

**TRANSPORTATION AGENCY
FOR
MONTEREY COUNTY
(TAMC)**

Administrative Policies and Procedures

**REVISED AND APPROVED
BY THE TAMC BOARD ON FEBRUARY 28, 2024**

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BOARD COMPENSATION AND EXPENSE REIMBURSEMENT POLICY

The Transportation Agency for Monterey County shall adhere to Government Code Sections 53232 through 53232.4 when dealing with issues of Board member compensation and reimbursement.

COMPENSATION

Board members shall be eligible to receive compensation for the following:

- a) Attending a Board meeting of TAMC;
- b) Attending a Committee meeting of TAMC;

Board members who are not on the staff of their appointing agency shall receive \$50 for attendance at Agency Board meetings and \$50 per month for attendance at one or more Agency committee meetings, plus the actual and necessary travel expenses as may be authorized by the Board. Total compensation, excluding necessary travel expenses, for meetings attended shall not exceed \$100/calendar month for each appointing agency. Alternates and ex-officios are not eligible for the above.

REIMBURSEMENT OF EXPENSES

Board members and alternates are eligible to receive reimbursements for travel, meals, lodging, and other reasonable and necessary incidental expenses for attending Board and committee meetings, conferences, and other Board approved business on behalf of the Agency. Reimbursement rates shall coincide with current rates set by the State of California. Ex-officio members are not eligible for reimbursement of expenses.

Any and all expenses that do not fall within the adopted reimbursement policy or the current State reimbursable rates are required to be approved by the Board of Directors of the Agency in a public meeting prior to the expense(s) being incurred.

Expenses that do not adhere to the adopted reimbursement policy or the State reimbursable rates, and that do not receive prior approval from the Board of Directors in a public meeting prior to the expense being incurred, shall not be eligible for reimbursement.

The Agency shall provide expense reimbursement report forms to Board members who attend the above functions on behalf of the Agency, which shall document that expenses adhere to this policy. Receipts are required to be submitted in conjunction with the expense report form. Failure to submit necessary receipts will result in denial of the reimbursement claim. Expense reports should be submitted within 60 days after completion of the event. Claims that are not submitted within 60 days will be treated as taxable income.

Board members attending functions consistent with the above occurrences or other prior approved event shall provide a brief written or oral report on each meeting attended, other than Board and Committee meetings, at the next regularly scheduled Board Meeting. A Board member can give a group report on behalf of one or more Board members who attended the same meeting.

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

- a) The loss of reimbursement privileges;
- b) Restitution to the agency;
- c) Civil penalties for misuse of public resources pursuant to Government Code Section 8314;
and

Prosecution for misuse of public resources, pursuant to Section 424 of the Penal Code, penalties for which include 2, 3 or 4 years in prison.

CREDIT CARD (TAMC)

1. The existing administrative policies on purchasing and travel apply to all credit card usage. The use of the credit cards must be in accord with TAMC's Administrative policies and procedures.
2. Credit cards may be issued to Executive Director and Senior Administrative Assistant/Clerk of the Board, to use for TAMC related travel and other work-related expenditures, such as food for committee meetings, office supplies and equipment,.
3. All users of the credit cards must turn in itemized receipts to the finance department for all purchases, meals etc., with supporting documentation for the purpose of the purchase such as meeting agendas and business purpose.
4. The credit card statements are included with the monthly report to the Board on TAMC check payments.
5. Relating to travel: TAMC Credit Cards shall be used in accordance with the TAMC travel policies and current State reimbursement limits unless there are mitigating circumstances such as no hotels or restaurants available at the current State rates and conferences being held at a given hotel with no nearby alternatives meeting the criteria, or meetings held at a given restaurant.
6. Limit on expenses: Credit cards shall never be used to circumvent established competitive purchasing procedures. All purchases shall be made in accordance with TAMC procurement policies.
7. Office/food purchases: shall be reserved for official TAMC functions and committee meetings; with the exception of purchase of food during travel or out-of-office meetings.
8. The primary responsibility for ensuring the appropriate use of credit cards lies with each employee assigned a card. Charging personal expenses on the Agency credit cards is a misuse of Agency funds. Agency credit cards are for official business use only. **Charging personal expenses, even if the intent is to reimburse the Agency later, is prohibited.** Doing so will result in disciplinary action, up to and including termination.
9. Cardholders are responsible for ensuring that the issuing bank and the finance department are notified immediately if the card is stolen or lost. Failure to do so may result in making the cardholder responsible for any fraudulent use of the card.
10. Cardholders will immediately surrender their card upon request of the finance department or supervisor. An employee who separates from the Agency is responsible for surrendering the

credit card to the Human Resources department. Use of the credit card for any purpose after an employee's separation from the Agency or after its surrender is prohibited.

11. Employee shall reimburse TAMC for the actual loss where the employee voluntarily chooses not to travel and does not inform the Executive Director or designee of that decision with adequate time to cancel or change the travel plans. No reimbursement is required where, upon approval of the Executive Director, an alternate employee or Board member assumes the original employee's place.

DISPOSITION OF SURPLUS PROPERTY

POLICY

1. "Surplus property" shall be defined as supplies, materials, or equipment no longer used or needed by TAMC, or which have become obsolete or worn out.
2. Each item to be declared as surplus property shall be identified by description, serial number or other identification number, acquisition date, original acquisition cost, funding source, percentage of federal participation in the cost of the item, item location, use and condition, and other disposition data including the anticipated date of disposal and sale price, as appropriate.
3. The Board of Directors shall declare appropriately identified items as surplus property by resolution prior to disposition.
4. The Executive Director or their designee shall implement the most appropriate, cost-effective disposal procedures in accordance with any one or combination of the following methods:
 - (a) Participation by TAMC in another local agency's public agency auction sale, where participation requires no or minimal payment by TAMC to the coordination agency, and where TAMC may realize reasonable profit;
 - (b) Conveyance of surplus property to other government agencies, school, or non-profit organizations by direct negotiated sale;
 - (c) Donation of surplus property to other government agencies, schools, or non-profit organizations if it is for a public purpose of, and of benefit to, TAMC;
 - (d) Disposition of remaining items to local landfill.
5. Employees may **NOT** participate in any public auction sale that includes TAMC surplus property.

Adherence to the Code of Federal regulations is required for surplus property that was originally grant funded. The Code of Regulations (49 CFR 18.32(e)) states that "(1) Items of equipment with a current per-unit fair market value of less than \$5,000 may be retained, sold or otherwise disposed of with no further obligation to the awarding agency. (2) Items of equipment with a current per unit fair market value in excess of \$5,000 may be retained or sold and the awarding agency shall have a right to an amount calculated by multiplying the current market value or proceeds from the sale by awarding agency's share of the equipment."

PROCEDURES

<u>Responsible Staff</u>	<u>Action</u>
Administrative Section	Periodically evaluates TAMC’s fixed asset physical inventory and prepares a listing of all supplies, materials or equipment, which are no longer functional, used, or needed.
Administrative Section	Finalizes Listings of Proposed Surplus Property and appropriate resolution and presents these documents to the Board of Directors for review and approval.
Board of Directors	Approves or denies Listing of Proposed Surplus Property. Approval is designated by adoption of resolution.
Executive Director	Determines most appropriate, cost-effective method for disposing of or their Designee items declared “surplus” by the Board of Directors, in accordance with disposition methods outlined in policy above. Directs staff appropriately.
Administrative Section	Maintains file of all surplus property disposed of in accordance with this policy; ensures that surplus property is appropriately deleted from the Fixed Asset Physical Inventory Listing following disposition.

ELECTRONIC COMMUNICATIONS

POLICY

TAMC owns, operates, leases, and maintains various “electronic communications systems” to be utilized by or provided primarily to support the operative and administrative functions of TAMC. TAMC has established this policy for the appropriate use of said systems by TAMC officers and employees (“Employees”). The term “Electronic Communications Systems” as used herein shall include, but is not limited to, the following:

- computing and telecommunications networks, modems, routers, gateways, and switches
- computing equipment
- telephone equipment, including cell phones
- voice mail
- facsimile devices
- imaging systems, cameras, and scanners
- electronic mail (e-mail)
- Internet World Wide Web access
- video conferencing equipment
- tape recording equipment
- other technologies and equipment used to convey information

“Electronic Communications” as used herein shall mean any communications made using the Electronic Communications System. Upon Board approval, TAMC may change the policies and procedures set forth in this administrative policy at any time.

Employees should be aware that all records, whether on paper or computerized, are subject to the mandatory public disclosure requirements of the Public Records Act, subject to the exceptions provided under the Act or under applicable discovery statutes. Employees should also be aware that all electronic communication may continue to be stored on a network even after deleting the electronic communication from the electronic communications system.

If an Employee has any questions regarding the implementation of this Policy, contact the Director of Finance & Administration.

