

CIVIL SERVICE REGULATIONS

SAN JOAQUIN MOSQUITO ABATEMENT DISTRICT

PASSED AND ADOPTED BY BOARD OF TRUSTEES
9th OCTOBER, 1959, EFFECTIVE FEBRUARY 1, 1960

BOARD OF TRUSTEES

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SECTION I

GENERAL PROVISIONS

This is a Resolution of the San Joaquin Mosquito Abatement District, creating and establishing a civil service system, providing a merit system for said District. The Board of Trustees of the San Joaquin Mosquito Abatement District do ordain and resolve as follows:

Section 1.1- Authority: Pursuant to the authority granted to it under provisions of the Health and Safety Code (Chapter 5, Article 4, Section 2270J) and in order to establish an equitable and uniform procedure for dealing with personnel through a Civil Service Commission, and to place district employment on a merit basis for the purpose of obtaining the highest efficiency and assuring that the best qualified persons available shall be brought into the services of the District, the following Civil Service merit system is hereby provided:

Section 1.2- Civil Service Commission: A Civil Service Commission is hereby created, the members of which shall be the current Board of Trustees of the San Joaquin Mosquito Abatement District:

Section 1.3: Intent: The San Joaquin Mosquito Abatement District hereby declares its intent that these Rules be used as a general guide by all affected persons, that they be interpreted broadly on the basis of what is the reasonable approach to specific problems and situations, that they be considered as a total set of working regulations rather than each Section, Sub-Section sentence or phrase being interpreted in isolation and out of context, and that the following general principles be accepted as setting its policy of personnel management within the District.

Section 1.4- Commission Meetings: Regular meetings of the District Civil Service Commission shall be held at such time and place as the Commission may determine and shall be announced by posting notice on the bulletin board at the office of the San Joaquin Mosquito Abatement District. The Commission shall determine the order of business for the conduct of its meetings and shall meet on the call of the President, or two of its members. Four members of the Commission shall constitute a quorum for the transaction of business. Communications and requests to the Commission shall be made in writing, and the substance of such request, and the action of the Commission thereon, noted in the minutes. All meetings of the Commission shall be open to the public.

Section 1.5- Duties: The Commission shall prescribe rules, regulations and make amendments to enforce and carry out the intent of a merit system. Such rules and regulations shall, among other things, provide:

- (A) For the classification of job positions under the merit system.
- (B) For competitive examinations to test the relative fitness of applicants for entrance to and promotion in the merit system.
- (C) For holding of hearings on the adoption and amendment of rules and on other matters.

(D) For appointments to vacant positions in the classified service from eligible lists resulting from open competitive examination, or promotional examinations; or by transfer, demotion, re-employment or re-instatement.

(E) For advertisement of all examinations.

(F) For the creation of eligible lists upon which shall be entered the names of successful applicants in the order of their standing in examination. Such lists shall remain in force for at least one year, but not to exceed three years.

(G) For the rejection of applications of eligibles who fail to comply with the reasonable requirements of the commission in regard to residence, citizenship, sex, physical condition, or who have been guilty of crime or infamous or disgraceful conduct, or who have attempted any deception or fraud in connection with an examination.

(H) That the Manager, Board, or Officer possessing by virtue of law the power to appoint shall select one of the three available persons standing highest on the appropriate eligible list.

(I) For a period of probation not less than six months but not to exceed one year before the appointment or promotion is made complete, during which period a probationer may be discharged or reduced without right of hearing on the matter, and his name may be removed from the eligible list.

(J) For a procedure based on efficiency and seniority by which employees may be laid off whenever it is necessary to abolish positions because of lack of work or lack of funds or in the interests of economy, and for the establishment of re-employment lists and the determination or priority of names on such re-employment lists, and for the priority of such re-employment over eligible or promotional lists resulting from examination.

(K) For certificates for eligibles in the following order of priority: Re-employment lists, promotional lists, eligible lists.

(L) For temporary appointment of persons from suitable lists for a period not to exceed nine months. The acceptance or refusal to accept such temporary appointment on the part of the person on the eligible list shall not be a bar to appointment to a permanent position from said eligible list.

