**ORLAND CEMETERY DISTRICT**

**BYLAWS**

**GENERAL PROVISIONS AND GOVERNMENT**

*Adopted October 10th,2017*

**A. GENERAL**

1. **Formation.** The Orland Cemetery District is a public cemetery district formed on May 28th, 1927 by resolution of the Glenn County Board of Supervisors and existing under the provisions of the laws of the State of California.

2. **Purpose**. The provisions of these Bylaws (“Bylaws”) and Policies and Procedures ("Policies") and Rules and Regulations (“Rules”) enacted by the Board of Trustees of the Orland Cemetery District (“District”) are to assist the Board of Trustees of the District as it sets policy and conducts the business and affairs of the District. It is the intent and purpose of these Policies to help clarify and define the responsibilities of the officials of the District. The purpose of these Bylaws is to supplement state law and to provide more specific guidelines for the actions of the Board of Trustees of the District by means which are fair, fiscally responsible, and protective of the interests of the people of the District. These Bylaws express the consensus of the Board as to policy matters covered but are not intended to be exhaustive nor are they intended to restrict the otherwise lawful authority of the Board. Notwithstanding any other term, provision or condition of these Bylaws, no otherwise lawful act of the Board or the officers of the District shall be invalidated by reason of any term, provision or condition of these Bylaws.

3. **Roster of Public Agencies**. Pursuant to Government Code § 53051, each time a change is made in the name of the District, the address of the District, or a change in the members of the governing board, a statement of facts will be filed with the Secretary of State and the Glenn County Clerk within ten (10) days of the change.

4. **Applicable Law**. That which is contained in the applicable provisions of the California Health and Safety Code and applicable provisions of the California Government Code governing the actions of the District and its Board of Trustees.

**B. ORGANIZATION**

1. **Board of Trustees**. The District is governed by a Board of Trustees consisting of three (3) members appointed by the Glenn County Board of Supervisors. The Trustees shall hold office for four (4) years and until their reappointment or appointment of their successors. All Trustees’ terms shall commence at noon on the first Monday in January following appointment and end on the first Monday in January four years later. To the extent possible, Trustees’ terms shall be staggered so that no more than two (1) Trustees’ terms expire in the same calendar year.

2. **Oath**. Each Trustee shall accomplish an “Oath or Affirmation of Allegiance and Affidavit of Citizenship.” Two copies of the form will be mailed to the Trustees by the Glenn County Board of Supervisors upon his or her appointment. One copy of the executed Oath will be forwarded to the County Clerk and one copy kept on file in the District Office.

3. **Officers**. The officers of the Board of Trustees shall be Chairperson and Vice Chairperson. The Board may also appoint a Secretary and, in the event any of the District’s funds are withdrawn from the County and managed by the District, the Board shall also appoint a Treasurer, which person shall be bonded.

4. **Election of Officers**. At the first meeting in January of each year the Board shall elect a Chairperson and a Vice Chairperson to serve terms of one year and may be re-elected to any number of consecutive terms by voting members of the Board. Upon the occurrence of a vacancy in one or more of the officer positions, the Board shall fill such vacancy in accordance with the law. An interim election for Board Officers may be held upon the written request of the, majority of the Trustees on the Board at the time.

The office of a member of the Board of Trustees shall become vacant upon:

a. The death of the incumbent;

b. The resignation of the incumbent;

c. The Trustee’s ceasing to discharge the duties of his or her office for the period of three (3) consecutive months, except when prevented by ill ness;

d. The physical or mental incapacitation of the incumbent due to disease, illness, or accident for a period of six (6) months or more where the remaining Board members have reasonable cause to believe that the incumbent will not be able to perform the duties of his or her office for the remainder of his or her term;

e. His or her conviction of a felony or of any offense involving a violation of his or her official duties; or

f. His or her refusal or neglect to file his or her required oath or required Statement of Financial Interests within the time prescribed.

5. **Duties of Trustees - General**. The Trustees' duties shall be legislative in nature. They shall formulate and adopt policy, rules and regulations for the operation and management of the District.

a. **Open Meetings**. The Trustees shall conduct their business for the public benefit, abiding by the California "Open Meeting Law" (Govt. Code §§ 54950 *et seq.*) as interpreted by court decisions and Attorney Generals opinions, concerning the requirements for open meetings of governmental agencies in California.

b. **Sound Judgment**. They shall exercise sound and prudent judgment in conducting the business of the District and shall deal always in an ethical, honest, straight-forward, open and above-board manner with the community, the District Manager and the staff.

c. **Finances and Budgets**. They shall in all ways prudently manage, preserve and account for the District’s financial resources. They shall review and approve a budget annually. They shall provide, within applicable budget limitations, adequate personnel, equipment and materials for the operation and maintenance of the Orland Cemetery District.

d. **Personnel**. The Board shall establish Personnel Policies which shall provide for the recruitment, selection, retention, evaluation, discipline and termination of District employees.

e. **District Manager**. They shall employ a qualified, competent person as District Manager who will manage, administer and supervise the District under the direction of the Board. The Manager shall serve at the will and pleasure of the Board. The Board shall conduct at least annual formal job appraisal reviews of the District Manager pursuant to a formal review process which will be developed and documented.

f. **Board Studies**. They shall study ways of improving the District and the services the District provides.

g. **Collective Action**. They shall act collectively, and they will not individually involve themselves in the day-to-day operation of the District. They shall function as a Board rather than as individuals to adopt public policies and Board procedures for guidance of the Board and Staff.

h. **Community Relations**. They shall keep the District Manager informed of community reaction to the District's services and assist in building positive community relations.

i. **Official Functions**. They shall represent the District at official functions that pertain to the District as required.

j. **Litigation**. They shall initiate legal action when appropriate, and vigorously defend the District against unwarranted claims or demands.

k. **Workshop Meetings**. It is the duty of the Chairperson to call a workshop meeting upon the appointment of any new Board Member. This is to benefit the newly appointed Trustees and acquaint them with the law governing public cemetery districts, District Bylaws, Policies and Procedures, Rules and Regulations, the Brown Act (Open Meeting Laws), the District's annual budget, and current issues under study by the Board of Trustees.

6. **Clerk of the Board**. The Clerk of the Board shall be the District’s Office Manager or other person selected by the Board and shall attend each regular meeting of the Board and maintain a record of all proceedings thereof as required by law. If the Clerk of the Board cannot attend a meeting, the Chairperson or the District Manager shall arrange to have someone in attendance to properly record the Board's proceedings.

It shall be the duty of the Clerk of the Board to attest to all District Resolutions. The Clerk of the Board shall attend all closed sessions of the Board as provided for in Government Code § 54957.2(a). The Clerk of the Board shall also keep a record of Board Agendas and Board Action Synopses. The Clerk is responsible for signing all legal documents and affixing the District Seal as required. The Clerk is responsible for the publication of legal notices, appropriate action and certification and filing of documents, *e.g.*, budgets, election reports, audits, resolutions, other legal documents. The Clerk is responsible for receiving and answering all official Board correspondence, after appropriate consideration is given to the correspondence by the Board acting collectively.

**C. MEETINGS**

1. **Regular Meetings**. The regular meetings of the Board of Trustees shall normally be held on the [second Tuesday] of each month and shall normally commence at the hour of 9:00 a.m. at the District Offices. Notwithstanding the foregoing, the starting time of the meeting may be adjusted by order of the Chairperson to accommodate expected business.

2. **Special Meetings**. Special Meetings may be called at any time by the Board’s Chairperson, or by a majority of the Trustees, by delivering personally or by mail, written notice of such meeting to each Trustee and by posting notice and agenda of the meeting at least 24 hours before the time of such meeting. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered.

3. **Emergency Meetings**. Emergency Meetings may be called without compliance with the 24-hour notice requirement in the case of any emergency, situation involving matters upon which prompt action is necessary as set forth in Government Code § 54956.5.

4. **Closed Sessions**. Closed sessions may be called during a regular or special meeting. The general reason for a closed session must be made public either before or after the closed session of a regular meeting, and in the advanced notice of a special meeting. Closed sessions not expressly authorized by the Brown Act are prohibited. Following a closed session, the Chairperson shall announce any action taken by the Board during such closed session to the extent such action does not breach any person’s right to privacy.

5. **Quorums**. A quorum is established as a majority of the total membership of the District Board. The District Board, which has a total membership of three (3) members, requires two (2) members to conduct a meeting and requires two (2) votes in agreement to pass a motion, resolution or ordinance.

6. **Meeting Procedures**. The Chairperson, when present, shall preside at all meetings of the Board, shall take the chair at the hour appointed for every board meeting and immediately call the members to order and proceed with the business of the Board. The proceedings of the Board shall be conducted in accordance with the provisions of law applicable thereto and generally accepted rules of order and parliamentary procedure, except as otherwise expressly established from time to time by a majority of the total membership of the Board. Except as they conflict with the California Government Code, Robert’s Rules of Order (Newly Revised) shall govern all questions of procedures.