1. Employees shall use Electronic Communications exclusively for official business. Official business may include communications within recognized TAMC employee associations, official retirement parties, notices of bereavement and work-related social events such as lunches, retirement parties and birthdays. Employees shall primarily use electronic communications during Employees’ regularly scheduled work hours for purposes directly related to work being performed

by that Employee. Use of electronic resources may be restricted if the resources consumed interfere with the utilization of the system for business purposes. TAMC also has a right to restrict access to certain internet sites and/or monitor and log its employees' internet use. The agency is not responsible for any loss or damage incurred by an individual as a result of personal use of the agency's Electronic Communications Resources.

2. Information on the Electronic Communications System is not private. The Electronic Communications System and all Electronic Communications are the property of TAMC. TAMC has a right, but not a duty, to inspect or audit any and all Electronic Communications, at any time, for any lawful purpose, without notice to any Employee. Accordingly, no Employee shall have any expectation of privacy regarding the content of any Electronic Communications.

3. The Electronic Communications System shall be used in a professional manner. In the use of the Electronic Communications System, Employees shall comply with all relevant TAMC regulations. Employees shall prepare Electronic Communications in a lawful, ethical, professional, and businesslike manner. Language that is insulting, offensive, disrespectful, demeaning, or sexually suggestive will not be tolerated. Harassment of any form, sexual, religious, or ethnic slurs or other derogatory or inflammatory remarks, and obscenities or any representation of obscenities is prohibited. Sending a copy of these types of offensive E-mail messages is prohibited. Illegal material, such as child or other pornography, from any source, will not be tolerated or further distributed. Reports or complaints of possible illegal material will be investigated by appropriate law enforcement agencies. The use of Electronic Communications Systems is a privilege, which may be revoked by TAMC at any time.

4. Employees shall protect the security of the Electronic Communications System. Employees shall take all reasonable and necessary efforts to protect the confidentiality of information placed in their control or care, minimize the likelihood of inadvertent transmission of confidential information to unintended recipients, prevent unauthorized persons from accessing the Electronic Communications System, and prevent the introduction or spread of computer viruses. Reasonable precautions include but are not limited to the use of an anti-virus program and the review of all e-mail messages for unanticipated or unknown attachments prior to opening them. Employees shall obtain authorization from the Director of Finance & Administration, Director of Programming and Project Delivery, or the Director of Planning prior to installing or removing any software on a TAMC-owned computer. Employees shall not copy, transfer, or utilize any software or electronic materials in violation of copyright, trademark and/or licensing agreements. The copying of software that has not been placed in the public domain and distributed as "freeware" is expressly prohibited. Employees, who access, copy, transfer and/or use "shareware" shall abide by the requirements of the shareware licensing agreement. No Employee may inspect, change, alter, copy, or distribute proprietary data, programs, files, disks or software without authorization from

the computer system manager.

Employees may be assigned passwords for E-mail usage, but the assignment of a password does not imply the granting of privacy rights of any kind in the computer usage for which the password is required. The password belongs to TAMC and may be accessed for any purpose by TAMC. All system passwords and encryption keys must be available to TAMC management, and Employees may not use passwords that are unknown to TAMC management or install encryption programs without prior approval and turning over encryption keys to TAMC.

PROTECT CONFIDENTIAL INFORMATION

Most communication among TAMC employees is not considered confidential. However, certain communications, such as police investigations, personnel records and communications from TAMC Counsel, may be confidential or contain confidential information. At times when an Employee possesses “confidential” information, the Employee has an obligation to take all reasonable and necessary steps to protect the confidentiality of the information and minimize the likelihood of inadvertent transmission of the confidential information to unintended recipients. If an Employee has any question regarding the implementation of this section, contact the Director of Finance & Administration.

1. Determine if the information is “confidential.” Employees shall treat all information as “confidential” if there is any possibility that the information could be considered personal (such as personnel or medical records), or private (such as proprietary or financial information received in confidence from a third party with the expectation, expressed or implied, that such information will be kept confidential), or if it could potentially expose TAMC to liability if released to the public.

2. Minimize use of E-mail to transmit confidential information. For the communication of sensitive and confidential information, Employees shall minimize the use of E-Mail and maximize the use of alternative communication media (such as face-to-face conversations, telephone, hard copy memos, and facsimile).

3. Identify the people who are authorized to receive the confidential information. Employees with the care and custody of confidential information shall be responsible for determining which other Employees (or possibly private attorneys or consultants hired to represent TAMC) are authorized recipients of the information. Generally, only people with a “need to know” the confidential information are authorized recipients. Employees with any questions as to who is an authorized recipient for confidential information shall contact the Director of Finance & Administration. Employees shall not forward a confidential E-mail to any unauthorized recipient.

GENERAL USE OF E-MAIL SYSTEM

1. All User E-Mails. The E-Mail system is capable of simultaneously transmitting information to all users of the E-Mail System. Employees shall make sure that only intended recipients receive all user E-Mail. All agency communications sent via e-mail will be sent to the agency address. Agency employees must use the official agency e-mail, instead of their private e-mail address (such as yahoo, Hotmail etc.) when communicating agency business via e-mail.

2. Do not attempt to disguise the origin of E-Mail.

No employee shall attempt to disguise the origin of their E-Mails. No Employee shall send electronic communications, which hide the identity of the sender or misrepresent the sender as someone else unless authorized in writing by the Executive Director.

3. Do not access other Employees' E-Mail. No Employee shall access another Employees' E-Mail unless: (1) authorized by the Executive Director, or (2) as part of the Calendar software for the purpose of setting up meetings, or (3) specifically authorized by the employee.

APPLICATION OF PUBLIC RECORDS ACT

All information created or received for work purposes and contained in TAMC computing equipment files, servers, or E-mail depositories are public records and are available to the public unless an exception to the Public Records Act applies. Requests for electronic records under the Public Records Act or under discovery statutes shall be immediately forwarded to TAMC Counsel for review.

VIOLATION OF POLICY

Violation of this policy is subject to discipline up to and including termination.

AUTHORIZATION FOR RELEASE OF INFORMATION BY
ELECTRONIC COMMUNICATIONS SERVICE PROVIDER
AND WAIVER OF LIABILITY

I, _____, understand and acknowledge that the Transportation Agency of Monterey County (“TAMC”) provides me with access to Electronic Communications Resources to facilitate the performance of Agency work. The agency’s Electronic Communications Resources are the property of the agency and are not confidential. I have no expectation of privacy when using the agency’s Electronic Communications Resources and acknowledge that the agency has the right to retrieve and make proper and lawful use of all electronic communications and data contained in and transmitted through the agency’s network and through outside providers of wireless or electronic communications services.

Accordingly, I hereby authorize any Electronic Communications Service to release to the Agency any information the agency may request relating to electronic communications and/or any other form of instant or delayed messaging sent and/or received by me on any Electronic Communications Resource maintained by the agency that delivers or receives electronic communications including, but not limited to, cellular telephones, pagers, personal digital assistants, smart phones, Blackberry devices, computers/laptops, telecommunications devices, video and audio equipment, voicemail, wireless networks and data systems. “Electronic Communication Service” means any service, which provides to users thereof the ability to send or receive wire or electronic communications.

I hereby release, discharge and hold harmless the Agency and the person, firm, company, corporation or other third party to whom this Authorization is directed, including their agents, representatives and employees, from any and all liability of every nature and kind arising out of their providing the information, records and other matters authorized above pursuant to this Authorization.

A photocopy of this Authorization and Release shall be accepted with the same validity as the original.

Signature of Employee

Print Full Name of Employee

Date

EXIT INTERVIEW

POLICY

The TAMC Executive Director or their designee will conduct an exit interview with all terminating TAMC employees. The exit interview shall be confidential and include:

1. Discussion of departing employee's viewpoint as to work experience, interaction with colleagues, management leadership, training opportunities and recommendations.
2. Recommendations for future work by TAMC.
3. Reassignment of departing employee's workload to other employees.
4. Recommendations on employee morale and teamwork.
5. How did the employee feel about their salary and benefits?
6. If the departing employee is leaving to take another position, how does TAMC salary and benefits compare with new employer?
7. How well did the departing employee get along with their supervisor?
8. How well did supervisor handle any complaints or grievances employee may have had?
9. How did employee feel about their progress with TAMC?
10. What did employee like best about their job?
11. What did employee dislike about their job?

Refer employee to Administrative Section to pick up check for final pay and vacation, arrange for termination of health benefits, and return office keys and any other Agency property or equipment.

FRAUD/MISUSE OF AGENCY ASSETS

PURPOSE AND SCOPE

To establish policies and procedures for clarifying acts that are considered to be fraudulent, describing the steps to be taken when fraud or other related dishonest activities are suspected, and providing procedures to follow in accounting for missing funds, restitution and recoveries.