(M) For provisional appointments when there is no available appropriate eligible list and pending examination.

(N) For emergency appointments without reference to eligible lists, when such appointments are found necessary to prevent stoppage of business, loss of life or damage to persons or their health or their property.

(O) For transfer from one position to a similar position in the same class or for re-instatement within one year of persons who have resigned in good standing.

(P) For promotion based on competitive examination and records of efficiency, character, conduct and seniority. The Commission shall allow a uniform credit or percentage to be added to the rating based on length of service. Lists shall be created and promotion made therefrom in the same manner as prescribed for original appointment. Whenever practicable vacancies shall be filled by promotion.

(Q) For suspensions for not longer than thirty days and for leaves of absence without pay, sick leave, and vacation with pay. Any employee who leaves or has left the service of the District to enter the Armed Forces of the United States at any time under the Selective Service Act or in times of emergency or during a war shall be on leave of absence until ninety days after termination of his service and may be returned to the position and status held by him at the time of his induction or enlistment upon his application to the Civil Service Commission before expiration of such leave of absence.

(R) For the separation from the service of employees through layoffs, suspension or dismissal and for demotions or leaves of absence for incapacity to perform required duties.

(S) For the dismissal, suspension, or reduction in rank of any permanent officer or employee under this merit system in accordance with the procedure provided therein.

SECTION 1.6 Changes in Rules: Suggestions for changes in rules may be submitted to the Secretary of the Commission in writing at any time. At its next regular meeting, the Commission may consider the suggested changes and if it determines that the changes be desirable will schedule a public hearing on them. At least fourteen calendar days before the scheduled public hearing, appropriate notice shall be posted on the official Commission bulletin board, setting forth the nature of the changes, the time and place of the hearing, and noting that any interested party may appear and be heard. Following the hearing, the Commission may drop further consideration or it may proceed to take formal action signifying its intention to adopt the changes or additions. If the latter, it shall refer the proposed changes to its legal counsel who shall formally rule whether or not they are in accordance with the spirit and letter of general regulations and laws. At the same time a copy of the changes as proposed by the Commission shall be posted on the official bulletin board. If the proposed changes are approved as to legality, the Commission may take formal action adopting the changes at any regular or special meeting which is more than fourteen, but less than ninety calendar days from the meeting at which changes were first considered. Upon such final adoption, the changes shall have the force and effect of law, so far as this District is concerned.

Section 1.7- Personnel Director as Agent of Commission:

As referred to in these Rules, the Personnel Director shall be considered to be identical with the Chief Examiner provided for in these regulations.

The Personnel Director is hereby specifically designated as the agent of the Commission and he shall, subject to review of his actions

and decisions by the Commission, act with the authority of the Commission and shall be responsible for performing all duties imposed by law upon the Commission except the adoption of the rules, the creation, abolition or combination of classes, and the conduct of hearings upon appeals from disciplinary actions. Any action of the Personnel Director taken as agent for the Civil Service Commission may be appealed to the Commission within thirty calendar days of its effective date.

Section 1.8- Contract for Special Services: The Civil Service Commission may contract with any qualified person or agency for the performance of such technical services as may be desired in the operation of the personnel system, including the conducting of examinations to ascertain the fitness of applicants for employment or promotion, and or for a system of appeal from its acts and decisions as such Commission.

Section 1.9: Every person accepts and holds a position in the Civil Service of this District subject to the right of re-instatement of another person thereto. The rights of the person displaced shall be determined by the Commission, but he shall not be deprived of his earned position on the eligible list from which he was certified.

Section 1.10:- All officers and employees of the District shall be included in the merit system except the following:

- A. Manager of the S.J.M.A.D.
- B. Members of appointive commissions & review boards.
- C. Employments of a seasonal nature.
- D. Part-time employment.
- E. Work performed by independent contractors.
- F. Persons serving the District without compensation.

PERSONNEL RULES

SECTION I- GENERAL

Section 1.1 - All positions in the service of the District except those exempted from the merit system, shall be classified according to their duties and responsibilities. All positions having substantially the same duties and responsibilities and requiring substantially the same qualifications, to which the same descriptive title can fairly be applied, and which can properly be subject to the same salary schedule shall be included in a single class.