7. **Meeting Attendance**. Each member shall be in his or her respective seat at the hour set for each regular meeting and at the time set for any adjourned or special meeting. Any member not present when the board is called to order shall be designated in the minutes as absent. If a member arrives after a meeting commences, the recording secretary shall note his or her arrival in the minutes.

8. **Agenda Organization**. The business of each regular meeting of the Board shall be in the order as printed on the agenda or as directed by the Chairperson of the Board. Generally, this shall be as follows:

a. Call to Order

b. Pledge to Flag

c. Roll Call of Board

d. Public Comment & Opportunity to Discuss Matters Not on the Agenda but Within District Jurisdiction

e. Information Items

(1) District Manager’s Report

(2) Sales, Burials, Safety Report, Major Purchases & Attendance

(3) Web Site Hits

(4) Correspondence

(5) Old Business Updates

f. Discussion Items & Possible Action Items

(1) Old Business

(2) New Business

1. Board Matters
2. Consent Agenda

(1) Approval of Board Minutes of previous meeting

(2) Approval of Claims

i. Recess to Closed Session

j. Reconvene to Open Session / Closed Session Report

k. Trustees Questions & Comments

l. Announcements

m. Adjournment.

9. **Materials for Non-Agenda Items.** Any member intending to introduce a special item not contained in the agenda shall deliver copies of such items, if possible, to each Board member and to the public before the opening of the meeting.

10. **Board Discussions**. When any Board member wishes to speak, the Board member shall address the Chairperson. The Chairperson shall name the member who is first to speak, and those speakers shall confine their remarks to the questions under debate and avoid disparaging personal attacks or comments. The Chairperson may elect not to recognize a Board member to speak again until all other members have had an opportunity to be heard.

11. **Motions and Seconds**. Each motion made by any member of the Board shall require a Second. Motions and Seconds may be made by any member of the Board, including the Chairperson.

12. **Roll Call Procedure**. Roll call will be called in voting upon all resolutions and ordinances which govern the District, while a voice vote may be had on routine motions not affecting the Policies & Procedure, Rules & Regulations or finances of the District.

13. **Required Staff Attendance**. The District Manager or a representative designated by such the District Manager shall attend all regular and special meetings of the Board unless otherwise specified by the Board. Only those staff members specifically instructed to attend by the District Manager shall be deemed to be "required to attend" within the meaning of this section.

14. **Agenda Preparation**. The Chairperson of the Board shall direct the preparation of the agenda by the Clerk of the Board for the regular monthly meetings for delivery and posting no later than three (3) days prior to the date of the meeting (Government Code § 54954.2) or as required by the Board.

15. **Agenda Contents**. The agenda shall include those matters designated by the Chairperson or any Trustee, complete with all appropriate papers and reports relating to each matter, addressed to the Board for action. The agenda shall list the items for the Board's consideration by number with a brief statement of the subject matter sufficiently defined to apprise the public of the matter to be considered for each of the items. The agenda may include suggested actions or recommendations. All persons having agenda items shall use their best efforts to have all necessary materials to the Clerk of the Board on or before 12:00 noon on the fourth (4th) business day before the day of the regular meeting.

16. **Agenda Distribution**. Any written material given to a majority of the Board must be made available to the General Public so long as those writings are public records. If these writings are distributed to members of the Board before the meeting, such writings must be made available to the public before the meeting. By the same token, any writings distributed to the Board during, the course of the meeting must also be made available to the public at that time and will comply with section 54957.5 of the Government Code. The major exceptions to the obligation to provide the public with access to any writings distributed to members of the Board are those that deal with matters properly discussed in closed sessions or protected under Government Code section 6250 *et. seq.* which are to remain confidential. The Board has adopted a Public Records Policy and has established a reasonable fee schedule for copies of public records pursuant to Government Code section 6257.

17. **Audience Comment and Seating**. Any member of the public wishing to address the Board shall first identify himself or herself. Unless addressing the Board or entering or leaving the board room, all persons in the audience shall remain seated in the seats provided. It is the Board's intent to accommodate all persons who wish to attend open public meetings.

18. **Demonstrations Prohibited**. All demonstrations during meetings, including cheering, yelling, whistling, hand clapping, and foot stomping, are prohibited.

19. **Meeting Disruptions**. The exception to the right of the public to attend all meetings of the Board applies to those who attempt to disrupt the conduct of the meeting. In the event, that any meeting is willfully disrupted, by a group or groups of persons, so, as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of the individuals who are willingly interrupting the meeting, the Board may order the meeting room cleared and continue in session. However, only matters appearing on the agenda may be considered in such a session. Duly accredited representatives of the press and other news media, except those participating in the disturbance shall be allowed to attend any session held pursuant to this exception. (Government Code § 54957.9.)

**D. POWERS, DUTIES AND COMPENSATION**

1**. Chairperson**. The Chairperson shall possess the powers and perform the duties prescribed as follows:

a. **General Direction**. Have general direction over the Board room and assign seats for the use of the Board members and members of the staff, if required.

b. **Management and Supervision**. The Chairperson shall supervise the day to-day activities of the District’s management employee(s). No other Trustee shall supervise or direct any employee of the District without delegation by the Chairperson or the Board. The Chairperson shall be responsible for responding to and taking or directing others to take appropriate action necessary as, a result of, events or occurrences which do not require action by the Board, but which are beyond the authority of the staff, or for which the staff seeks or requires assistance.

c. **Order and Decorum**. Preserve order and decorum; prevent demonstrations; and, in accord with law, order removal from the Board room any person whose conduct is deemed objectionable; and order the Board room cleared whenever deemed necessary. (Government Code § 54957.9.)

d. **Length of Time for Public Discussion**. Allocate the length of time for public discussion of any matter in advance of such discussion with the concurrence of the Board. (Government Code section 54954.3.)

e. **Other Powers**. Other powers as may be prescribed by the Board.

f. **Official Spokesperson**. Shall be the official spokesperson for the Board, and the principal contact with other governmental agencies, legal counsel and the press, unless the Board delegates this authority to another.

2. **Vice-Chairperson**. In the absence or unavailability of the Chairperson to act, the Vice-Chairperson shall act as Chairperson.

3. **Treasurer**. In the event, that funds are withdrawn from the county’s custody, a treasurer shall be appointed and shall be bonded. The treasurer will be responsible for accounting for all funds and for regularly preparing and making reports to the Board regarding District’s finances.

4. **Trustees**. Each Trustee shall be entitled to request information, assistance, and financial or legal advice regarding matters involving the affairs of the District.

5. **Board Committees**. It shall be the responsibility of each member of a committee appointed by the Board, to be fully informed concerning the business assigned to it by the Board. It shall be the responsibility of each committee to meet as needed, promptly perform tasks assigned to it, and report to the Board such information and recommendations as shall be necessary or proper. Each standing committee chairperson or designee shall report on the committee's activities at least once monthly at a Regular Board meeting with a brief oral summary.

6. **Board Compensation**. The Trustees of the Board shall receive one hundred dollars ($100) for each meeting of the Board of Trustees attended and for any required training attended, not to exceed a total of four hundred dollars ($400) in any calendar month. Trustees shall be allowed actual and necessary traveling and incidental expenses incurred in the performance of official business of the District, as approved by the Board. (Health and Safety Code § 9031.)

7. **Notification of Impending Absence**. If any member of the Board is unable to attend a meeting, the Board member shall, if possible, notify the Board Chairperson, the District Manager, or Clerk of the Board or designated representative prior to the meeting.

**E. PUBLIC HEARING PROCEDURE**

Procedures at public hearings shall be as follows:

1. Staff presentation/recommendations;

2. Questions of the staff;

3. Individuals speaking in support;

4. Questions of individuals speaking in support;

5. Individuals speaking in opposition;

6. Questions of individuals speaking in opposition;

7. Rebuttal (if any);

8. Public input (if any);

9. Board questions, discussion and disposition (Vote).

**F. DISTRICT EXPENDITURE POLICY**

Expenditures of the District shall be made only in accordance with the District's Expenditure Policy as adopted by the Board. Such Expenditure Policy shall include, at a minimum, a contracting, purchasing and disposition of property policy

**H. BYLAWS AND POLICY AMENDMENTS**

Bylaws and all policies of the Orland Cemetery District shall be reviewed bi-annually. Except as otherwise provided by law, any policy guideline contained herein may be suspended or amended at any time, without notice, by action of the Board.

**Orland Cemetery District**

**CONFLICT OF INTEREST CODE**

*Adopted November 14th, 2017*

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Sec 18730) which contains the terms of a standard conflict of interest code, which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency’s code. After public notice and hearing, the regulation may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act.

Therefore, the terms of 2 California Code of Regulations Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, is hereby incorporated herein by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories shall constitute the conflict of interest code of the Orland Cemetery District.

Designated officers/employees shall file their statements with the Orland Cemetery District which will make the statements available for public inspection and reproduction. (Government Code 81008) upon receipt of the statements, the Orland Cemetery District shall make and retain a copy and forward the originals to the Fair Political Practices Commission.

**PUBLIC OFFICIALS WHO MANAGE PUBLIC INVESTMENTS**

Persons holding the following positions are NOT subject to this code because they must file statements under Government code 87200, and therefore are listed for informational purposes only:

* Members of the Board of Trustees

An individual holding one of the above listed positions may contact the fair Political Practices Commission for assistance or written advice regarding their filing obligation if they believe that their position had been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by Section 87200.