The Transportation Agency for Monterey County is committed to protecting its assets against the risk of loss or misuse. Accordingly, it is the policy of the Transportation Agency for Monterey County to identify and promptly investigate any possibility of fraudulent or related dishonest activities against the Agency and, when appropriate, to pursue legal remedies available under the law.

DEFINITIONS

- A. Fraud – Fraud and other similar irregularities include, but are not limited to:
1. Claims for reimbursement of expenses that are not job-related or authorized by the Agency’s expense reimbursement policy;
 2. Forgery or unauthorized alteration of documents (checks, promissory notes, time sheets, independent contractor agreements, purchase orders, budgets, etc.).
 3. Misappropriation of Agency assets (funds, securities, supplies, furniture, equipment, etc.).
 4. Improprieties in the handling or reporting of financial transactions.
 5. Authorizing or receiving payment for goods not received or services not performed.
 6. Computer-related activity involving unauthorized alteration, destruction, forgery, or manipulation of data or misappropriation of Agency-owned software.
 7. Misrepresentation of information on documents.
 8. Any apparent violation of Federal, State, or Local laws related to dishonest activities or fraud.
 9. Seeking or accepting anything of material value from those doing business with the Agency including vendors, consultants, contractors, lessees, applicants, and grantees.
- B. Employee – In this context, employee refers to all employees of the Agency, as defined in the Agency’s Human Resources Rules & Regulations, and any volunteer who provides services to the Agency through an official arrangement with the Agency.

PROCEDURES TO DETER FRAUD

- A. Each department head is responsible for instituting and maintaining a system of internal controls to provide reasonable assurance for the prevention and detection of fraud, misappropriations, and other irregularities.
- B. Department managers who supervise and/or have approval authority over expenditure of Agency funds should be familiar with the types of improprieties that might occur within their area of responsibility and be alert for any indications of such conduct.

INVESTIGATION OF POTENTIAL FRAUD

- A. It is the Agency's policy to fully investigate any suspected acts of fraud, misappropriation, or other similar irregularity. An objective and impartial investigation will be conducted regardless of the position, title, length of service or relationship with the Agency of any party who might be or become involved in or becomes the subject of such investigation.
- B. Whenever any Agency employee has a reasonable suspicion that fraud may be occurring, that employee shall report the activity to their immediate supervisor, or if the supervisor is the person suspected, to the next highest level within the department.
- C. When any suspected fraud is reported, whether by an Agency employee or any other individual, the appropriate department manager should determine whether an error or mistake has occurred or if there may be dishonest or fraudulent activity.
- D. If the department manager believes there may be dishonest or fraudulent activity, they should immediately report it to the Agency's Executive Director who shall initiate an investigation in conformance with the Agency's Human Resources Rules & Regulations. Depending on the allegations and circumstances, the investigation may include the Agency's Director of Finance & Administration, Agency Counsel and any outside investigators or auditors as deemed appropriate. All Agency employees shall fully cooperate with any such investigation.
- E. If the results of the investigation indicate violation of this policy, discipline, up to and including termination from employment will be initiated as provided for in the Agency's Human Resources Rules & Regulations. In addition, if the results of the investigation indicated potential criminal acts, the matter should be reported to the Police Department.
- F. All investigations involving Agency employees shall be conducted in accordance with the Agency's Human Resources Rules & Regulations. This means, for example, that standard

procedures for protection of whistleblowers, privacy rights and due process rights shall be in effect during and after the investigation.

- G. The Agency will pursue every reasonable effort, including court ordered restitution, insurance claims, etc., to obtain recovery of Agency losses from the offender, or other appropriate sources.

GRANT SUPPORT POLICY

PURPOSE

To assist staff in responding to requests for letters of support for grant proposals.

POLICY

1. Requests for letters of support should be received by the Transportation Agency for Monterey County at least one month prior to the deadline for submitting letters of support in order to ensure sufficient time for the Agency Board to take action on the request.
2. Staff may provide letters of support for grant proposals that are consistent with adopted legislative program and the goals and objectives adopted in the Regional Transportation Plan.
3. Grant proposals that are not clearly consistent with the legislative program or goals and objectives of the Regional Transportation Plan or are controversial in any way will be agendaized for Transportation Agency Board of Directors consideration at their next meeting.

MANAGEMENT DEVELOPMENT PLAN

The purpose of this plan is to assure that members of the management team are capable and qualified to act as Executive Director on an interim or permanent basis. This document supports the management succession planning by providing an opportunity for the Deputy Executive Director, Director of Planning, and Director of Programming & Project Development to gain the skills and experience that the Board has deemed prerequisites for a permanent appointment as Executive Director.

1. Administration:

- a. Become familiar with details of agency budget process, including contracts, work elements, personnel costs and benefit levels.
- b. Provide policy input on the development of the draft agency budget, including 3-year budget and contingency plans under various funding scenarios.
- c. Demonstrate an ability to address complex contracting issues, including fee disputes or scope of work delinquencies.
- d. Demonstrate familiarity with Brown Act, conflict of interest and public records act requirements.

2. Personnel:

- a. Become familiar with (via experience or coursework) legal requirements for personnel evaluations and disciplinary procedures, including hiring and firing.
- b. Initiate Staff Development and Succession Plan for junior staff to develop skills and experience necessary for promotion.

3. Understand TAMC Vision and Member Agency Needs:

- a. Participate in TAMC Annual Update to member agency governing bodies.
- b. Participate in Executive Director orientation for new TAMC Board members, as applicable.
- c. Regularly attend Executive Committee meetings and participate in TAMC pre-meetings with TAMC Chair, Vice Chair and Executive Director.

4. Technical Skills:

- a. Complete coursework in contract law and liability issues.
- b. Complete coursework or demonstrate proficiency in personnel matters: rewards, evaluations, discipline.
- c. Complete coursework or demonstrate proficiency in project management
- d. Participate in professional society activities: Transportation Research Board, American Planning Association, American Public Works Association, American Public Transportation Association, or WTS.

5. External Relationships:

- a. Develop a strong working relationship with the County Administrative Officer and City Managers through attendance at the Monterey Bay City Managers Group meetings.
- b. Improve knowledge of other special district issues through attendance at Special District Managers meetings.
- c. Develop relationships with business leaders through participate in Business Council and Chamber of Commerce events.
- d. Demonstrate an ability to reach agreement in cases of conflict among parties with diverse interests.

6. Leadership Skills:

- a. Complete one of the leadership programs within Monterey County.
- b. Complete the California Academy for Regional Leaders training.

STAFF DEVELOPMENT AND SUCCESSION PLAN

These goals and objectives are intended to further the capabilities of the organization in implementing its annual work program and taking on new tasks.

Goal 1: To provide a high level of staff training that will support growth in employee responsibility and capabilities and ensure that employees have sufficient knowledge and expertise to provide back-up staffing during planned or unplanned employee absences.

Objectives:

- 1.1 Create **training plans** for each employee that include:
 - a) *Individual training classes* for basic technical skills, specialized knowledge and skills growth.
 - b) *Group training classes* for legal and statutory requirements
 - Communications skills
 - c) Continuing education emphasizing licensing and certification
 - Engineering
 - Financial
 - Transportation-related
- 1.2 Train and assign **back-up arrangements** for:
 - a) Committee staffing
 - b) Program and project assignments
 - c) Financial and administrative activities

Goal 2: To encourage staff excellence and retention, **provide opportunities for promotion** within the organization as appropriate based on employee skills and experience.

Objectives:

- 2.1 Build knowledge and skill levels to support employee advancement within the

organization to **Principal Planner or Principal Engineer** levels, as performance merits.

- 2.2 Build knowledge and skill levels to support employee advancement within the organization to **management positions**, as performance merits.

Goal 3: Provide **competitive levels of compensation** to assure retention and recruitment of quality employees, as budgetary constraints permit.

Objectives:

- 3.1 Conduct **regular surveys** of similar agencies to determine competitive levels of salaries and benefits.
- 3.2 Investigate participation in a **housing down-payment assistance** program.
- 3.3 Continue to implement the adopted Employee Incentive Program

MEDIA GUIDELINES

The employee who is most knowledgeable and informed about a particular issue or project is the best agency spokesperson. Any employee who speaks to the media is responsible for what they say.

While any employee may answer a question from a reporter, media questions involving policy issues beyond straightforward, factual information should be referred to the Executive Director, Deputy Executive Director, Director of Planning, or Director of Programming and Project Delivery.

Agency employees must inform the Executive Director, Deputy Executive Director, Director of Planning, or Director of Programming and Project Delivery when contacted by the media.

Agency employees should understand that their comments on public issues will be interpreted as Agency's point of view. To the public, especially press and media representatives, each employee is the Agency.