The classification plan consists of the titles of classes approved in accordance with the foregoing procedure and the class specifications. The class specifications may be in such form as the personnel director prescribes, but will include the following information:

- (A) The class title
- (B) A brief definition or description of the scope and nature of the class.

(C) A detailed statement of tasks specifically performed by those whose positions are allocated to the class, which lists however, shall be for illustrative purposes and shall not be regarded as inclusive or exclusive lists of tasks to be required in positions allocated to the class.

(D) A statement of the education, experience, knowledge and skills abilities, and personal and physical characteristics required or deemed desirable in the class.

(E) A statement, where necessary, of the particular factors or features which distinguish one class from other related classes.

(F) A statement, where necessary, of the factors on which different grade levels may be established if necessary for purposes of salary determination.

SECTION 2- CLASSIFICATION

Section 2.1- Preparation of Plan: The Personnel Director, or a person or agency employed for that purpose, shall ascertain the duties and responsibilities of all positions in the classified service and, after appropriate consultation with employees, shall recommend a classification plan to the Civil Service Commission. This plan shall consist of classes of positions in the classified service defined by class specifications, including title, a description of duties and responsibilities and a statement of employment standards to be required of applicants for employment in each class. The classification plan shall be so developed and maintained that all positions substantially similar with respect to duties, responsibilities, and employment standards are included within the same class, and that the same pay ranges or rate may be made to apply fairly under like working conditions to all positions in the same class.

Section 2.2 Adoption of Plan: Before the classification plan or any part thereof shall become effective, it shall first be approved by the Civil Service Commission at a regular Board meeting. Upon the conclusion of said hearing, the Civil Service Commission may make such changes or modifications of the plan as it may believe desirable. Upon adoption by the Commission, the classification plan shall thereafter be observed in the personnel and fiscal activities of the District. The classification plan shall be amended or revised as occasion requires in the same manner as originally established.

Section 2.3- Allocation of Positions to Classes: After the classification plan has been adopted by the Commission, each position in the classified service shall be allocated by the Personnel Director to one of the classes established by the plan.

Section 2.4- Allocation of New or Additional Positions: Whenever the Personnel Director proposes that a new or additional position be created, he shall report the significant facts to the Civil Service

Commission and no action shall be taken until the position or positions have been properly allocated by the Board of Trustees.

Section 2.5- Re-allocations: Positions, the duties of which have been changed enough to require re-allocation, shall be allocated to a more appropriate class, whether new or already created, in the same manner as originally classified and allocated. Reclassification shall not be used for the purpose of avoiding rules governing demotions and promotions. The Civil Service Commission reserves the right to initiate and conduct investigations of positions in the classified service as such inquiry becomes necessary, and to propose and adopt changes in classification when the facts are considered to warrant such action. In this connection the Commission may, at any time, secure from the appointing authority, department heads, or employees involved, new statements of the duties and responsibilities of the position or positions under consideration.

Section 2.6- Status of Employee whose position is Re-allocated:

If an occupied position is re-allocated, the incumbent shall be promoted, demoted, transferred or granted status in the new class in accordance with these rules. Should the incumbent of a position that has been re-allocated fail to qualify for the new class, he may be continued in a position for which he has status, provided a vacancy exists, or upon request he will be placed upon a re-employment list. The Commission may grant status directly only (1) as a part of a general reclassification affecting the entire classified service, or (2) upon a clear showing that the duties of a position have gradually evolved without any purpose on the part of anyone to evade the merit principle.

Section 2.7- Official Copy:

The Personnel Director shall maintain the official copy of the Classification Plan, which shall be open to public inspection at any reasonable time during business hours.

SECTION 3- COMPENSATION

Section 3.1-Preparation or Review of the Compensation Plan:

At the request of the Manager and with the specific permission of the Civil Service Commission, the Personnel Director shall prepare a compensation plan or review the existing plan and show the recommended appropriate range or rate of pay for each class. In arriving at these salary ranges or rates, consideration shall be given to prevailing rates of pay for comparable work in other public and in private employment in the recruitment area including considerations of conditions of work as well as basic pay. The Civil Service Commission shall, upon the specific request of the Manager or the Board of Trustees review the Compensation Plan or revisions proposed by the Personnel Director and prepare appropriate recommendation.

