watershed District Board of Managers shall decide which employee shall be given his or her PTO at a given time based on the following:

- A. Seniority
- B. Length of service since his or her last PTO

⁷ Amended by Resolution 2016-18 (September 28th, 2016)

⁸ Amended by Resolution 2016-13 (June 13th, 2016)

The District will pay out accrued PTO time at the employees current wage upon terminating employment with the District.

21. LEAVES OF ABSENCE

A. Parental Leave

Duration of parental leave shall follow Family and Medical Leave Act provisions. Parental leave for the purpose of this policy, applies equally to pregnancy or adoption. The leave shall be without pay or benefits. The employee's position shall remain open while she or he is on parental leave. Accrued paid time off may be used for parental leave. After accrued paid time off has been used, the balance of the leave shall be unpaid.

B. Court and Jury Leave

Employees subpoenaed as a witness in connection with NFCR Watershed District employment or called for jury duty shall receive their regular compensation and benefits less any pay received for said jury duty service less any travel allowance or meal cost. Employees shall return to their regular work duties if released from court duty during their scheduled hours of work.

Pay for jury duty shall be limited to a maximum of 10 working days per year. The employee must provide verification of jury duty and jury pay.

C. Military Leave

Employees who are members of any reserve component of the military forces of the United States or National Guard shall be granted leave of absence with compensation not to exceed fifteen (15) working days per year when ordered to training.

Employees shall be entitled to military leaves of absence without compensation not to exceed five (5) years for service in the Armed Forces of the United States. Reinstatement to a comparable position within 90 days of discharge from active duty shall be available to such employees.

Any employee who presents official orders requiring his/her attendance for a period of training or other active duty as a member of the United States Armed Forces, State Reserve Corps, or State Guard will be entitled to paid military leave for a period not to exceed fifteen (15) working days per calendar year. The employee shall be paid the difference between military pay and his/her regular pay. This provision does not apply to temporary or part-time employees.

The employee must provide verification of pay received from the Armed Forces to the Watershed office upon return from active duty.

D. Funeral Leave

Up to three days absence without loss of pay may be allowed to an employee in the event of a death in the immediate family at the discretion of the NFCR Watershed District Administrator, or in the case of leave requested by the Administrator in the discretion of the NFCR Watershed District Board of Managers. Immediate family is as follows: spouse, spouse's parents, mother, father, brother, sister, son, daughter, daughter-in-law, son-in-law, brother-in-law, sister-in-law, grandchildren, grandparents, spouse's grandparents, or relative living in the home of the employee.

Additional days needed may be taken from accrued paid time off.

E. School Conference and Activity Leave

An employee who has been employed by the NFCRWD for a period of one year on at least a half time basis is eligible for school conference and activity leave. That leave will be unpaid, but may extend to 16 hours per year to attend the activities or conferences of the Employee's child if those activities or conferences are scheduled during work time.

F. Extended Leave and Leave of Absence

An employee who desires leave beyond his/her accrued paid time off or who wishes to extend his or her leave provided under any of the above policies shall give written request to the NFCR Watershed District Administrator and the NFCR Watershed District Board of Managers. Any extended leave or any leave of absence may be allowed with the written approval of the NFCR Watershed District Board of Managers. Any extended leave or any leave of absence shall be in the sole discretion of the NFCR Watershed District Board of Managers and shall not exceed 6 weeks. No pay or benefits will be provided during the leave.

22. TRAINING AND CAREER DEVELOPMENT

All employees will avail themselves to orientation training and career development opportunities when they become available. Payment of wages to employees for attending such training and orientation sessions will be determined by the Board of Managers. Decisions about payment of fees and tuition for courses and credits or decisions regarding attendance will be made by the Board of Managers of Managers.

23. PAY PERIOD

Pay periods for full-time, permanent employees will be bi-monthly (1st-15th and 16th-end of month) with paychecks being issued on the next business day following the end of the pay period.

Pay periods for managers will be the day after a regular monthly meeting through the next month's regular meeting day with paychecks being issued on the next business day following the 15th of the month.

The Board of Managers may set different pay period intervals for seasonal or temporary employees annually by resolution with paychecks being issued on the next business day following the 15th / end of the month.

Employees may submit claim sheets for expense for reimbursement one day prior to payroll days.

Written authorization must be given by the employee if the paycheck is to be given or mailed to anyone other than him/herself.

Salary deductions will conform to federal, state and local requirements. Deductions beyond these may be made at the written direction of the employee.

24. PAY DETERMINATION

All employees' salaries and hourly wages shall be set by the NFCR Watershed District Board of Managers. All new positions must be approved by the Board of Managers. The Board of Managers may give salary and wage increases at their discretion.⁹

25. JOB PERFORMANCE REVIEWS

A job performance review will generally be conducted at three months and again at six months after hiring and annually thereafter. A special review will be conducted at other times if requested by the Board of Managers or employee.

The Board of Managers of Managers will conduct the review of the Administrator. Supervisory personnel will review performance of personnel under their supervision.

The process will be determined by the Board of Managers from time to time. Performance reviews are key personnel procedures. The supervisor or the Board of Managers must schedule time when the review is a top priority in time and energy. The job description may be reviewed and updated. Rating forms may be used to assist the process. Appropriate input from the Board of Managers and from citizen leaders may be gathered as appropriate. The Board of Managers may engage a consultant to advise or assist with the performance review process.

26. ACCIDENT REPORTS/WORKERS COMPENSATION INSURANCE

While on duty employees will be covered by workers compensation insurance for injuries received on the job. Employees shall report all accidents to the Administrator or the Chairperson of the NFCR Watershed District within 24 hours of the accident.