When the media calls:

1. Respond promptly
2. Take a minute to:
 - Decide what your message is
 - Check your facts
 - Offer to call back in a few minutes so as to give yourself time to collect your thoughts
3. Ask what the point of the story is; it may be completely different than you think.
4. Stick to your message and the facts. Never speculate.
5. Do not let the reporter feed you a quote or talk you into saying something.
6. Everything is "on the record" so choose your words carefully.
7. For T.V. interviews, do a quick minor appearance check. Do you look professional? Borrow a blazer if needed.
8. Suggest a Board member they can talk to (Board Chair, appropriate Committee Chair, or

designated Board member re presentation), and suggest they talk to the Board member first. Let the Board member be the heroes; staff take the heat. Staff will immediately notify the Board member of the media contact and the subject of the interview.

9. At the interview's close, ask when they expect the story to appear.

Media releases must be reviewed by the Executive Director, Deputy Executive Director, Director of Planning, or Director of Programming and Project Delivery before release. Board member quotes must be cleared with the Board member.

No employee will be required to talk with the media. Employees who are uncomfortable talking with the media should refer the call to the Executive Director, Deputy Executive Director, Director of Planning, or Director of Programming and Project Delivery.

OFFICIAL TRAVEL AND TRAINING - EMPLOYEES

POLICY

- A. Travel and/or training will be authorized where there is a clear benefit to TAMC, including professional growth of employees, and which warrants the cost and time away from regular duties.
- B. Travel and training budget will be approved during the annual budget process. Approved budget for travel and training will not be exceeded without the express approval of the Executive Director.
- C. It is the Agency's policy to follow the Fair Labor Standards Act provisions in order to compensate employees for the above.

PROCEDURES

- A. A Travel Request will be submitted in advance for all training and/or travel requests.
 - 1. The employee's supervisor must approve all travel and/or training requests with the following exceptions:
 - (a) The Executive Director must approve reimbursement for:
 - i. Lodging expenses that exceed the current Federal approved rate. An 'Excess Lodging Rate Request/Approval' form must be completed prior to travel; and
 - ii. A travel request that exceeds \$1,000
 - (b) The Executive Committee must approve all out-of-state travel and/or training. The Agency budget resolution pre-approves anticipated out-of-state travel; any trips not included in the budget resolution requires Executive Committee approval.
- B. Use of Agency vehicles for travel is preferred; use of private vehicles may be authorized when:
 - 1. TAMC vehicles are not available.
 - 2. A combination of the distance and duration of trip results in uneconomical tie-up of an official vehicle.

3. Specifically approved by Executive Director.
4. If the employee is authorized by the TAMC Board to receive a car allowance, that employee is expected to use their vehicle for work-related trips within the County (unless they are utilizing an alternative means to travel to and from work that day) and may only claim mileage reimbursement for work-related trips out of Monterey County.

Due to liability concerns, non-agency employees should not ride as passengers in Agency vehicles when the travel is not directly related to agency business.

COMPENSATION

Overtime- Exempt Employees

Overtime exempt employees will be paid for 8 hours of work for each day worked up to a maximum of 40 hours per week, regardless of travel time. Hours may be recorded on time sheets based on the policies listed below for non-exempt employees, for record-keeping purposes only.

Overtime-Non-exempt Employees

Home to Work Travel

Travel from home to work and back is not compensable.

Travel During Regular Working Hours

Travel to and from meetings or work assignments away from the office during normal working hours are compensable.

One-Day Trips Extending Beyond Regular Working Hours

Travel time and conference, training, or meeting time associated with one-day, local, or out-of-town travel that extends beyond regular working hours is compensable. A manager must approve such travel ahead of time. Travel time to the work event starts when the employee leaves work (or home) and ends when the employee reaches the work event. Travel time from the work event starts when the employee leaves the event and ends when the employee arrives at home or work (whichever occurs first). Normal home-to-work travel time (if travel starts from or ends at home) and meal periods shall be excluded from the hours recorded for compensation.

Employees must take a minimum of a half hour lunch period.

Multi-Day Trips

Employees must obtain a manager's written approval of estimated travel time and work time prior to taking a multi-day trip. Under State law, if an employer requires an employee to attend an out-of-town business meeting, training session, or any other event, the employer cannot disclaim an obligation to pay for the employee's time in getting to and from the location of that event. Time spent driving, or as a passenger on an airplane, train, bus, taxi cab, or car, or other mode of transport, in traveling to and from this out-of-town event, and time spent waiting to purchase a ticket, check baggage, or get on board, is, under such circumstances, time spent carrying out the employer's directives, and thus, can only be characterized as time in which the employee is subject to the employer's control. Such compelled travel time therefore constitutes compensable "hours worked". In the case of travel across time zones, actual time will be counted and not the "artificial" time indicated by clock changes.

Employees must take a minimum of a half hour lunch period.

Conference, training, or meeting time associated with multi-day trips that extends beyond regular working hours is generally compensable.

Reimbursable expenses include:

Necessary transportation to include actual cost of rail, bus, airline (coach-class) tickets; airport, bus, or limousine services; and taxi/Uber/Lyft charges incidental to official meetings. Use of air, train, private vehicles, or other travel mode shall be selected on the basis of the lowest reasonable cost to TAMC after expense items and hours traveled are tabulated.

1. Actual cost of rented automobile.
2. Actual cost of hotel accommodation. Use of accommodation exceeding the current single room Federal approved rates must be authorized by the Executive Director. For out-of-country travel, the Agency will follow the current US General Services Administration travel rules.
3. Baggage handling at terminals and hotels.
4. Official telephone and incidental expenses directly related to the trip or conference.
5. Registration fees for conferences, seminars, and related meetings.
6. Meals for overnight trips, including tips, will be reimbursed for actual expenses up to the most updated Federal approved per diem rates, unless there are mitigating circumstances such as no hotels or restaurants available at the current Federal rates and conferences being held at a

given hotel, or meetings held at a given restaurant. Per state law, employees may not claim reimbursement for lunch when there is no overnight stay, unless it is an official meeting in which lunch is only a portion of the overall cost. Itemized receipts for meals purchased, for whom purchased, and the business purpose or agenda must be submitted. Alcoholic beverages are not reimbursable.

7. Parking charges and toll bridges.
8. Where use of a private vehicle is authorized, reimbursement will be made at the current IRS rate per mile for published distances between travel points, not to exceed the minimum commercial air round trip fare.

At the request of the traveler, advance funds may be furnished based upon 75% of the estimated expenses.

A Travel Expense Report must be prepared and signed by traveler, approved by the employee's supervisor (and Executive Director if required), and submitted to the finance department for settlement within 60 days following completion of travel. The Travel Expense Report will be prepared in sufficient detail to show time and nature of expenses incurred. Receipts are required for rail, bus, airline tickets, hotel rooms, meals, parking receipts, and other expenses for which receipts are normally obtainable. Meeting/conference agendas will be attached. Claims that are not submitted within 60 days will be treated as taxable income. Deputy Executive Director, Director of Planning, Director of Programming and Project Delivery or Director of Finance & Administration must approve the Executive Director's expense report.

Monthly claims for Local Mileage will be submitted for expenses incurred in local area and approved by employee's supervisor.

No personal gain to the employee shall occur as a result of this policy. If the Agency pays the employee's expenses or wages, any expenses or compensation (e.g., honorariums) paid by another organization will be reimbursed to the Agency.

These guidelines are not intended to address every issue, exception, or contingency that may arise in the course of Agency travel or attendance at meetings. Accordingly, the basic standard that should always prevail is to exercise good judgment in the use and stewardship of the Agency's resources.

The Agency reserves the right to deny reimbursement of travel related expenses for failure to comply with Agency policies and procedures.

Current State rates are available at: <https://travelpocketguide.dot.ca.gov>

Current Federal rates are available at: <https://www.gsa.gov/travel/plan-book/per-diem-rates>

PAPER REDUCTION

1. In “Correspondence” section of TAMC agenda packet, include only letters specifically addressed to and from TAMC. All other media items, reports, and correspondence not addressed to TAMC, post electronically on the TAMC website.
2. Whenever possible post all Board Report attachments on the website and eliminate printed copy from the agenda packet.
3. For Request for Proposals (RFPs)/Qualifications items in the agenda, include only the Scope of Work in the printed agenda, and post electronically on the website the RFP, the contract, and any other RFP related attachments. Send notices to potential RFP respondents, with link to website location of RFP, instead of mailing printed copies of RFP.
4. Since the TAMC Board has approved a standard agreement for Professional Services, only include in TAMC Board packets the Scope of Work, Payment Provisions, Deliverables and services length.
5. Annually purge agenda mailing lists and encourage recipients to change to website e-mail notices of agendas.
6. Charge the most recent fees approved by TAMC Board for all mailings of full packets, agenda and minutes, agenda only, meeting highlights, TAMC Reports, and published documents. Those exempt from paying fees are TAMC Board members, committee members, alternates, public agencies, and Brown Act-required agenda posting sites.
7. Print double-sided from computers whenever possible.