SECTION 4- QUALIFICATION-EXAMINATION ANNOUNCEMENTS

Section 4.1-General: Applications for employment will be accepted only from persons who are citizens of the United States and who have resided in the county of San Joaquin for one year preceding the date of

the examination and who are at least eighteen years of age, except when there are not sufficient applicants so qualified to meet the District's employment demands.

Applicants for employment will be required to meet such reasonable standards of education and experience, knowledge, skills, and abilities and personal and physical characteristics as are prescribed in the class specifications and which will assure that the candidates are reasonably well qualified to perform successfully the duties of the positions in which they seek appointments.

Section 4.2-Announcements: The Personnel Director shall publicize examinations by appropriate means, including posting on bulletin boards of announcement which shall state the class title, salary, nature of the work to be performed, required training and experience, when and where to file applications, and other pertinent information. In addition to the general employment standards in the class specification, the Director may establish additional requirements which shall be included in the examination announcements and which must be met by each applicant before admission to examination or before appointment. All examinations must be announced at least fourteen calendar days prior to the last date for filing applications, unless for reasons of urgency this provision be waived by the Director.

Section 4.3-Disqualification: The Director may disqualify an employee, applicant or candidate, or remove a name from the eligible list, or refuse to refer any person or an eligible list for employment for any of the following reasons:

- (A) Lack of any of the established preliminary requirements.
- (B) Physical deformities or disabilities, or general toxic condition, rendering the applicant incapable of performing the duties of the position, whether acquired before or after commencement of employment.
- (C) Addiction to the use of intoxicating beverages or narcotics.
- (D) Conviction of a felony or of any criminal offense involving moral turpitude.
- (E) Evidence of immoral, infamous, or disgraceful conduct.
- (F) Dismissal for cause from public service or resignation to evade such dismissal.
- (G) The use or attempted use of influence to gain advantage during the selection process.
- (H) Any false statement of material fact in connection with any stage of the selection process.
- (I) Any deception or fraud in any stage of the selection process

Section 4.4: Notice of Rejection: Whenever an applicant is rejected, written notice may be given the applicant. Incomplete or deficient applications may be returned to the applicant for amendment.

Section 4.5- Fingerprinting: Candidates and employees may be required to be fingerprinted.

Section 4.6- Physical Fitness: An employee or applicant may be required to submit a statement of a licensed physician that the applicant is free from disqualifying disease or physical defects and meets established physical standards, or the applicant may be referred to a special medical examiner.

SECTION 5- EXAMINATIONS:

Section 5.1- A system of examinations is to be used to determine the extent to which candidates meet the standards and qualifications and to determine the relative qualifications of candidates to perform the duties of the positions they seek.

To qualify for examinations candidates will file a statement of qualifications upon a form prescribed by the Personnel Director. The Personnel Director will inform those who have applied as to whether they are eligible to take the examination.

The Personnel Director shall prepare or direct the preparation of such tests of knowledge, skill, ability or physical characteristics as may be required to determine the fitness of candidates, which tests may be written, oral, or in the form of practical demonstration of skill, or in any combination of these which may be most practicable.

Examinations may be given as frequently as the needs of service or the availability of qualified candidates may require or justify. The purpose of this rule is to assure that all qualified persons interested in employment may establish their qualifications and eligibility for employment and it is not the intention to limit or restrict competition in such a manner as to exclude any person possessing the necessary qualifications.

The term of eligibility of any candidate will normally be for one year. Any time after the expiration of one year the Personnel Director may require further examination or may remove the names from the eligible list; or the Personnel Director may require further examination within less than a year in the event of a significant change in requirements for a class resulting from a change in duties or in work techniques.

Section 5.2- Types of Tests: As the Director may determine, examinations may consist of any one or a combination of the following types of tests: oral performance, physical, medical or psychological evaluation of training and experience, or any other forms designed to test fairly the qualifications of applicants.