**APPENDIX**

**DESIGNATED POSITIONS DISCLOSURE CATEGORY**

District Manager 1

Consultants\* 1

\*Consultants shall be included in the list of designated employees and shall disclosure pursuant to the broadcast disclosure category in the code subject to the following limitations: The District Manager may determine in writing that a particular consultant, although, a “*designated position*”, is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements described in this section. Such determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The District Manager’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

***Adopted January 9th, 2018***

**II. PERSONNEL**

Every employee is an at-will employee of the District, and every employee’s employment may be terminated at will, in the sole discretion of the District, for any reason or no reason. No employee shall have or acquire any vested right to continued employment in any employment position.

1. **DEFINITIONS**
2. Anniversary date or start date is the date employee entered full time employment and was placed on the payroll.
3. Continuous employment shall mean employment in a regular position which has not been interrupted by resignation, discharge or retirement. Leave of Absence shall not be credited toward continuous employment.
4. Temporary employment is for a period of less than sixty (60) days wherein the employee is not entitled to district benefits. Temporary employment may be extended no more than twice for sixty (60) days each by the Board of Trustees.
5. Part Time Employment is for less than thirty (30) hours per week.
6. Probation period is the first ninety (90) days of employment.
7. Time worked means those hours during which the employee is under the control and discretion of the District Manager.
8. **NEW PERSONNEL PROVISIONS**
9. All prospective employees are required to complete the District application for employment.
10. All new employees must meet the Federal requirements for employment and complete the Federal I-9 form.
11. Probation: All new employees will serve the first ninety (90) days of employment in a probation status. During this period, the employee will be entitled to the District benefits. An employee in probationary status may be released from employment at the sole discretion of the District at any time.
12. **WORKWEEK**
13. The official workday for full-time employees shall be eight (8) hours and shall be from 7:00 a.m. until 3:30 p.m. The official workweek shall be Monday through Friday.
14. A lunch period of thirty (30) minutes will normally be given from 12 noon to 12:30 p.m.
15. Employees shall be allowed rest periods of fifteen (15) minutes during each four (4) consecutive hours of work.
16. Overtime shall be allowed at one and one-half (1 ½) times the regular pay rate.
17. Any employee may be scheduled to work outside the official work week or work day at the discretion of the District Manager.
18. Employees are not permitted to leave the work area except as authorized by the District Manager.
19. **PAY PERIOD**

Employees will be paid for regular and overtime hours bi-weekly. Wages will be determined on an hourly rate.

1. **LEAVE PROVISIONS**
2. **Sick Leave**: After serving the ninety (90) day probation period, each full-time employee is eligible to accumulate sick leave at the rate of eight (8) hours per month of continuous employment. Sick leave time will be accumulated during the first ninety (90) days; however, it cannot be used until the probation period is over.
3. Sick leave is a benefit for all employees and is not payable at separation of employment. All employees are entitled to a minimum of 24 hours of sick leave a year. The accrual rate for part-time employees is one hour for every thirty hours worked. Employees must report to the District Manager or the Head Groundskeeper on the first day and each day of the occurrence unless a Physicians note is forwarded to the District office
4. If an employee is absent from work for three (3) days or more consecutive days due to sickness, a note from a physician is required before extending the leave beyond three days. In extreme cases of extended illness or injury, on a case by case basis, an employee may “***gift***” sick leave to another employee with the approval of the Board of Trustees.
5. For extended illness or injury, a *Return to Work Release form, (page 21)* must be filled out by a Physician clearing the employee for return to duty. A return to work date must also be included on the physicians note.

Sick leave may be used for:

* 1. An employee’s personal injury or illness, medical or dental office appointments or other physician approved absences.
  2. Absence because the employee’s presence is required to attend to the serious illness of a member of the immediate family provided that such absence shall be limited to a maximum of three (3) working days for each occurrence.

**Vacation Leave:** After serving the ninety (90) day probation period, each full-time employee is eligible to accumulate vacation leave with pay at a rate to equal ten (10) days or .0424 hours per hours scheduled per pay period for 0-3 years of service, fifteen (15) days or .0616 hours per hours scheduled per pay period for 3-12 years of service, twenty (20) days or .0808 hours per hours scheduled per pay period for 12-19 years of service and twenty-five (25) days or .1 hours per hours scheduled per pay period for 19 + years of service. Example: .1 x 80 hours per pay period equals 8 hours per pay period or 208 hours annually. A maximum of two times the annual accrual rate for vacation leave for the employee may be carried. Any vacation leave, in, excess of two times the annual accrual rate of vacation leave hours will be paid to the employee, at his regular hourly rate of pay at the end of the fiscal year.

1. Paid holidays immediately preceding, immediately following, or wholly within a period for which vacation leave is granted shall be paid as holidays and not as part of vacation leave. Vacation time schedules shall be arranged by the District Manager with regard, to the needs of the District and, as far as possible, the wishes of the employee. At the time an employee is separated from District employment, whether voluntarily or involuntarily, he shall be paid for all unused vacation leave, which he has earned and for which he has been credited.
2. **Bereavement Leave**: Upon request, a full-time employee shall receive necessary time off with pay not to exceed three (3) days in any one instance to arrange or attend a funeral of a member of the immediate family. For purposes of this leave, immediate family shall mean father, father-in-law, mother, mother-in-law, step-parents, brother, sister, wife, husband, child, grandparent, grandchild or legal ward.
3. **Jury Duty Leave:** An employee who is called for jury duty shall be compensated at the employee’s regular rate of pay for those hours of absence due to the jury duty which occur during the employee’s regularly scheduled working hours provided the employee deposits the employee’s fees for such hours of jury duty, exclusive of mileage, with the District.
4. **Holiday Leave:** Each full-time employee shall be entitled to compensation for the following holidays:

New Year’s Day Martin Luther King, Jr., Birthday

Washington’s Birthday (President’s Day) Memorial Day Independence Day

Labor Day Veteran’s Day Thanksgiving

Thanksgiving Friday Christmas Eve Christmas Day

When a holiday falls on Saturday, the Friday immediately preceding the holiday shall be observed as the holiday. When a holiday falls on Sunday, the next day (Monday) shall be observed as the holiday. In the case of when the paid holidays for Christmas Eve and Christmas Day fall on a weekend, it shall be scheduled at the discretion of the District Manager as to which days to take as a holiday. The work schedule will be considered in making such a decision.

1. **Absence without Authorization:** Absence without authorization beyond three (3) consecutive working days shall be considered an automatic resignation. Failure to contact the District Manager by phone or, in person, or appear in person for scheduled work duties for three consecutive days will be considered as self-separation of employment with the Orland Cemetery District.

F. **INSURANCE**

1. **Workers Compensation**: All employees are covered by Worker’s Compensation for on-the-job injuries. Premiums for this fund are paid by the employer.

2. **Disability**: All employees are covered by Disability Insurance for off-the-job injuries. Premiums are paid by the employee.

3. **Life**: Full-time employees are covered by Accidental Death & Dismemberment Insurance as determined by the Board of Trustees. Premiums are paid by the employer.

4. **Health**: All full-time employees and qualified dependents are eligible to participate in the District employee health insurance program. *The District will pay 100% of the health plans offered, to the Districts Full-time employees only. This District offers no Dental or Vision coverage***.**

**Adopted November 15th,2016 special meeting.**

6. **Retirement:** Full-time employees are eligible to participate in the District’s retirement plan. Details of the plan are included in literature provided by the Plan Administrator.

**RETURN TO WORK (*RTW)* POLICY & PROCEDURES**

**OF THE**

**ORLAND CEMETETY DISTRICT**

**Policy Statement**

The Orland Cemetery District is committed to providing a healthy and safe workplace for our workers. Preventing work-related injuries and illnesses is our primary goal.

Our ***R****eturn* ***t****o* ***W****ork* program provides opportunities for a worker who is injured on the job to return to work at full duty. If the worker is not physically capable of returning to full duty, the program provides opportunities to perform the regular job with modifications or, when available, to perform alternate temporary work that meets the worker's physical capabilities.

The Orland Cemetery District and its workers are committed to co-operating and participating in their ***RTW***Program.

**Scope:**

The ***RTW*** Program applies to all workers of theOrland Cemetery District, and management. The program covers both work and non-work-related injuries and illnesses.

**Objectives**

* + To reduce the number of days lost to injury or illness
  + To lessen the financial and emotional impact of the injury or illness on the worker by intervening for an early and safe ***RTW***
  + To reduce the costs related to work and non-work-related injury or illness
  + To educate workers on disability management
  + To comply with all legislation, including the *Workplace Safety and Insurance Act* and *Human Rights Code*

To reduce the number of future injuries and illnesses through a healthy and safe workplace.