PROCUREMENT OF GOODS & SERVICES

POLICY

1. All purchases will be made according to the financial limits described in paragraphs 1.1 through 1.5 below.
 - 1.1 Small purchases of less than \$200.00 may be made from petty cash or Agency credit card.
 - 1.2 Micro purchases equal to \$200 but less than \$5,000 require approval by the Deputy Executive Director, Director of Planning, Director of Programming and Project Delivery and the Director of Finance & Administration.
 - 1.3 Purchases equal to \$5,000 but less than \$50,000 require approval by the Director of Finance & Administration and the Executive Director and may be made after informal bidding procedures, which shall be documented. Generally, a minimum of three responses is required unless the item is proprietary and there are no substitutes.
 - 1.4 Purchases of \$50,000 or more require approval by the Agency Board of Directors, a scope of work (for services) or specifications (for goods) and shall be competitively bid unless there is clear evidence to demonstrate that the proposed contractor:
 - a. Is the sole qualified supplier of required goods or services;
 - b. Has unique qualifications or experience in the specific work involved; or
 - c. Is a Federal, State, or other public agency or not-for-profit corporation, which will perform the services at actual cost.
 - 1.5 Purchases that exceed the amount budgeted for a specific cost category require the approval of the Executive Director to authorize a fund transfer between budgeted cost categories.
2. No TAMC employee or agent shall either solicit or accept gratuities, favors, or anything of monetary value from suppliers or potential suppliers.
3. Employees are encouraged to choose products that have a limited impact on environment quality whenever possible. E.g., buying recycled paper for most printing, copying, faxing etc.

For Contracted Services:

1. The TAMC Legal Counsel shall approve as to form all contracts.
2. The Executive Director is authorized to make non-financial changes to contracts that do not substantially change the scope of work previously approved by the Board of Directors.
3. Contracts for services and annual extensions of such contracts for \$50,000 or less may be approved by the Executive Director, if the revenue source for the specific contract is in the approved Agency budget or is approved by a specific Agency Board action. The Executive Director shall include a quarterly report to the Board identifying any contracts valued at \$50,000 and under, entered into in the preceding quarter.
4. Contracts for services and annual extensions of such contracts in excess of \$50,000 require prior approval by the Agency Board of Directors before execution.

PROCEDURES

Procurement procedures are outlined in detail in the Agency's adopted Procurement Procedures Manual.

PURCHASE OF TAMC LOGO SHIRTS

POLICY

TAMC will purchase shirts with TAMC logo for regular employees and student interns who are promoting TAMC programs and activities at special events. The shirts may be worn while working at special events and are not for non-work use. The shirts will be replaced as needed when no longer serviceable. Only those regular employees and student interns who work at special events for TAMC would be eligible to receive a shirt. All shirt purchases must be approved by the TAMC Executive Director.

RECORDS RETENTION

POLICY

To conserve the use of space and materials, maximum use of existing methods of record storage, including microfiche, computer, and other capabilities should be used whenever available and cost effective. Some records, such as original documents of a legal nature must be retained in hard copy.

The following schedule of records retention is established. For records not specifically mentioned in the following schedules, the retention period shall be 4 years unless otherwise approved by the Executive Director.

A records review and disposal program will be scheduled annually subsequent to the presentation of the annual audit report to the Board of Directors.

GENERAL ADMINISTRATIVE RECORDS

<i>Record Type</i>	<i>Retention Period</i>
Administrative Policies	Permanent
Board Agendas	Permanent
Board Minutes	Permanent
Board Proclamations	Permanent
Board Resolutions	Permanent
By Laws	Permanent
State statutes authorizing creation of TAMC	Permanent
Committees-BPC, TAC, SSTAC, Executive	4 years hard copy, Permanent electronically
Committee-Rail Policy	Permanent
Contracts	4 years after completion

E-Mails-non-substantive emails (sent or received)	60 days
All other substantive emails	Retain for the same period as the substantive matter discussed, but not less than 2 years
Ethics Training Certificates	5 years after completion
General Correspondence	4 years
Grant Agreements	4 years after closure
Joint Powers Agreements	Permanent
Lease Agreements	4 years after closure
Legal Claims	4 years
Statement of Economic Interest Form 700	7 years

FINANCIAL RECORDS

<i>Record Type</i>	<i>Retention Period</i>
Accounts Payable Documents	7 years
Accounts Payable Ledger	7 years
Accounts Receivable Ledger	7 years
Annual Financial Statements	Permanent
Audit Reports	Permanent
Bank Deposit Statements	7 years
Bank Reconciliations	7 years
Budgets	7 years
Cancelled Checks	7 years
Check Register	7 years
Deferred Compensation Plan Reports	7 years
Federal form 1099 reports	7 years
Federal forms W-2 reports	20 years
Finance correspondence	7 years
General Ledger (end of fiscal year)	Permanent
General Ledger Trial Balance	7 years
Investment Records	Permanent
Loan records	7 years after settlement
Payroll	7 years

PERS reports	7 years
Property Depreciation (end of fiscal year)	Permanent
Property Inventories (end of fiscal year)	Permanent
Purchase/ Services Bid files	7 years
State Controllers Report	Permanent
State Periodic Reports	7 years
Timesheets	7 years
Transportation Development Act (LTF/STA)	4 years
Work Program	Permanent

PERSONNEL RECORDS

<i>Record Type</i>	<i>Retention Period</i>
Accident Report	4 years
Economic Interest	Continuous to 4 years after separation
Employee Association Agreements	Permanent
Employee Complaints/Compliments	4 years
Employee Personnel Files	Continuous to 4 years after separation
Grievance Files	4 years after settlement
Injury Claims/Settlement	4 years after settlement
Job Recruitment Documents	4 years
Personnel Terminations	4 years
Worker Compensation	7 years after settlement

PROJECT AND PROGRAM RECORDS

<i>Record Type</i>	<i>Retention Period</i>
Annual Reports to Federal Agencies	4 years after closure
Annual Reports to State Agencies	4 years after closure
Bicycle and Pedestrian Plans	7 years or until updated, whichever is longer
Congestion Management Plan	7 years or until updated, whichever is longer
Corridor Studies	Permanent
Regional Transportation Improvement Plan	7 years or until updated, whichever is longer

Regional Transportation Plan	7 years or until updated, whichever is longer
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RECRUITING, SCREENING, AND HIRING FOR STAFF POSITIONS

POLICY

1. Deputy Executive Director, Director of Planning, Director of Programming and Project Delivery or Director of Finance & Administration will recommend to the Executive Director the filling of vacant positions. The Executive Director will approve or disapprove the recommendation.
2. If a recruitment is approved, a notice of employment opportunity in the classified service will be prepared. The notice will include at a minimum the class title, salary range, the nature of the work, qualifications, starting and closing dates, and the equal opportunity statement.
3. The vacancy will be advertised as widely as possible in appropriate publications, consistent with the approved budget, and notices sent to interested parties.
4. Individuals applying for positions shall file an Application for Employment form and a supplemental questionnaire if required. The application form and supplemental questionnaire, if required, will be filed with the Administrative Section.
5. An interview panel will be appointed for all recruitment and will consist of at least three persons.
6. All resumes will be reviewed and rated by appropriate staff for conformity with requirements as described in vacancy notices.
7. Applicants disqualified, and applicants qualified but not selected for interview will be notified by mail by the Administrative Section.
8. A list of qualified applicants to be interviewed will be prepared by the Administrative Section and approved by the Deputy Executive Director, Director of Planning, Director of Programming and Project Delivery or Director of Finance & Administration.
9. The Administrative Section will notify either by telephone call with a follow up written notice or by written notice the candidates selected for interview, and the Interview Panel will conduct the interviews.
10. The Interview Panel will determine the list of potential appointees. Copies of the attached

“Guide for Oral Interview Board Members” shall be given to all panelists prior to the interview.

11. A rating sheet will be given by the Administrative Section to each panelist for each interviewee.
12. Upon approval of the final selection list by the Director of Finance and Administration, the Executive Director and direct supervisor for the position, where applicable shall conduct an administrative interview. This interview may be conducted on the same day as the interview panel if the applicant is not a local resident. At the discretion of the Executive Director, an administrative interview may be conducted by phone.
13. Upon approval of the final selection list by the Executive Director:
 - a) The Administrative Section and/or the Deputy Executive Director, Director of Planning, Director of Programming and Project Delivery will check references.
 - b) The Administrative Section will prepare for the Executive Director’s signature a conditional offer to the candidate selected for the position. The conditional offer letter will notify the candidate that hiring is contingent upon passing a background check by a private investigator that includes a reference check, a credit check, if relevant to the vacant position, and a criminal record check. If a drug test is required, the candidate will also be notified.
 - c) If they decline, the other candidate(s) on the list may be offered the position.
 - d) The Administrative Section will notify by mail all interviewed candidates of the selection for the position.