(a) Written: Written tests may be used to measure knowledge, abilities, judgments, aptitudes, or alertness, insofar as such traits are related to ability to perform the work in a class.

(b) Oral: Oral interviews may be used to evaluate personal fitness, training and experience, capacity and judgment. In considering personal fitness, it shall be appropriate to evaluate pertinent personality traits but the evaluation shall be done a basis which is as objective as possible.

(c) Performance: Performance tests may be used to evaluate the physical fitness, ability, facility, speed, or accuracy with which typical tasks of the class are performed.

(d) Physical: Physical tests may be used to measure ability, strength, coordination, or general physical fitness.

(e) Training and Experience: Evaluation may be made of the relevance, level recency, progression, and quality of education and experience offered by candidates, which may be done in an oral interview or by a review of written statements by candidates. Reports of superiors, former employers, and educational institutions may be considered in this process.

(f) Medical: An examination by a licensed physician may be required before or after appointment. The Director may establish physical or medical standards for any class. Failure of a candidate of employee to achieve the minimum standard will disqualify him.

(f) Section 5.3 Scheduling: The Director shall schedule examinations as the current and anticipated needs of the service require. Scheduled examinations may be postponed or cancelled or the final date for filing applications extended by the Director by notifying all persons directly affected and posting on official bulletin boards.

Section 5.4-Test Administration: The Director shall be responsible for administering and scoring tests.

(a) Assistance: As needed the Director may appoint special examiners for any phase of the testing process. Special examiners may be paid reasonable expenses and/or a daily fee in accordance with budgetary provisions and at such rates as may be approved by the Board of Trustees.

(b) Disqualification: The Director may disqualify any candidate who attempts to interfere with the fair, equitable, and orderly conduct of any part of the competitive examination process. Tardiness may be grounds for disqualification in the examination. Failure in one test of the examination may be grounds for failure in the entire examination.

(c) Qualifying Grades and Rating Tests: The final score of a candidate shall be based upon all tests and evaluations in the examination, according to the weights for each phase established by the Director in advance of the examination and included as a part of the public announcement of the examination. The Director may set a minimum qualifying ratings for each phase of the examination and may provide that all competitors failing to achieve such ratings in any phase shall be disqualified from any further participation in the examination.

(d) Notification: Each candidate taking an examination shall be given prompt written notice of whether or not he qualified in the examination, his final rating and his relative position on the eligible list.

(e) Review of Test Materials: Appropriate opportunity to inspect test materials shall be granted in accordance with procedure

established by the Director. A manifest error in grading or rating may be corrected by the Director at any time or if called to the attention of the Personnel Director within fourteen calendar days after the mailing of notices of results of an examination, shall be corrected. Correction shall not, however, affect certification or appointment already made from the eligible list.

SECTION 6.- APPOINTMENT AND PROBATION

Section 6.1 When a vacancy exists, the Director shall inform the Personnel Director of the Class Title and special qualifications necessary in filling the position. The Personnel Director shall certify to the Manager the names and addresses of the three highest eligibles who have demonstrated by examination that they are qualified to perform the duties of the class and that they have the required special qualifications. The Manager shall fill the vacancy by appointing a person from among those certified.

All persons appointed in accordance with the foregoing procedure shall serve a probationary period of not less than six months and not to exceed one year from date of appointment which probationary period shall be a working test through which it is finally determined by the Manager whether the employee has all the training and personal qualifications required for the successful performance of his duties.

If the Manager finds that the employee is not satisfactory at any time during the probationary period he may remove the employee by notice in writing with a copy to the Personnel Director stating the reason; and the decision of the Manager in the matter shall be final.

SECTION 7- PROVISIONAL APPOINTMENT

Section 7.1 When there is no qualified eligible on any appropriate eligible list, the Personnel Director may authorize the appointment of a provisional employee providing the qualifications of such appointee meets the minimum requirements for such position, pending the availability of a qualified candidate. Such appointments shall not exceed thirty days after an eligible list is established.

Provisional appointees are subject to removal at the will of the Manager and no time served as a provisional appointee shall contribute towards acquiring probationary or permanent status.