27. BENEFITS

The NFCR Watershed District may at any time add, eliminate, or change any benefits offered to its employees.

28. FLEX BENEFITS PLAN¹⁰

The NFCR Watershed District Board of Managers has adopted a flex benefits plan for eligible employees. A summary plan description will be distributed. In the event of any conflict between the language in the personnel policy manual, the summary plan description, or the plan document, the language of the plan document or summary plan description will control.

29. COMPUTER AND INTERNET USE POLICY

This policy establishes guidelines for the proper use of the NFCR Watershed District's computer and internet resources. All employees have the responsibility to use these resources in a professional, ethical, and lawful manner.

Employees are given the use of computers and access to the Internet to assist them in the performance of their jobs. The computer and telecommunications system belong to the NFCR Watershed District and, except as provided in this policy, may only be used for authorized business purposes.

⁹ See Salary Administration Policy – Addendum (January 11th, 2016)

¹⁰ Adopted by Resolution 2011-05 (January 3rd, 2011)

- A. **Accessing the Internet.** The District has decided to provide internet access to certain employees under the belief that it will make them more productive in their work at the NFCR Watershed District. However, abuse of internet privileges will result in a re-evaluation of the policy and may result in substantial restriction of Internet privileges. All employees are responsible to understand and follow these policies.
- B. **Prohibited Activities.** Sending, receiving, displaying, printing, or otherwise disseminating material that is fraudulent, harassing, illegal, embarrassing, sexually explicit, obscene, intimidating, or defamatory is prohibited. Employees encountering such material should report it to NFCR Watershed District Administration immediately.
- C. **Prohibited Uses.** Employees may not use the NFCR Watershed District's computer or internet resources for commercial or personal advertisements, solicitations, promotions, destructive programs (e.g., viruses and/or self-replicating code), political material, or any other unauthorized personal use. Limited personal use on non-business hours is permitted as described in this policy.

Any personal e-mail must not contain any suggestion that the communication is from the NFCR Watershed District.

- D. **Communicating Information.** Employees should exercise the same care in drafting e-mail, whether internal or external, communicating in chat groups, and posting items to news groups as they would for any other written communication. Anything created on the computer or Internet may, and likely will, be reviewed by others. E-mail represents the NFCR Watershed District. It must be spell checked. It must be carefully drafted and reviewed. Keep in mind that e-mail communications, whether internal or external, may be the subject of litigation. Use of e-mail is not an excuse to be sloppy or imprecise.
- E. **Non-Business Use.** Any non-business use of computer or Internet resources during work is strictly prohibited. This means that employees may not send personal correspondence, browse the internet, or engage in anything other than business pursuits during business hours. If employees receive personal correspondence during business hours, employees should wait until before work or after work to review and respond. You should not send personal e-mail over the name of the NFCR Watershed District. Personal e-mail must comply with all other requirements of this policy.
- F. **Waiver of Privacy.** When you use the NFCR Watershed District's computers or internet resources, you cannot expect that your correspondence or browsing history will remain private. All written communications are subject to the Minnesota Data Privacy Act and may be public documents which may be requested and must be provided to any member of the public upon request, unless a specific exemption applies. If you send or receive personal messages, whether internal or external, there is a possibility that others may review that correspondence in the course of looking for business documents and correspondence. The NFCR Watershed District has the right, but not the duty, to monitor any and all aspects of its computer system, at any time, with or without notice, at the NFCR Watershed District's discretion, including, but not limited to, monitoring sites employees visit on the Internet, monitoring chat groups and news groups, reviewing material downloaded or uploaded by employees, and reviewing internal and internet e-

mail sent and received by employees of the District's computer system. All computer and e-mail passwords must be given to NFCR Watershed District Administration. Employees waive any right to privacy in anything they create, store, send, or receive on the computer or the Internet on the District's computer system.

G. [Compliance with Applicable Laws and Licenses](#). Employees must comply with all software licenses, copyrights, and all other state and federal laws governing intellectual property and online activity.

H. [Amendments](#). This policy may be amended or revised from time to time.

30. INDIVIDUAL EMPLOYMENT CONTRACTS

Terms and conditions of an individual employment contract may supersede the terms and conditions contained in this personnel policy manual.

31. DURATION

This amended and restated personnel policy manual shall go into effect August 1st, 2015 and shall remain in effect until revised or terminated by the NFCR Watershed District Board of Managers.

Date

Chairperson, NFCRWD

Date

Secretary, NFCRWD

RECEIPT & ACKNOWLEDGMENT

I, _____, have read the North Fork Crow River Watershed District (the "NFCR Watershed District") Personnel Policy Manual and agree to comply with NFCR Watershed District's policies and procedures.

The NFCR Watershed District expressly reserves the right to amend, modify or terminate the Personnel Policy Manual provisions from time to time at its sole discretion, at any time, without notice, and may interpret the Personnel Policy Manual in its discretion.

This Personnel Policy Manual is not intended to and does not create any right, obligation, or promise of continued employment, between both myself as employee and the NFCR Watershed District as employer, each retaining the right as employee and employer at-will to terminate the employment relationship at any time, with or without notice, and with or without cause.

All previously issued or established Personnel Policy Manuals, policies or practices for any of the subjects covered herein are canceled and terminated and no longer shall be of any further force or effect.

I acknowledge receipt of a copy of the Personnel Policy Manual.

Dated: _____

Employee Signature