SUMMARY OF STAFF RESPONSIBILITIES

Responsible Staff: Executive Director

Action:

1. Determine vacancies
2. Approve promotion or recruitment
3. Approve final selection list

4. Make Appointments

Responsible Staff: Deputy Executive Director, Director of Planning, Director of Programming and Project Delivery or Director of Finance & Administration

Actions:

1. Recommend recruitment. Review existing selection list.
2. Recommend to the Executive Director, from the potential appointees list provided by the recruitment panel, the final selection list
3. Appoint members to interview panel
4. Approve Administrative Section recommendations on:
 - ◆ Job description
 - ◆ Period of recruitment
 - ◆ Media and organization(s) to be notified

Responsible Staff: Administrative Section

Actions:

1. Check recruitment request against approved budget and if the funds are available forward to Executive Director
2. If funds are not available return recruitment request to Deputy Executive Director, Director of Planning, Director of Programming and Project Delivery or Director of Finance & Administration
3. Prepare for Deputy Executive Director, Director of Planning, Director of Programming and Project Delivery or Director of Finance & Administration approval: job description, recruitment period, media and organizations to be notified of recruitment
4. Prepare job announcement for Deputy Executive Director, Director of Planning, Director of Programming and Project Delivery or Director of Finance & Administration approval

5. Place advertisements and send notices to designated organizations
6. Send notices to and application forms to individuals requesting such information
7. Receive applications and resumes
8. For finalists only, check references.
9. Prepare letter to applicants and candidates
10. Prepare recruitment file
11. Retain applications and recruitment file for four (4) years
12. Schedule panels and interviews

Responsible Staff: Interview Panel

Actions:

1. Conduct interviews
2. Recommend list of potential appointees to Executive Director
3. Notify Administrative Section of all actions and return all applications and other pertinent materials

TRANSPORTATION AGENCY FOR MONTEREY COUNTY

A GUIDE FOR ORAL INTERVIEW BOARD MEMBERS

Thank you for participating on a Qualification Appraisal Board with TAMC. TAMC is an Equal Opportunity Employer.

THE INTERVIEW PROCESS

As a member of the Qualifications Appraisal Board, you are asked to appraise the training, experience, and personal traits of the candidates in relation to the requirements of the position for which they are competing.

The burden of proof rests on the candidate, but the burden of conducting the interview and helping the candidate to supply the necessary evidence rests upon the board. It is the board's task to secure a record of factual data which represents differences in ability to do the job rather than differences in ability to participate in an oral interview.

Maintaining good public relations is an important aspect of the interview process. All candidates should feel that they have been given friendly and skillful assistance in presenting their qualifications to the Board.

Before the interviews begin, you will have an opportunity to discuss with the other members the duties and requirements of the position. You will also review the written application/resume submitted by each candidate, which shows previous training and experience.

The time for each interview has been determined in the schedule for the day. You should try to adhere to this schedule and to give each candidate approximately the same amount of time.

QUESTIONING A CANDIDATE

Appropriate topics to be discussed and questions to ask derive from the nature of the work and the traits to be rated. Since this is a competitive examination, some standardization of topics and questions is necessary, but uniformity of question and follow-up is not necessary. To arrive at a satisfactory basis for rating the same traits in all candidates, it is necessary to vary the details of an interview to meet variations in the candidate's answers and reactions.

1. In general, it is better to direct questions toward determining what the candidates' previous training, experience, and behavior have in common with the requirements of

the positions. ALL questions must be job related.

2. You should be careful regarding the form in which a question is put to the applicant. Leading questions should be avoided.
3. Avoid the influence of “halo”, the tendency to give high ratings in one trait because of a favorable impression with regard to another.
4. Try to avoid jumping to conclusions. Retain an open mind until the examination is concluded, and all the evidence is in.
5. If a board member feels that a candidate does not possess the required qualifications, the member should inform the candidate of the area(s) of weakness. This allows the candidate to answer the Board regarding these areas and provide an opportunity to present additional information in these specific areas.

LEGAL LIMITATIONS

In oral boards, chairpersons are expected to ensure no unlawful inquiries are answered by the applicant. Should an inquiry of questionable legality be raised, the chairperson is expected to either redirect the question by rephrasing or refocusing it or to instruct the applicant not to reply. Chairpersons have the authority to terminate the interviewing process should any oral board member(s) persist in asking unlawful questions, should there be any questions regarding the possibility of illegality of any question, please feel free to ask the chairperson.

1. Board members may not ask questions about the following topics, nor may any of these factors be considered in rating a competitor or disqualifying a competitor: race, color, ancestry, medical condition, sex (including pregnancy, childbirth and related medical conditions), physical or mental disability, veteran status, sexual orientation, family situation, age, national origin, religious affiliation, political affiliation, union membership or affiliations, marital status, Workers’ Compensation claims or gender identity.
2. The board should not make medical judgments and should not disqualify a candidate purely on medical factors.
3. A board member should withdraw from any interview in which the member feels that they cannot give a fair rating.
4. The chairperson or the candidate may ask that a member of the board be excluded from

the interview and the discussion and rating qualifications if either one believes that the member is biased.

RATING A CANDIDATE

1. Ratings must be based on information brought out during the interview and on the candidate's observable behavior in the interview. Previous knowledge of the candidate must not be used in establishing ratings.
2. The ratings are estimates of a candidate's potential success for the classification being examined. The ratings should not be judgments of the candidate's effectiveness in any current job.
3. A general test of qualifications is "If I were the appointing authority, would I hire this individual with reasonable confidence that the job could be handled successfully?"
4. After you have interviewed the first few candidates, you probably will find it desirable to discuss your ratings in order to see how your standards compare with those of the other raters. At any time during the day and certainly at the end, you should review your own ratings to be sure that they reflect your comparative opinions of the candidates. Ratings at first may be marked lightly so that you can erase and revise them if you wish to do so before they become final.
5. The summary rating you assign each candidate should reflect your judgment as to the employability of the applicant in this particular classification.
6. You are required to sign each rating form you use. However, in the case of appeal, you will not be identified individually but only as one of three or four whose pooled judgment resulted in a certain score for the applicant.
7. All rating forms and other pertinent information should be given to the chairperson, who then will give it to the Administrative Section at the conclusion of the interviews.

REMOTE ACCESS POLICY

The purpose of this policy is to define standards for connecting to TAMC's network from any host. These standards are designed to minimize the potential exposure to TAMC from damages which may result from unauthorized use of TAMC resources. Damages include the loss of sensitive or agency confidential data, intellectual property, damage to public image, damage to critical TAMC internal systems etc.

This policy applies to all TAMC employees, contractors, vendors and agents with TAMC owned computers or workstations used to connect to the TAMC network. This policy applies to remote access connections used to do work on behalf of TAMC, including reading or sending email and viewing intranet web resources.

Remote access implementations that are covered by this policy include, but are not limited to, dial-in modems, frame relay, ISDN, DSL, VPN, SSH, and cable modems etc.

POLICY

1. It is the responsibility of TAMC employees, contractors, vendors and agents with remote access privileges to TAMC's network to ensure that their remote access connection is given the same consideration as the user's on-site connection to TAMC.
2. Computers not owned and managed by TAMC are prohibited from accessing the TAMC network.
3. For additional information regarding TAMC's remote access connection options, see the staff IT coordinator.

REQUIREMENTS

1. Secure remote access must be strictly controlled. Control will be enforced via password authentication.
2. At no time should any TAMC employee provide their login or email password to anyone.
3. TAMC employees and contractors with remote access privileges must ensure that their TAMC owned computer or workstation, which is remotely connected to TAMC network, is not connected to any other network at the same time, with the exception of personal networks that are under the complete control of the user.

4. TAMC employees and contractors with remote access privileges to TAMC's network must not use non-TAMC email accounts (e.g., Hotmail, Yahoo, Gmail etc.) or other external resources to conduct TAMC business, thereby ensuring that official business is never confused with personal business.
5. Routers for dedicated ISDN lines configured for access to the TAMC network must meet minimum authentication requirements of CHAP.
6. Reconfiguration of a home user's equipment for the purpose of split-tunneling of dual homing is not permitted at any time.
7. Frame Relay must meet minimum authentication requirements of DLCI standards.
8. Non-standard hardware and security configurations must be approved by the staff IT coordinator.
9. All hosts that are connected to TAMC internal networks via remote access technologies must use the most up-to-dated anti-virus software.
10. Organizations or individuals who wish to implement non-standard Remote Access solutions to the TAMC network must obtain prior approval from the staff IT coordinator.