SECTION 8- EMERGENCY APPOINTMENTS

Section 8.1 If the Manager finds it necessary to make an appointment without regard to the provisions of these rules in order to prevent the loss or damage to health, life or property, or to prevent the stoppage of essential public functions he may make an emergency appointment forthwith provided that he shall report the appointment to the personnel director as soon as the emergency condition reasonable permits and provided that no such emergency appointment continues for more than thirty working days, without permission of the personnel director and commission.

SECTION 9- TRAINING:

Section 9.1: The Personnel Director and Manager shall be responsible for developing courses of training to instruct employees in the better performance of their duties and the policies and objectives hereof, in good safety practices, in supervisory methods, and to prepare those in the lower ranks for advancement into positions of higher responsibility.

SECTION 10- PROMOTION

Section 10.1: When in the judgment of the Manager or Personnel Director a position can best be filled by a promotion from within the ranks he may hold promotional examinations in which competition will be restricted to permanent employees in the service who possess the necessary qualifications for the position in question.

If there is some question as to whether promotable candidates are available, the personnel director may hold an open examination but with the announced provision that qualified county employees having permanent status may compete on a promotional basis and may also provide that in that event any such district employees shall be given preferential consideration for appointment ahead of outside candidates provided he attains a final score in the examination at least 15% above the minimum required for an outside candidate.

SECTION 11- SERVICE EVALUATION

Section 11.1: At least once each three months in the case of probationers and at least once each year in the case of all other employees there shall be an evaluation of each employee's work. Such evaluations shall be on forms and under procedures prescribed by the personnel director.

The evaluation method shall be so devised as to gain significant facts concerning the details of the quality and quantity of the work performed, the conduct and work habits of the employee, and other factors having a bearing on his value to the service. Such facts may be reported by supervisory employees or may be determined by investigation, or both, and the evaluation placed on such facts shall be determined by the personnel director in accordance with the uniform system of appraisal.

The results of this service evaluation shall be taken into account in the following way:

- A- Salary adjustments between the steps established as the scale for a given class may be made only in the event that the evaluation shows the employee to be thoroughly satisfactory.
- B- In the event of a reduction of staff for lack of work or lack of funds or in the interests of economy, the evaluation shall weigh heavily in the order of lay-off as prescribed in rule 16.
- C- A leave of absence will be granted only to an employee having

a satisfactory record.

- D- Eligibility to participate in any promotional examination or to receive any other preferential treatment while in the service shall be dependent on a satisfactory record.
- E- The general record of service as well as specific and immediate charges will be taken into account when disciplinary action against an employee is proposed and the penalty, if any, is assessed.

CONDUCT AND PERFORMANCE

Section 12.1:

The Personnel Director shall collaborate with the Manager in establishing specific regulations governing the conduct, appearance and performance of employees. These standards shall be expressed in specific terms which can be easily understood by employees and readily applied by those in supervisory positions. Evidence of failure to meet prescribed standards of conduct, appearance, and performance may constitute cause for disciplinary action.

SECTION 13- GRIEVANCES

Section 13.1: Any employee having any grievance arising out of his employment will first seek an adjustment of it by his immediate superior. If the immediate superior is unable or unwilling to make satisfactory adjustment or should he be a party to the grievance, the employee may seek adjustment through the Manager. If the Manager is unwilling or unable to make adjustment, or is a party to the grievance, the employee may seek adjustment through the personnel director. If the personnel director is unwilling or unable to make adjustment or should he be a party to the grievance, the employee may seek adjustment through the Civil Service Commission for an advisory recommendation. The findings and decision of the Board of Trustees with respect to the grievance shall not be final.

Section 13.2: If still dissatisfied, such employee may have the decision of Civil Service Commission reviewed by the San Joaquin Mosquito Abatement District Civil Service Review Board, and its decision shall bind all parties concerned.