**Roles and Responsibilities**

* + Employer
  + Worker
  + Worker’s supervisor
  + Worker’s treating health professional
  + Worker’s treating health professional

Person responsible for coordinating the RTW process (this could be a Return to Work Co-Ordinator)

**Employer Responsibilities**

* Provide a safe work environment.
* Promptly report work-related injuries/illnesses to the WSIB when they occur.
* Develop written return to work policies and procedures that are fair and consistently applied to all workers covered by the program.
* Educate all workers about the RTW program.
* Train all supervisors in effective return to work strategies.
* Train workers on proper reporting of incidents and incident investigation.
* Communicate regularly with workers during their time away from work, and, monitor their progress when they return.
* Work with the worker and treating health professional to identify suitable work.
* Modify the workplace as required to accommodate workers who are disabled due to illness or injury.
* Monitor the progress of workers in modified work programs and meet with them regularly to ensure they will be successful in achieving their return to work goal.

**Worker Responsibilities**

* Know and follow safety policies and procedures.
* Report any injury/illness immediately.
* If medical attention is necessary, inform the treating health professional that return to work opportunities are available in the workplace to accommodate their physical abilities. Keep the treating health professional informed about return to work options and injury/illness symptoms.
* Communicate with the employer through the recovery period, and, cooperate with the employer in finding suitable employment for return to work.
* Inform the Return to Work Coordinator or other workplace representative(s) about any concerns with treatment, benefits, work duties, changes in circumstances, etc.
* Comply with the recommendations of treating health professionals; attend all medical or rehabilitation appointments regularly; attend independent assessments as requested.
* Take an active role in developing their return to work plan.
* Obtain the necessary documentation from the treating health professional as may be required by the employer (for example, functional abilities information)
* Report any concerns with the return to work to the supervisor or to the WSIB case manager, so the problems can be addressed promptly.
* Attend scheduled return to work progress meetings with the employer/supervisor.

**Supervisor/Manager Responsibilities**

* Take appropriate action when an injury or illness is reported.
* Participate in return to work planning.
* Identify appropriate work duties, transitional work options and temporary or permanent job accommodations for employees with disabilities.
* Know who to refer a worker with a disability to if the worker is having difficulties before, during or after they return to work. For example, the workplace Return to Work Coordinator.
* Monitor safe work practices of workers who are returning to work.
* Answers co-worker questions and concerns about workers with disabilities, job modifications, job restructuring, etc., being careful to maintain the confidentiality of the worker’s situation.
* Notify the Return to Work Coordinator about potential candidates for the disability management or return to work program.
* Promote safe work practices and support the efforts of the company’s health and safety program.

**Responsibilities**

* Provide education to workers and employees
* Actively case manage and monitor activities, progress and co-operation of the workplace parties
* Maintain communication with the employer, the worker and their treating health professional throughout the RTW process
* Determine the suitability of employment and fitness to return to work
* Encourage and actively assist the worker in their successful RTW
* Determine compliance with re-employment and co-operation obligations
* Provide RTW resources that the workplace parties may choose to access
* Provide Labor Market Re-entry services
* In cases where the workplace parties are having trouble achieving a successful RTW outcome,
  + Assist workplaces to problem solve workplace issues that present an obstacle to successful RTW
  + Facilitate communication between workplace parties, health professionals, unions and other interested parties
  + Obtain commitment from the worker and employer on the RTW plan and process
  + Attempt to resolve disputes that are preventing a successful RTW outcome.

**Treating Health Professional Responsibilities**

* Provide appropriate, effective health care that facilitates recovery and expedites return to productive work.
* Provide information on the worker’s functional abilities when requested by the company, or the worker.
* Complete functional assessment forms thoroughly, being alert to job demands that might cause re-injury or aggravation of an existing condition.
* Suggest ways in which tasks could be modified to place less strain on existing injuries or conditions.
* Establish and maintain open communication with the workplace, having regard for patient confidentiality.

**Procedures and Process**

1. A worker who is injured at work must immediately report the incident to their supervisor
2. The supervisor is required to:
   * Obtain immediate medical attention for the worker who is injured or ill
   * Arrange for transportation to get medical care, if needed
   * Follow company requirements for reporting work-related injuries and illnesses
   * Complete an incident investigation report
   * Maintain contact with the worker through the recovery period.
3. The employer and worker will work together to plan RTW
4. The worker is responsible for following medical restrictions on the job
5. Following the worker’s return to work, the supervisor or the RTW coordinator monitors the worker’s progress, to help resolve any difficulties and ensure that restrictions are carefully followed
6. The worker must immediately report any difficulties performing assigned work, at which point, the supervisor and worker will work to address the problem.

**Communication Training and Implementation**

A worker who is injured at work must immediately report the incident to their supervisor

1. The supervisor is required to:
   * Obtain immediate medical attention for the worker who is injured or ill
   * Arrange for transportation to get medical care, if needed
   * Follow company requirements for reporting work-related injuries and illnesses
   * Complete an incident investigation report
   * Maintain contact with the worker through the recovery period.
2. The employer and worker will work together to plan RTW.
3. The worker is responsible for following medical restrictions on the job.
4. Following the worker’s return to work, the supervisor or the RTW coordinator monitors the worker’s progress, to help resolve any difficulties and ensure that restrictions are carefully followed.
5. The worker must immediately report any difficulties performing assigned work, at which point, the supervisor and worker will work to address the problem.
6. The worker must immediately report any difficulties performing assigned work, at which point, the supervisor and worker will work to address the problem.
7. An evaluation of our RTW program will be completed at the end of each year. The RTW coordinator for our company will complete the evaluation and present it to senior management. The purpose of the evaluation is to determine if we are meeting the objectives of the program. Also, each worker and supervisor who has been through the RTW process will independently complete an evaluation at the end of the return to work.

We are committed to using the results of our evaluation to improve our program.

Dear Health Care Provider,

Thank you for providing treatment to our worker. We recognize the benefits a Return to Work (RWT) program provides for both the worker and our organization.

Our approach is to focus on our employee’s abilities, while recognizing any identified limitations. Where appropriate, we will offer modified or alternative work that assists recovery, and the worker can perform safely and effectively without placing them or other workers at undue risk. This approach helps to protect the employment relationship, improve morale, assist in overall recovery, and can assist in reducing the worker’s income loss.

We commit to ensuring our workers work within their identified abilities and limitations. Recognizing this, kindly provide a copy of the *Functional Abilities* form to our worker for immediate consideration of suitable modified or alternative work.

We thank you for your assistance and cooperation in facilitating the worker’s recovery and return to work. Should you have any questions, please contact the Manager of the Orland Cemetery District at (530)-865-3880 or ***[orlandcemdist@gmail.com](mailto:orlandcemdist@gmail.com)***

Sincerely,

Robert Christian

Manager,

Orland Cemetery District

State of California, Division of Workers' Compensation Retraining and Return to Work Unit Physician's Return-to-Work & Voucher Report Instructions

For injuries on or after January 1, 2013 DWC - AD 10133.36 Who is responsible for filling out this form? The first physician who finds that the disability from all conditions for which compensation is claimed has become permanent and stationary (or has reached maximum medical improvement) and finds that the injury has caused permanent partial disability. The physician can be the primary treating physician, a Qualified Medical Evaluator, or an Agreed Medical Evaluator. What is the purpose of this form? The purpose of the form is to fully inform the employer of the work capacities and activity restrictions resulting from the injury that are relevant to potential regular work, modified work, or alternative work. The information contained on the form is for voucher purposes and is not considered in any permanent impairment rating or any permanent disability indemnity. Is this a mandatory form? This is a mandatory attachment to the first medical report finding that the disability from all conditions for which compensation is claimed has become permanent and stationary and that the injury has caused permanent partial disability. This form should be attached to a comprehensive medical-legal evaluation and does not replace such comprehensive medical-legal evaluations. When does the form need to be completed? This form does not need to be completed until all conditions for which compensation is claimed have become permanent and stationary. If the employer or claims administrator has provided the physician with a job description providing physical requirements of the employee's regular work, proposed modified work, or proposed alternative work, the physician shall evaluate and describe in the form whether the work capacities and activity restrictions are compatible with the physical requirements set forth in that job description. The bottom portion of the form does not need to be completed if the physician has not been provided with a job description. Completing the employee's work restrictions: The physician should indicate work restrictions in terms of how many hours a particular activity can be performed during an 8-hour work day. For hand restrictions, the physician should indicate whether the restrictions are for the right hand, left hand, or both. Other Restrictions can include psychiatric restrictions, chemical exposure, use of equipment, or any other restrictions. The space can also be used to further clarify or explain any of the checked restrictions. How does the employer receive the form? The claims administrator shall forward the form to the employer.

***ORLAND CEMETERY DISTRICT***

***Return to Work Release Form***

***Non-work related illness or injury***

***Physician Certification*** *Upon return to work, employees absent more than three (3) work days due to illness must provide a physician's certificate or other written statement showing the cause or nature of the illness or injury and release for duty.*

**TO BE COMPLETED BY THE EMPLOYEE:**

Employee: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**TO BE COMPLETED BY THE HEALTHCARE PROVIDER:**

**Employee may:**

\_\_\_\_ Return to work on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **(date)** without restrictions

\_\_\_\_ Return to work on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **(date)** with restrictions as indicated below through \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **(date)**

If modified duty meeting these restrictions is not available, the employee is considered to be off work until released without restrictions.