ENFORCEMENT

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

DEFINITIONS

Cable Modem-Cable companies such as AT&T Broadband provide Internet access over Cable TV coaxial cable. A cable modem accepts this coaxial cable and can receive data from the Internet at over 1.5 Mbps. Cable is currently available only in certain communities.

CHAP-Challenge Handshake Authentication Protocol is an authentication method that uses a one-way hashing function. DLCI Data Link Connection Identifier (DLCI) is a unique number assigned to a Permanent Virtual Circuit (PVC) end point in a frame relay network. DLCI identifies a particular PVC endpoint within a user's access channel in a frame relay network and has local significance only to that channel.

Dial-in Modem-A peripheral device that connects computers to each other for sending communications via the telephone lines. The modem modulates the digital data of computers into analog signals to send over the telephone lines, then demodulates back into digital signals to be read by the computer on the other end; thus, the name “modem” for modulator/demodulator.

Dual Homing-Having concurrent connectivity to more than one network from a computer or network device. Examples include: Being logged into the agency network via a local Ethernet connection, and dialing into an Internet Service Provider (ISP). Being on a TAMC provided Remote Access home network, and connecting to another network, such as a spouse’s remote access. Configuring an ISDN router to dial into TAMC and an ISP, depending on packet destination.

DSL-Digital Subscriber Line (DSL) is a form of high-speed Internet access competing with cable modems. DSL works over standard phone lines and supports data speeds of over 2 Mbps downstream (to the user) and slower speeds upstream (to the Internet).

Frame Relay-A method of communication that incrementally can go from the speed of an ISDN to the speed of a T1 line. Frame Relay has a flat-rate billing charge instead of a per time usage. Frame Relay connects via the telephone company’s network.

ISDN-There are two flavors of Integrated Services Digital Network or ISDN: BRI and PRI. BRI is used for home office/remote access. BRI has two “Bearer” channels at 64kbit (aggregate 128kb) and 1 D channel for signaling info.

Remote Access-Any access to TAMC agency network through a non-TAMC controlled network, device, or medium.

Split-tunneling-Simultaneous direct access to a TAMC network (such as the Internet, or home network) from a remote device (PC, PDA, WAP phone etc.) while connected into TAMC’s network via a VPN tunnel. VPN Virtual Private Network (VPN) is a method for accessing a remote network via “tunneling” through the Internet.

REPORTING OF WORKPLACE INJURY

POLICY

Staff members who incur a workplace injury while at work shall report such accidents to the Administrative Section in writing as soon as possible after the accident. The Administrative Section will notify the Executive Director of all accidents.

PROCEDURES

Responsibility

Action

Staff Member

Report in writing to Administrative Section all accidents occurring at work, as soon as possible.

Administrative Section

Report accident to insurance carrier, and the Executive Director, Deputy Executive Director, Director of Planning, Director of Programming and Project Delivery.

"At work" refers to any time period or location where the employee is on official TAMC business.

Workers' Compensation Claim Procedure:

All employees are covered by Workers' Compensation insurance, which provides for payment of medical expenses and loss of income resulting from a work-related injury or illness. If a TAMC employee becomes injured or ill because of their job, they may be entitled to Workers' Compensation benefits. A pamphlet describing workers' compensation benefits and the procedures to obtain them is available from the Administrative Section, and a notice regarding same is posted in the TAMC employee lounge.

- ◆ The amount of benefits payable and the duration of the benefits depend on the nature of the injury and the applicable state law provisions
- ◆ The employee immediately reports the work-related injury or illness to their supervisor.
- ◆ The supervisor ensures that the employee receives appropriate medical treatment
- ◆ The Administrative Section may receive notice of an injury from many sources, i.e., the injured

employee, a co-worker, a supervisor, treating physician, or family member.

- ◆ When the Administrative Section receives notice of an injury from any source, the following procedure must be followed within one (1) working day:
 1. The Administrative Section completes lines 9 – 18 of the DWC-1 and gives the DWC-1 to the employee.
 2. The Administrative Section should have the employee sign and date the Acknowledgement of Receipt of Employee Claim Form.
 3. If the employee completes the DWC-1, they should be given the green copy of the DWC-1 and the employer should retain remaining copies.
 4. The appropriate supervisor should complete the Supervisor's Report of Injury.
 5. The Administrative Section completes the Employer's Report of Occupational Injury or Illness (5020).
 6. The Administrative Section sends all of the above to the Agency's Worker's Compensation Claims administrator. The Administrative Section should retain a copy of all information for their file.
 7. If the employee is not available, the Administrative Section must personally deliver the DWC-1 or send by certified mail within one (1) working day.
 8. Due to state-mandated timeframes it is imperative that information be provided to the Agency's Worker's Compensation Claims administrator as soon as possible.

SERVICE RECOGNITION PROGRAM

PURPOSE

TAMC's Service Recognition Program recognizes and shows appreciation for long-term full and part-time employees.

POLICY

Staff with five or more years of continuous service will be recognized at five-year service milestones. Recognition will occur during the calendar year in which the milestone occurs. The eligible staff must be in active service on their service anniversary date in order to receive this award. Employees, who cease employment for any reason during a service recognition year prior to their anniversary date, are not eligible for the award. Staff on a leave of absence will receive their award upon their return.

Service milestones are recognized by presentation of a nominal award for each five years of continuous service beginning with five years of service.

PROCEDURE

- A certificate of recognition and a cash award (\$10 for each year of service) will be presented to the employee on their anniversary day (or nearest staff meeting). The cash award is taxable per Internal Revenue Service regulations.
- Employee will be acknowledged at the Board of Directors meeting in January of the year following in which the employee has reached the service milestone.

TELEWORK POLICY

The Transportation Agency considers telework to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Data has shown that a well-defined telework program helps to reap benefits of continuity of operations, increase productivity, recruitment, retention, work-force balance, positive environmental impacts, and potential overhead savings.

Through its Telework Policy, TAMC has the ability to improve worker productivity, lower office costs, and reduce vehicle trips by allowing employees to work at home, on the road, or in a satellite location, as appropriate, for all or part of their work week. In such times, as during the COVID-19 pandemic, the Transportation Agency can enhance employee safety with social distancing through a telework program. This telework option will be allowed based upon work assignments, out-of-town meetings, or appointments; or circumstances which dictate that telework is necessary to ensure employee safety and agency operations.

This Telework Policy contemplates work from non-office locations for an extended period of time, not necessarily in situations where an employee is at a conference or a TAMC-related business trip of less than 7 days. In those situations, the employee and supervisor will work out arrangements suitable to the circumstance.

A teleworking employee is still subject to the conditions mandated in the current Human Resources Rules and Regulations, and other TAMC policies that may apply, regardless of their physical work location.

This is a voluntary program, and the Agency does not in any way require that a remote office be maintained by any employee.

PROCEDURES

Telework is subject to the following provisions:

1. Employees are encouraged to consider teleworking three days per week, subject to prior approval by the employee's supervisor and completion of the alternative schedule request form.
2. Approval to telework up to five days per week will be considered on a case-by-case basis, subject to approval by the Executive Director.

3. At regular weekly or periodic check-in meetings (not less than every two weeks), the employee shall review with their supervisor the activities that they expect to accomplish.
4. Employees are required to be available to receive calls during the telework period.
5. Employees shall be allowed to utilize TAMC supplies and equipment for telework, subject to their supervisor's approval and the equipment policy.
6. TAMC's regular work week is 40 hours per week, regardless of work location or time of day worked. TAMC's overtime or comp time policy applies with regards to work over 40 hours per week, which requires prior approval of the employee's supervisor. Should an employee need to flex their time mid-day for personal errands, they must notify their supervisor and get approval for the modified schedule.
7. Employees and their supervisor are responsible for determining if the employee is able to telework productively in an unsupervised, unstructured environment.

SUPPLIES AND EQUIPMENT

Employees are required to use Agency supplied computers when conducting work. The employee's supervisor will determine, with information supplied by the employee, the appropriate supplies and equipment needs (including hardware, software, and other office equipment) for each telework arrangement. The Agency will reimburse the employee for business-related supplies that are reasonably incurred in carrying out the employee's job, as long as receipts substantiate the expense.

The IT support team will serve as a resource in this matter.

Equipment supplied by the Transportation Agency will be maintained by the agency. Equipment supplied by the employee will be maintained by the employee. TAMC accepts no responsibility for damage or repairs to employee-owned equipment. The Transportation Agency reserves the right to make determinations as to appropriate equipment, subject to change at any time.

Equipment supplied by the organization is to be used for business purposes only and is subject to inspection at any time by the Agency. The employee must sign an inventory form of all TAMC property received and agree to take appropriate action to protect the items from damage or theft. The supervisor or the IT team will supply a signed copy of the inventory form to the HR director. Upon termination of employment, all agency property will be returned to the agency.