Appeal or request for review must be in writing filed with the Manager or Personnel Director within five (5) days following the notification of action taken by the San Joaquin Mosquito Abatement Civil Service Commission. It shall then be set for hearing by the Personnel Director before the San Joaquin Mosquito Abatement Civil Service Review Board, and the time and place of such hearing will be given the employee appealing or requesting the review, of not less than ten days prior thereto. Such notice may be given personally or by registered mail, and if the receipt by the post office of such notice indicates that it was received for transmission by registered mail 10 days or more before such hearing, it shall be construed as proof of adequate notice here-under. At such hearing the dissatisfied

employee may appear and make such showing as he deems advisable under the circumstances. A quorum for such appeal board shall be three and a majority vote shall control its actions. It may continue its hearing from time to time as its convenience requires.

Its findings shall be submitted in writing to the District which shall act with respect to said employee as therein directed.

SECTION 14- LEAVE OF ABSENCE

Section 14.1: Any employee required to perform a period of active military service shall be granted a leave of absence for the period of the duration of that service plus 90 days.

Each employee shall be entitled to vacation and sick leave with pay in accordance with the District's regulations.

The Manager may require evidence of the illness of an employee in the event of any absence, in the event of the injury of an employee in the course of his work, any accumulated sick leave to his credit may be applied to supplement his allowances under the workmen's compensation act to a point equivalent of full pay.

Any employee having permanent status may be granted a leave of absence for a period not to exceed one year on the recommendation of the Manager with the approval of the Personnel Director for the purpose of improving his training for his position or in the case of extended illness for which sick leave with pay is not available or in the event of urgent personal affairs requiring the full attention of the employee. This privilege of leave of absence without pay is not intended, however, to protect the interests of an employee while engaged in other employment outside of the service of the District.

The granting of a leave of absence to an employee guarantees the right of his return any time during the leave or at its expiration and any person appointed to fill the position during the leave of absence holds it subject to the prior rights of the employee on leave. The employee failing to return upon the expiration of the leave shall be regarded as having automatically resigned.

SECTION 15- RE-INSTATEMENT

Section 15.1: Any employee who has had permanent civil service status may be re-instated to his former position or one of comparable class having substantially the same salary range if he resigned in good standing and within a period of one year from the date of his resignation; if there is a vacancy and his re-instatement is recommended by the Manager and approved by the Personnel Director.

An employee on leave of absence may be re-instated during the leave or at its expiration

SECTION 16- REDUCTION OF STAFF

Section 16.1: When it is necessary to reduce staff for lack of work or lack of funds or in the interests of economy, the Manager,

after consulting with the Board of Trustees will determine the classes in which the reduction is to be made and the number of positions to be eliminated. He will furnish such information to the Personnel Director who will then designate the persons to be laid off according to the following method:

Section 16.1:

- (A) All persons holding positions in the class of provisional appointments shall first be laid off.
- (B) Among permanent or probationary employees, those having the lowest relative standing in the last complete evaluation of service shall be laid off up to the number necessary. Provided that in the event that there are more than one with the same evaluation they shall then be arranged in order of their relative total seniority in the service of the District.
- (C) The names of permanent or probationary employees laid off under this procedure, arranged in the order of their relative service evaluation and seniority as outlined above shall constitute a re-employment list and all persons on such re-employment lists for a given class shall be given the opportunity of employment before any other person is considered for employment in that class.

Section 17.1:

SEPARATIONS FROM THE SERVICE

Any employee desiring to leave the District's service may do so by filing his resignation in writing with the Manager two weeks prior to the effective date of his resignation. A resignation of an employee filed in order to evade dismissal from the service shall be so marked and such an employee shall not be eligible for re-instatement unless the circumstances of his separation shall have been thoroughly investigated or reviewed by the commission in the same manner as in the case of a dismissal and the Board shall have recommended such re-instatement.

Employees may be dismissed under the procedure provided herein.

Employees may be laid off for lack of work, lack of funds or in the interests of economy under procedure outlined in Section 16.

SECTION 17.2 SUSPENSIONS, DEMOTIONS, REMOVALS

Section 17.2: All suspensions, demotions, and removals of persons in the classified service shall be made in accordance with and under the provisions of the San Joaquin District Civil Service regulations, where such provisions are applicable. In addition, any of the following shall be deemed sufficient cause for the suspension,