Please list restrictions or limitations below:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_ Restrictions listed below are **PERMANENT**.

Employees with work restrictions seeking reasonable job accommodations under the Americans with Disabilities Amendment Act must contact the Director of Disability Support Services for evaluation and provide medical documentation of a qualifying disability.

Permanent Restrictions/Comments: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Health Care Provider: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Doctor Phone:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Doctor Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Doctor Fax: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Today's Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**PERSONNEL *Adopted January 9th, 2018***

**JOB DESCRIPTION**

1. **DISTRICT MANAGER**
2. **DEFINITION**

The District Manager is the sole manager of the Orland Cemetery District. The District Manager is directly responsible to the Board of Trustees for implementation and adherence to Board policy and rules and regulations. The District Manager will receive an annual evaluation (June) by the Board of Trustees. The evaluation will be held in a closed session meeting pursuant to Health and Safety Code 54957.

1. **DUTIES**

1. Supervises the overall program of maintenance, construction and beautification of the District grounds and facilities.

2. Supervises all activities involved in sales and services including financial and clerical procedures.

3. Supervises the personnel program for the District, including the administration, review and recommended revision of personnel policies and procedures to the Board of Trustees. Evaluates personnel annually, in writing, and maintains all personnel files.

4. Recruits, hires, trains, disciplines and terminates personnel, as needed, for the successful operation of the District, subject to the personnel policies of the District.

5. Analyzes the classification and salary and fringe benefit program and presents recommendations to the Board of Trustees for updating annually.

6. Prepares annual District budget and exercises budgetary controls and supervision to insure proper expenditure of funds through the year.

7. Prepares Board meeting agenda and monthly reports of District activities.

8. Conducts studies and makes recommendations to the Board of Trustees involving District policy and procedures.

9. Investigates complaints and inquiries concerning the District.

10. Develops training and safety programs.

11. Designs, prepares plans and supervises the installation of irrigation systems.

12. Supervises and participates in the design and preparation of specifications for construction of District buildings and other facilities.

13. Attends all Board of Trustee meetings, unless otherwise excused. Prepares and presents oral and written reports to the Board of Trustees regarding District activities.

14. Other duties as assigned by the Board of Trustees.

15. Advocates for the Orland Cemetery District

a*. May participate, by decision of the Board of Trustees, in various associations such as P.C.A, and C.A.P.C. with the support, freedom and financial support to hold board or officer positions with the various groups.*

16. Public Relation Representative for the Orland Cemetery District within the Orland community.

**C**. **EMPLOYMENT STANDARDS**

1. Knowledge of:

a. Principles, problems and methods of public administration including organization, personnel and fiscal management.

b. Office management principles, methods and procedures.

c. State and local laws and regulations relating to the operation of a public cemetery district.

d. Engineering principles and practices as applied to the field of public cemetery district operations, including design and construction and operation and maintenance.

e. Methods of preparing designs, plans, specifications, estimates, reports and recommendations relating to the proposed beautification of grounds and construction of buildings and other facilities.

f. Principles of employee supervision and training.

2. Ability to:

a. Plan, lay-out, coordinate and control through subordinates the maintenance and operation of a cemetery district.

b. Analyze and solve problems of organization and management.

c. Prepare reports and make recommendations on the setting of District policies.

d. Train and supervise the work of subordinate personnel.

e. Establish cooperative and effective working relations with subordinates, public groups and organizations, District Trustees and other governmental agencies.

f. Analyze and interpret fiscal and accounting records and data and prepare reports.

g. Devise and implement new and improved accounting and record-keeping procedures.

h. Speak and write effectively.

**D**. **REQUIREMENTS**

*1. May be required to be bonded.*

2. Must possess and maintain a valid California Driver’s license and a clean driving record.

**E**. **PHYSICAL REQUIREMENTS**: Must be capable of, lifting heavy objects up to seventy-five pounds (75 lbs.) and of working in a variety of weather conditions.

**F**. **MINIMUM EDUCATION**: Requires successful completion of four (4) years of college level courses or any combination of course work and experience where two (2) years of experience in a supervisorial position in the cemetery industry is substituted for one (1) year of course work.

**G**. **THE DISTRICT MANAGER** serves at the will of the Board of Trustees of the Orland Cemetery District and is subject to the provisions set forth in this manual and state and local law.

1. **CEMETERY HEAD GROUNDSKEEPER**

**A**. **DEFINITION**

Under the general supervision of the District Manager, to supervise and perform the duties in effecting an efficient day-to-day operation of the cemetery.

1. **DUTIES AND RESPONSIBILITIES**
2. Supervises and participates in the maintenance and upkeep of the lawns, shrubs, trees, streets and buildings.
3. Supervises and participates in the digging of graves and setting up of equipment for funeral service.
4. Sells burial plots and maintains maps and records of same.
5. Ensures employee time records are current
6. Picks up supplies.
7. Maintains and makes minor repairs to equipment.
8. Makes work assignments, inspects work in progress and upon completion.
9. Keeps District Manager informed of cemetery operations, including status of projects and problems.
10. **EMPLOYMENT STANDARDS**
11. Knowledge of:

a. Full and comprehensive knowledge of the cemetery laws as outlined in the California Health and Safety Code.

b. Cemetery District rules and regulations.

c. Proper methods of planting, cultivating and caring for trees, shrubs, flowers and grasses.

d. Cement work and general maintenance of buildings and grounds.

e. Materials, equipment and practices involved in grave layout, opening and closing.

f. Basic equipment maintenance methods and terminology

g. Safe work practices.

2. Ability to:

a. Recognize and take proper precautions against plant and insect diseases and pests.

b. Operate and supervise the operation of all types of ground maintenance and cemetery equipment.

c. Read and maintain cemetery plot maps, card files and other cemetery records.

d. Plan and supervise the work of others.

e. Understand and carry out oral and written instructions.

f. Establish and maintain good public relations.

D. **REQUIREMENTS**

1. Must possess and maintain a valid California **Class A driver’s** license and clean driving record.

**E**. **PHYSICAL REQUIREMENTS**

1. Must be capable of, lifting heavy objects up to seventy-five pounds (75 lbs.) and of working in a variety of weather conditions.

**F**. **MINIMUM EDUCATION AND EXPERIENCE**

High School graduate possessing and maintaining a valid California Class A driver’s license and a clean driving record.

1. **GROUNDSKEEPER**
2. **DEFINITION**

Under general supervision of the Cemetery Head Grounds Keeper be able to perform a variety of semi-skilled and skilled tasks in the maintenance, construction and beautification of cemetery grounds, buildings and other facilities and equipment, open and close graves; and to do related work as required.

**DUTIES AND RESPONSIBILITIES**

1. Plants, transplants, removes, fertilizes, waters, cultivates, and sprays flowers, shrubs and trees; mows, trims, waters, fertilizes lawns as well as applies pesticides used to control unwanted pests.
2. Prunes and sprays trees.
3. Operates and maintains all types of mowers and turf maintenance equipment.
4. Cleans and performs minor repairs to District buildings and related facilities.
5. Operates trucks and other construction, maintenance and beautification equipment used in cemetery operation.
6. Keeps tools and equipment in clean and safe working condition.
7. Installs and repairs sprinkler systems.
8. Does various, types of concrete work, including setting of markers and monuments.
9. Operates backhoe, jackhammer and compressor, small and large tractors, dirt trailers, vault-mobile and a variety of hand tools used in the opening and closing of graves.
10. Installs grave liners and vaults.
11. Sets up lowering device, chairs and chapel for funeral services.
12. Assists in the location and makes grave layouts.
13. **EMPLOYMENT STANDARDS**
14. **KNOWLEDGE OF**:
    1. Construction and maintenance material, procedures and equipment with, reference to cemetery operations.
    2. Methods, tools, techniques and supplies in gardening and cemetery maintenance work.
    3. Methods, tools, techniques and supplies used in the opening and closing of graves.
    4. Basic characteristics of plant pests and disease and techniques for their control.
    5. Safe work practices.
15. **ABILITY TO**:
    1. Perform semi-skilled or skilled tasks in the maintenance, construction and beautification of cemetery district grounds, buildings and other facilities.
    2. Operate service and maintain a variety of grounds maintenance and construction equipment.
    3. Perform heavy (over 75 lbs.) manual labor.
    4. Understand and carry out oral and written directions.
    5. Work cooperatively with others.
16. **REQUIREMENTS**

1. Must possess and maintain a valid **California Class A driver’s license.**

1. **PHYSICAL REQUIREMENTS**
2. Must be capable of, lifting heavy objects up to seventy-five pounds (75 lbs.), and work in a variety of weather conditions.
3. **MINIMUM EDUCATION AND EXPERIENCE:**
4. High school graduate or GED possessing and maintaining a valid California Class A driver’s license and a clean driving record.
5. Must be able to obtain and possess valid *Qualified Applicators Certificate* from the California Department of Pesticide Regulation.
6. **PART-TIME GROUNDSKEEPER**
7. **DEFINITION**

Under general supervision of the Cemetery Head Grounds Keeper be able to perform a variety of semi-skilled and skilled tasks in the maintenance, construction and beautification of cemetery grounds, buildings and other facilities and equipment, open and close graves; and to do related work as required.