Employees are required to receive written approval from their Supervisor if their telework location is beyond 60 miles of the Agency's office. Employees must provide the dates that they will be working remotely more than 60 miles from the office, and the approval must be prior to their departure date.

The Transportation Agency will not be responsible for costs associated with the setup of the employee's telework office, such as remodeling, furniture, or lighting, nor for repairs or modifications to the telework office space.

TRAVEL EXPENSES

Travel to and from work meetings within Monterey County is not reimbursable to employees, regardless of their teleworking location. If an employee is teleworking more than 60 miles from the Agency office and traveling to a work meeting or conference outside of the County, the employee will only be reimbursed for the cost for comparable travel to and from the Monterey Bay Area.

SECURITY

Consistent with the organization's expectations of information security for employees working at the office, telework employees will be expected to ensure the protection of Transportation Agency information accessible from their authorized remote location. Safety protocols include not sharing or giving access to company data, regular password maintenance, and any other measures appropriate for the job and the environment to ensure that Agency data is protected.

The Agency maintains unrestricted rights of access to all data and software on any TAMC equipment. Using personal devices to generate or save TAMC related information is strictly prohibited. Any such device containing TAMC related information shall be made available for review at the request of appropriate TAMC supervisors.

LIABILITY

A teleworking employee's on-going legal responsibilities and defenses for any accidents or injuries occurring on the teleworker's premises are unchanged by the terms of the authorization for teleworking. Teleworking does not convert an employee's residence or other telework location into an Agency workplace; an employee allowed to telework is responsible for the health and safety of the authorized telework location and shall take all reasonable and necessary precautions to protect the health and safety of the teleworker.

A telework employee shall abide by all TAMC Administrative Policies, specifically including those policies relating to the use of Electronic Communications.

The teleworker has the responsibility to maintain their remote workspace in a safe condition, free from hazards or other dangers. The teleworker must designate a specific work area that is suitable for performing official business, maintained in a safe condition and free from hazards. The teleworker must perform their work in that designated area when teleworking. All equipment used during periods of teleworking must be maintained in good working condition and be ergonomically suitable for the work. The teleworker shall allow the Agency to inspect the remote workspace for the purpose of determining that it is safe and free from hazards. The Agency does not assume any liability for loss, damage, or wear of employee-owned equipment or furniture, or for injuries to persons other than the employee during teleworking hours.

TELEWORKING TAX IMPLICATIONS:

An employee teleworking is encouraged to consult with their tax advisor on possible tax implications. Any employee teleworking is wholly responsible for all tax implications and reporting required by taxing authorities and will not be reimbursed by the Agency for any tax-related costs.

TIME WORKED

All employees, including teleworking employees, are required to accurately record all hours worked using the Agency's time-keeping system. Employees who are not exempt from the overtime requirements of the Fair Labor Standards Act must obtain advance approval of their supervisor prior to working hours in excess of 40 hours per week. Failure to comply with this requirement may result in the immediate termination of the telework agreement.

Nothing in this Telework Policy modifies the existing comp time or overtime policies that are detailed in the Transportation Agency's Human Resources Rules and Regulations or other Agency policies.

TERMINATION OF TELEWORKING

While to be encouraged, teleworking is not a right, and is at the sole discretion of the appropriate supervisor or TAMC executive director. Arrangements allowing teleworking may be discontinued at any time, whether for an interim period of time or permanently. Removal or denial of a teleworking scheduled will not be deemed punitive and is not a grievable matter.

WHISTLEBLOWER POLICY

POLICY

Protecting whistleblowers is an essential component of an ethical and open work environment. Whistleblower protection should not be viewed only as a duty to avoid employee lawsuits. Instead, protecting whistleblowers from retaliation and encouraging constructive whistle blowing benefits nonprofits by increasing transparency and by giving management the opportunity to learn early on of unethical or unlawful practices directly from their employees rather than from the media, law enforcement, or a regulatory agency. In addition, effective whistleblower protection helps foster a work environment in which all employees are held accountable, thereby improving performance and empowering employees.

DEFINITIONS

A. Wrongful Conduct – A serious violation of TAMC policy; a violation of applicable state and federal laws; or the use of TAMC property, resources, or authority for personal gain or other non-business-related purpose except as provided under TAMC policy.

B. Protected Disclosure – Communication about actual or suspected wrongful conduct engaged in by a TAMC employee, or contractor (who is not also the disclosing individual) based on a good faith and reasonable belief that the conduct has both occurred and is wrongful under applicable law and/or TAMC policy. Individuals who are aware of or have reason to suspect wrongful conduct should report the conduct to:

1. The disclosing individual's supervisor, either orally or in writing, or
2. Report violations to the Executive Director, either orally or in writing, or
3. Report violations to the Director of Finance & Administration, either orally or in writing, or
4. Agency Counsel, or
5. The appropriate governmental unit, law enforcement office or ethics commission after first providing a written communication about the wrongful conduct to the TAMC individuals referenced above.

Individuals who wish to be protected by the Whistleblower Protection Act are encouraged to provide a written report that provides sufficient detail to identify and describe the violation.

C. Retaliation – Adverse action against an individual because they made a protected disclosure or has participated in an investigation, proceeding or hearing involving a protected disclosure.

INTENT

A. This policy is intended to protect any individual who engages in good faith disclosure of alleged wrongful conduct to a designated TAMC official or public body. More specifically it:

1. encourages individuals to disclose wrongful conduct engaged in by others to the appropriate TAMC official so that prompt, corrective action can be taken by TAMC,
2. informs individuals how allegations of wrongful conduct can be disclosed,
3. protects individuals from reprisal by adverse employment action or other retaliation as a result of having disclosed wrongful conduct (individuals who self-report their own misconduct are not afforded protection by this policy), and
4. provides individuals who believe they have been subject to reprisal or false allegations a fair process to seek relief from these acts.

B. Any communication that proves to have been both unsubstantiated and made with malice or with knowledge of its falsity is not protected by this policy. This policy is also intended to protect individuals against false allegations of wrongful misconduct.

C. Nothing in this policy is intended to interfere with legitimate employment decisions.

REGULATIONS

A. Acting in good faith. Anyone making a protected disclosure or filing a complaint concerning a violation or suspected violation of this policy must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the policy.

B. False allegation. Any employee who knowingly or with reckless disregard for the truth

gives false information or knowingly makes a false report of wrongful conduct or a subsequent false report of retaliation will be subject to disciplinary action, up to and including termination. Any employee who makes false allegations in the non-employment setting will be subject to judicial action. Allegations that are not substantiated yet are made in good faith are not subject to corrective action.

C. Retaliation. No individual who makes a protected disclosure will suffer harassment, retaliation, or adverse employment consequences. Any person who retaliates against any individual who makes a protected disclosure is subject to discipline up to and including termination. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the TAMC organization prior to seeking resolution outside of TAMC.

D. Confidentiality. Protected disclosures may be made on a confidential basis by the complainant or may be submitted anonymously through Human Resources/Administration. Protected disclosures and investigatory records will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation, and in accordance with the California Public Records Act.

E. Handling Protected Disclosures. The TAMC Office or individual that is receiving the protected disclosure will notify the disclosing individual (if their identity is known) and acknowledge receipt of the reported violation or suspected violation within ten working days for most issues and within 24 hours for alleged criminal or environmental violations. All reports will be promptly investigated within 45 calendar days and appropriate corrective action will be taken if warranted by the investigation.

REPORTING VIOLATIONS

Individuals should share their questions, concerns, suggestions, or complaints with a TAMC administrator who can address them properly. In many cases the individual's supervisor is in the best position to address an area of concern. If an individual is not comfortable speaking with the supervisor, or is not satisfied with the supervisor's response, individuals should take their concerns to one of the other individuals referenced above.

INDIVIDUAL RESPONSIBILITIES

A. Be knowledgeable about this policy.

- B. Report violations or suspected violations of the policy to the individual's direct supervisor or to the appropriate administrator as noted above.

TAMC RESPONSIBILITIES

- A. Familiarize employees with this policy and incorporate into Agency orientation materials.
- B. Maintain findings of wrongful conduct or false allegations in the individual's personnel file.

OFFICE OF HUMAN RESOURCES/ADMINISTRATION RESPONSIBILITIES

- A. Accept and investigate protected disclosures regarding employment matters.
- B. Accept and investigate complaints of retaliation for making protected disclosures.
- C. Provide information about this policy during New Employee Orientation.

EMPLOYEE CERTIFICATION

I, _____, certify that I have

(Print Name of Employee)

received a copy of the Transportation Agency for Monterey County's Administrative Policies and Procedures. I understand that I am to promptly read its contents and that if I have any questions about the Policies and Procedures, I am to discuss them with my supervisor or the Director of Finance & Administration. I acknowledge that I am expected to read, understand and adhere to the Transportation Agency for Monterey County's Administrative Policies and Procedures.

(Employee Signature)

(Date)