1. **DUTIES AND RESPONSIBILITIES**
   1. Plants, transplants, removes, fertilizes, waters, cultivates, and sprays flowers, shrubs and trees; mows, trims, waters, fertilizes lawns as well as applies pesticides used to control unwanted pests.
   2. Prunes and sprays trees.

* Operates and maintains all types of mowers and turf maintenance equipment.
* Cleans and performs minor repairs to District buildings and related facilities.
* Operates trucks and other construction, maintenance and beautification equipment used in cemetery operation.
* Keeps tools and equipment in clean and safe working condition.

Installs and repairs sprinkler systems.

* Does various, types of concrete work, including setting of markers and monuments.
* Operates backhoe, jackhammer and compressor, small and large tractors, dirt trailers, vault-mobile and a variety of hand tools used in the opening and closing of graves.
* Sets up lowering device, chairs and chapel for funeral services.
* Assists in the location and makes grave layouts.

1. **EMPLOYMENT STANDARDS**
2. **KNOWLEDGE OF**:

a. Construction and maintenance material, procedures and equipment with reference to cemetery operations.

b. Methods, tools, techniques and supplies in gardening and cemetery maintenance work.

c. Methods, tools, techniques and supplies used in the opening and closing of graves.

d. Basic characteristics of plant pests and disease and techniques for their control.

e. Safe work practices.

1. **ABILITY TO**:
   1. Perform semi-skilled or skilled tasks in the maintenance, construction and beautification of cemetery district grounds, buildings and other facilities.
   2. Operate service and maintain a variety of grounds maintenance and construction equipment.
2. Perform heavy (over 75 lbs.) manual labor.
   1. Understand and carry out oral and written directions.
   2. Work cooperatively with others.

**3. REQUIREMENTS**

a. Must possess a valid California Drivers’ license with a clean driving record.

**4. PHYSICAL REQUIREMENTS**

1. Must be capable of, lifting heavy objects up to seventy-five pounds (75 lbs.), and work in a variety of weather conditions.

**5. MINIMUM EXPERIENCE REQUIREMMENTS**

1. High school graduate possessing and maintaining a valid California driver’s license and a clean driving record.

**6. CODE OF CONDUCT**

In order that the rights and safety of all employees and efficient operation of the District are protected, employee activities are governed by reasonable rules of conduct. The following acts are illustrative, and not exhaustive, of acts which are grounds for disciplinary and/or termination of employment with the Orland Cemetery District:

1. Failure to follow a lawful direction of a superior.
2. Stealing or willfully destroying or damaging any property of the District, its customers, visitors or personnel.
3. Disobedience or insubordination to superiors.
4. Disorderly, immoral, indecent or criminal conduct on or off the job.
5. Drinking alcoholic beverages and/or drug use on the job, or being in a condition from prior indulgence, making unsafe or impairing the ability to perform duties in an acceptable manner.
6. Fighting with fellow employees (being an aggressor or aggravator).
7. Entering time on another employee’s time card or requesting another person to enter time on your card.
8. Entering time in or out at time other than those authorized.
9. Discussing employees’ personal problems with customers.
10. Soliciting or accepting tips or gifts for District services.
11. Disclosing anything of a personal nature concerning a customer or employee unless the specific work duties require the giving or exchanging of such information.
12. Violation of Federal, State or local law.
13. Discrimination in any form directed toward any employee or non-employee because of their race, religious creed, color, national origin, ancestry, medical condition, marital status, sex or age,sexual orientation, gender identity and gender expression, ancestry, genetic information or any other arbitrary discrimination. This includes the use of racist terms among any, and all employees under all conditions and circumstances. The law prohibits coworkers and third parties, as well as supervisors and managers, with whom the employee comes into contact from engaging in conduct prohibited by the California Fair Employment and Housing Act*.*
14. Attempt to intimidate or coerce other employees.
15. Failing to exercise proper custodial responsibility of District keys or property.
16. Permitting another person to use keys to enter District property without proper authorization.
17. Unauthorized possession of firearms or other weapons on District property or while on duty.
18. Willful or careless disregard of, or inattention to, working directions and instructions; refusal to comply with or violations of rules, safety or fire regulations, or sanitary rules and regulations.
19. Absence of three (3) working days without notifying the District office.
20. Excessive or unjustified absences or tardiness or failure to inform the District office prior to the time you are due to report, by telephone or other means that you are unable to report for work.
21. Failure to notify the District office if you leave your job or premises during working hours.
22. Smoking in unauthorized areas.
23. Selling tickets or chances on pools or raffles, or gambling on District premises.
24. Unauthorized posting of notices or literature on District premises.
25. Soliciting, collecting funds, and/or circulating literature of any nature on District property during working hours without the approval of the District Manager.
26. Performing personal work on District time.
27. Using the District business phone for personal matters.
28. Taking more than the specified time for meals or rest periods.
29. Unauthorized attendance or participating in meetings or gatherings during work hours.
30. Discourteous conduct, abusive treatment or inappropriate language directed toward any customer, visitor, guest, employee or superior.
31. Inefficiency, inability or negligence in the performance of assigned duties.
32. Altering, falsifying or making willful misstatement of facts on any District record or chart, job or work record, employment application or any other District record, chart or report.
33. Misrepresenting reasons when applying for a leave of absence or for other time off from work.
34. Failure, without justification, to return to work on time from an authorized leave of absence or vacation.
35. Failure to withdraw from, or report to, outside activities or interests which conflict with, detract from, or adversely affect the interest of the District.
36. Unacceptable personal grooming.
37. Sleeping on the job, intentional slowdown of work, intentional disruption of the work force or loafing during working hours.
38. Failure to promptly report injury or illness.
39. Scheduling off-duty time or vacation without the express consent of the District Manager.
40. Conduct undermining authority or disruptive of District functions or detrimental to close working relationships among employees.
41. Conduct prejudicial to the good reputation of the District.

**9. TRAVEL AND EXPENSES:**

Every Trustee and employee who is authorized to do so, and uses a *privately-owned* vehicle on District business, will be reimbursed at the rate allowed by the IRS. This figure will be rounded to the nearest whole cent, upon submission of detailed mileage voucher to the District Manager. All employees of the District using privately owned vehicles would be required to show proof of insurance. If overnight stay is required, lodging will be reimbursed at 100% upon receipt of a detailed voucher to the District Manager.

Meals will be paid per Diem, as follows: Breakfast $15.00

Lunch $20.00

Dinner $25.00

Any, and all expenses will be paid by the District for the cost of attending meetings, conventions or any job-related expenses incurred by the Trustee and employee.

**ORLAND CEMETERY DISTRICT DRUG AND ALCOHOL POLICY**

In compliance with the Drug Free Workplace Act of 1988, the Orland Cemetery District has a longstanding commitment to provide a safe, quality-oriented and productive work environment consistent with the standards of the community in which the District operates. Alcohol and drug use poses a threat to the health and safety of the Orland Cemetery District employees and to the security of the Districts equipment and facilities. For these reasons, the Orland Cemetery District is committed to the elimination of drug and alcohol use and abuse in the workplace. In addition, no employee may report for work, or remain on duty or on-call status, while under the influence of, or impaired by any illegal drug or alcohol.

**Scope**

This policy outlines the practice and procedure designed to correct instances of identified alcohol and drug use in the workplace. This policy applies to all employees and all applicants for employment of the Orland Cemetery District. The District Manager is responsible for policy administration.

**Substance Abuse Awareness**.

Illegal drug use and alcohol misuse have many serious adverse health effects and safety consequences. Information about those consequences and sources of help for drug and alcohol problems is available from the District Manager, who has been trained to make referrals and to assist employees with drug or alcohol problems.

**Employee Assistance**

The Orland Cemetery District will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline or termination under this or other Orland Cemetery District policies. Such employees will be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers and otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety -sensitive or required driving, or if they have violated this policy previously. Once a drug test has been scheduled, unless otherwise required by The Family and Medical Leave Act or the Americans with Disabilities Act, the employee will have forfeited the opportunity to be granted a leave of absence for treatment, and possible discipline up to and including termination, will be avoidable.

Employees should report to work fit for duty and free of any adverse effects of drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications effect on their fitness for duty and ability to work safely, and they must promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose to the Orland Cemetery District underlying medical conditions unless directed to do so.

1. Wherever employees are working, are operating any Orland Cemetery District vehicle, are present on Orland Cemetery District premises or are conducting company- related work offsite, they are prohibited from:
2. Using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of Drug paraphernalia).
3. Being under the influence of alcohol or an illegal drug as defined in this policy.
4. Possessing or consuming alcohol.
5. The presences of any detectable amount of any illegal drug or illegal controlled substance in an employee’s body system, while performing company business or while in a company facility, is prohibited.
6. The Orland Cemetery District will also not allow employees to perform their duties while taking prescription drugs that are adversely affecting their ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked.
7. Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

**Required Testing:**

**Pre-employment**

All applicants must pass a pre-employment drug test before beginning work or receiving an offer of employment. Refusal to submit to testing will result in disqualification of further employment consideration.

**Reasonable suspicion**

Employees are subject to testing based on (but, not limited to) observations by the supervisor of apparent workplace use, possession or impairment, the Manager should be consulted before sending an employee for testing. All levels of supervision making this decision must use the Observation Checklist to document specific observations and behaviors that create a reasonable suspicion that the person is under the influence of illegal drugs or alcohol. If the results of the Observation Checklist indicate further action is justified, the Manager or supervisor should confront the employee with the documentation with another member of management. Under no circumstances will the employee be allowed to drive him or herself to the testing facility.

A member of supervision/management must escort the employee; the supervisor/manager will arrange for the employee to be transported home.

**Post- accident**

Employees are subject to testing when they cause or contribute to accidents that seriously damage an Orland Cemetery District vehicle, machinery, equipment or property or result in an injury to themselves or another employee requiring offsite medical attention. A circumstance that constitutes probable belief will be presumed to arise in any instance involving a work- related accident or injury in which an employee who was operating a motorized vehicle (including Orland Cemetery District) forklift, pick-up truck, overhead cranes and aerial/man-lifts is found to be responsible for causing the accident. In any of these instances, the investigation and subsequent testing must take place within two hours following the accident. Under no circumstances will the employee be allowed to drive him or herself to the testing facility.

**Follow-up**

Employees who have tested positive, or otherwise violated this policy, are subject to discipline up to and including discharge. Depending on the circumstances and the employee’s work history/record, the Orland Cemetery District may offer an employee who violates this policy or tests positive the opportunity to return to work on a last chance basis pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies determined by the Orland Cemetery District for a minimum of one year but not more than two years as well as a waiver of the right to contest any termination resulting from a subsequent positive test. If the employee either does not complete the rehabilitation program or tests positive after completing the rehabilitation program, the employee will be subject to immediate discharge from employment.

**Collection and Testing Procedures**

Employees subject to alcohol testing should be driven to an Orland Cemetery District- designated facility and directed to provide breath specimens. Breath specimens should be tested by trained technicians using federally approved alcohol testing devices capable of producing printed results that identify the employee. If, an employees’ breath alcohol concentration is .04 or more, a second breath specimen should be tested approximately 20 minutes later. The results of the second test should be determinative.

Alcohol tests may, however, be a breath, blood or saliva test, at the Districts discretion. For purposes of this policy, test results generated by law enforcement or medical providers may be considered by the company as work rule violations.

Applicants and employees subject to drug testing should be driven to an Orland Cemetery District- designated medical facility and directed to provide urine specimens.

Applicants and employees may provide specimens in private unless they appear to be submitting altered, adulterated or substituted specimens. Collected specimens should be sent to a federally certified laboratory and tested for evidence of marijuana, cocaine, opiates, amphetamines, PCP, benzodiazepines, methadone, methaqualone, and propaxphane use. (Where indicated, specimens may be tested for other illegal drugs.) The laboratory should screen all specimens and confirm all positive screens. There must be a chain of custody from the time the specimens are collected through testing and storage.

The laboratory should transmit all positive drug test results to a medical review officer (MRO) retained by the Orland Cemetery District, who should offer persons with positive results a reasonable opportunity to rebut or explain the results. Individuals with positive tests results may also ask the MRO to have their split specimen sent to another federally certified laboratory to be tested at the employee’s own expense. Such requests must be made within 72 hours of notice of test results. If the second facility fails to find any evidence of drug use in the split specimen, the employee or applicant will be treated as passing the test. In no event should a positive test result be communicated to Orland Cemetery District until such time that the MRO has confirmed the test to be positive.

**Consequences**

Applicants who refuse to cooperate in a drug test or who test positive will not be hired and will not be allowed to reapply/ retest in the future. Employees who refuse to cooperate in required tests or who use possess, buy sell, manufacture or dispense an illegal drug, in violation of this policy will be terminated. If the employee refuses to be tested, yet the company believes he or she is impaired, under no circumstances will the employee be allowed to drive him or herself home.

The first time an employee tests positive for alcohol or illegal drug use under this policy, the result will be discipline up to and including discharge.

Employees will be paid for time spent in alcohol or drug testing and then suspended pending the results of the drug or alcohol test. After the results of the test are received, a date and time will be scheduled to discuss the results of the test; this meeting will include a member of management/supervision and the District manager. Should the results prove to be negative the employee will receive back pay for the times/days of suspension.

**Confidentiality**

Information and records relating to positive test results, alcohol dependencies, and legitimate medical explanations provided to the MRO should be kept confidential to the extent required by law and maintained in secure files separate normal personnel files. Such records and information may be disclosed among managers and supervisors on a need-to -know basis and may also be disclosed when relevant to grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

**Inspections**

The Orland Cemetery District reserves the right to inspect all portions of its premises for drugs, alcohol

or other contraband; affected employees may have union representation involved in this process. All employees, contract employees and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate disciplined, up to and including discharge.

**Crimes Involving Drugs**

The Orland Cemetery District prohibits all employees, including employees performing work under government contracts, from manufacturing, distributing, possessing, dispensing, or using an illegal drug in or on District premises or while conducting District business. The Orland Cemetery District does not desire to intrude into the private lives of its employees, but, recognizes that employees’ off-the-job involvement with drugs and alcohol may have an impact on the workplace. Therefore, the Orland Cemetery District reserves the right to take appropriate disciplinary action for drug use, sale, or distribution while off company premises. All employees who are convicted of, plead guilty to or, sentenced, for a crime involving an illegal drug are required to report the conviction, plea or sentence to management within five days. Failure to comply will result in an automatic discharge. Cooperation in complying may result in suspension without pay to allow management to review the charges and the employee’s past record with the Orland Cemetery District.

**Definitions**

“District premises” include all buildings, offices, facilities, grounds, parking lots, lockers, places and vehicles owned, leased or managed by the District or on any site on which the District is conducting business.

“Illegal drug” means a substance whose use or possession is controlled by federal law but that is not being used or possessed, under the supervision of a licensed health care professional. (Controlled substances are listed in Schedules I-V of 21 C.F. R. Part 1308.)

“Refuse to cooperate” means to obstruct the collection or testing process; to submit an altered, adulterated or substitute sample; to fail to show up for a scheduled test; to refuse to complete the requested drug testing forms; or to fail to promptly provide specimen(s) for testing when directed to do so, without a valid medical basis for the failure. Employees who leave the scene of an accident without justifiable explanation prior to submission to drug and alcohol testing will also be considered to have refused to cooperate and will automatically be subject to discharge.

“Under the influence of alcohol” means an alcoholic concentration equal to or greater than.04, or actions, appearance speech, or bodily odors that reasonably cause a supervisor to conclude that an employee is impaired because of alcohol use.

“Under the influence of drugs” means a confirmed positive test result for illegal drug use per this policy. In addition, it means the misuse of legal drugs (prescribed and possibly OTC) when there is not a valid prescription from a physician for the lawful use of a drug in, the course of medical treatment (containers must include the patients name, the name of the substance, quantity/amount to be taken and the period of authorization).

**Reasonable Suspicion and Post Accident Testing Protocol**

1. The employees will be advised that the Orland Cemetery District believes that there is reasonable suspicion to believe that he or she is affected by illegal drugs or alcohol (or due to the nature of the accident the policy mandates this) and that this test is being offered to confirm or deny this suspicion.
2. The employee will be transported to any one of the Districts contracted testing facilities (e.g., health, services, prompt care or the emergency department). One member of management or a designated attendant will accompany the employee. Under no circumstances will the employees be allowed to drive him or herself to the testing facility.
3. Prior to leaving for the testing facility, supervision/management will contact the testing facility to inform it that a staff member from the Orland Cemetery District will be arriving and will need a drug or alcohol test completed.
4. The employee should be provided water to drink prior to leaving the company premises.
5. The employee should be given reasonable time- not to exceed 15 minutes- to secure photo ID in the company of an Orland Cemetery District representative.
6. The employee to be tested must present photo ID, (i.e., a driver’s license or state ID card) to the testing facility staff before the specimen can be obtained. Ensure that the employee brings the photo ID with him or her when leaving Orland Cemetery District premises.
7. The employees to be tested must sign a consent form provided by the testing facility. Refusal to sign is addressed under the “Consequences” section of this document.
8. An Orland Cemetery District representative must sign as a witness to the collection procedure, along with the tested employee.

After returning to the District or when leaving the testing facility, the supervisor/manager must arrange to transport the person home (unless testing results are immediate). Under no circumstances will the tested employee be allowed to drive him or herself home.

**Enforcement**

The Manager is responsible for policy interpretation and enforcement.

**REASONABLE SUSPICION CHECKLIST**

(The following checklist should be completed when a manager or supervisor suspects drug or alcohol use based on the physical appearance and behavior of the employee. Also completing the checklist should be all other managers or supervisors who witnessed the employee being unfit for duty.)

**PART 1: EMPLOYEE INFORMATION**

**Employee Name:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Employee Job Title:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Observation Date:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Observation Time (indicate a.m. or p.m.):** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Location:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**PART 2: OBSERVATIONS**

(Place a **checkmark** next to any of the following observations exhibited by the employee.)

**PHYSICAL**

**Walking:**

\_\_\_\_ Holding on; \_\_\_\_ Stumbling; \_\_\_\_ Unable to walk; \_\_\_\_ Unsteady; \_\_\_\_ Staggering;

\_\_\_\_ Swaying; \_\_\_\_ Falling; \_\_\_\_ Other (describe)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Standing:**

\_\_\_\_ Swaying; \_\_\_\_ Feet wide apart; \_\_\_\_ Unable to stand; \_\_\_\_ Rigid; \_\_\_\_ Staggering;

\_\_\_\_ Sagging at knees; \_\_\_\_ Dizziness; \_\_\_\_Other (describe)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Movements:**

\_\_\_\_ Fumbling; \_\_\_\_ Jerky; \_\_\_\_ Nervous; \_\_\_\_ Slow; \_\_\_\_ Normal; \_\_\_\_ Hyperactive;

\_\_\_\_ Reduced reaction time; \_\_\_\_Not following tasks; \_\_\_\_ Diminished coordination;

\_\_\_\_ Tremors; \_\_\_\_ Other (describe)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Eyes:**

\_\_\_\_ Bloodshot; \_\_\_\_ Watery; \_\_\_\_ Droopy; \_\_\_\_ Glassy; \_\_\_\_ Closed;

\_\_\_\_ Dilated/Constricted Pupils; \_\_\_\_ Other (describe)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Face:**

\_\_\_\_ Flushed; \_\_\_\_ Pale; \_\_\_\_ Sweaty; \_\_\_\_ Other (describe)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Breath:**

\_\_\_\_ No alcoholic odor; \_\_\_\_ Faint alcoholic odor; \_\_\_\_ Alcoholic odor; \_\_\_\_ Chemical odor;

\_\_\_\_ Sweet/pungent tobacco odor; \_\_\_\_ Heavy use of breath spray;

\_\_\_\_ Other (describe)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Speech:**

\_\_\_\_ Whispering; \_\_\_\_ Slurred; \_\_\_\_ Shouting; \_\_\_\_ Incoherent; \_\_\_\_ Slobbering; \_\_\_\_ Silent;

\_\_\_\_ Rambling; \_\_\_\_ Mute; \_\_\_\_ Slow; \_\_\_\_ Other (describe)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Appearance:**

\_\_\_\_ Neat; \_\_\_\_ Unruly; \_\_\_\_ Messy; \_\_\_\_ Dirty; \_\_\_\_ Stains on clothing;

\_\_\_\_ Marijuana Odor; \_\_\_\_ Partially dressed; \_\_\_\_ Bodily excrement stains;

\_\_\_\_ Visible puncture marks or tracks; \_\_\_\_ Burnt rope smell on clothes, hair, body;

\_\_\_\_ Excessive sweating in cool area; \_\_\_\_Other (describe)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**BEHAVIORAL**

**Demeanor:**

\_\_\_\_ Cooperative; \_\_\_\_ Calm; \_\_\_\_ Talkative/Rapid Speech; \_\_\_\_ Polite; \_\_\_\_ Sarcastic;

\_\_\_\_ Sleepy; \_\_\_\_ Crying; \_\_\_\_ Sleeping on job; \_\_\_\_ Argumentative; \_\_\_\_ Excited;

\_\_\_\_ Withdrawn; \_\_\_\_ Mood swings; \_\_\_\_ Overreacts to minor things; \_\_\_\_ Excessive laughter;

\_\_\_\_ Forgetful; \_\_\_\_ Other (describe)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Actions:**

\_\_\_\_ Hostile; \_\_\_\_ Fighting; \_\_\_\_ Profanity; \_\_\_\_ Drowsy; \_\_\_\_ Threatening; \_\_\_\_ Erratic;

\_\_\_\_ Hyperactive; \_\_\_\_ Calm; \_\_\_\_ Resisting communication; \_\_\_\_ Paranoid;

\_\_\_\_ Possessing, using or distributing an illegal substance; \_\_\_\_ Baseless Panic;

\_\_\_\_ Other (describe)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Appetite:**

\_\_\_\_ Always munching on something; \_\_\_\_ Constantly Chewing Gum;

\_\_\_\_ Frequently Eating Candy; \_\_\_\_ Popping Mints Often;

\_\_\_\_ Other (describe)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**MISCELLANEOUS**

\_\_\_\_ Presence of alcohol and/or drugs in employee’s possession or vicinity

\_\_\_\_ On-the-job misconduct by employee

\_\_\_\_ Employee admission to alcohol and/or drug use or possession

**CORROBORATING WITNESSES**

(List names of all witnesses to the employee’s conduct below)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**OTHER OBSERVATIONS**

(List below any other observations not included in this checklist. Also provide details for any accident that the employee in question caused or was involved in.)

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**PART 3: EMPLOYEE’S RESPONSE**

(Document below the employee’s explanation or reasons for his/her conduct)

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**PART 4: ACTION PLAN**

Once the above parts of this Reasonable Suspicion Checklist are completed by you and a witness, you can proceed to an action plan in a meeting with the employee. Remember to follow your company’s procedures as outlined in its drug-free policy.

Place a **checkmark** next to the applicable action as agreed upon with the employee:

\_\_\_\_ Employee has agreed to testing

\_\_\_\_ Employee has **not** agreed to testing

\_\_\_\_ No further action at this time

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Supervisor/Manager Signature Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Supervisor/Manager Signature Date

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Witness Signature Date

**ORLAND CEMETERY DISTRICT**

**Drug and Alcohol Policy Certificate of Receipt**

I hereby certify that I have received and read a copy of this latest version of the

Orland Cemetery DistrictDrug and Alcohol Policy dated; \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I also reaffirm that, I will abide by all rules and regulations contained herein.

Signature, Date

* + 1. **HARASSMENT POLICY**
    2. Policy

The Orland Cemetery District is an equal employment opportunity employer and will not discriminate against any employee or applicant for employment in an unlawful manner. All employees have a right to work in an environment free from discrimination based on race, color, national origin, ancestry, sex, religious beliefs, age, marital status, pregnancy, physical handicap, medical conditions, sexual orientation, gender identity, gender expression, genetic information, veteran status or any other arbitrary discrimination. Employees are also entitled to a work environment free from all forms of harassment, including sexual harassment. The law prohibits coworkers and third parties, as well as supervisors and managers, with whom the employee comes into contact from engaging in conduct prohibited by the California Fair Employment and Housing Act. Engaging in any type of harassment is grounds for disciplinary action, up to and including termination. All employees and Supervisory personnel will be required to undergo sexual harassment avoidance training on a bi-annual basis either on-line or in person at an approved seminar.

2. Definition of Harassment

Harassment is a form of misconduct, which undermines the integrity of the employment relationship. No employee should be subject to verbal, physical or visual harassment regarding their race, national origin, sex, religious beliefs, age, marital status , physical handicaps, sexual orientation, pregnancy, gender identity and gender expression, genetic information sexual orientation, gender identity, gender expression, genetic information, veteran status or any other arbitrary discrimination. Verbal harassment includes such matters as epithets, derogatory comments, slurs, derogatory jokes, as well as verbal sexual advances, repeated offensive sexual flirtations or propositions. Additionally, continued or repeated verbal abuse of a sexual nature, graphic verbal commentaries about an individual’s body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes or invitations, also constitute verbal harassment.

Physical Harassment includes such activities as assault, unwanted touching, impeding or blocking movement, offensive or abusive contact, or any physical interference with normal work or movement.

Visual Forms of harassment are such things as derogatory posters, cartoons or drawings. Unsolicited or unwelcome overtures or misconduct are also a form of harassment, as well as, leering, making sexual gestures, and displaying of sexually suggestive objects or pictures.

Sexual harassment does not refer to an occasional compliment of a socially acceptable nature. It refers to behavior, which is not welcome, which may be personally offensive, which weakens morale, and therefore, interferes with the individual effectiveness and work environment. Men and women can help prevent the problems caused by sexual harassment by being businesslike in their conduct and actions. In addition, no one should imply or threaten that an applicant’s or employee’s “cooperation” of a sexual nature (or refusal thereof) will have any effect on the individual’s employment, assignment, compensation, advancement, or any other condition of employment.

The types of actions discussed above, although not all-inclusive and illustrative only, constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment,
2. Submission to or rejection of such conduct by an individual, is used as the basis for employment decisions affecting such individual, or
3. Such conduct has the purpose or effect of unreasonable interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

3. Procedure

Any improper conduct in connection with discrimination or harassment whether committed by supervisors, non-supervisory personnel, or non-employees, is specifically prohibited and disciplinary action will be taken if such conduct is found to be valid. Any employee who feels he or she has experienced discrimination or harassment in the workplace or is aware of others who have been harassed or discriminated against, should immediately inform the Foreman or District Manager, and follow immediately with a written complaint.

An employee complaint shall be immediately investigated and if substantiated, corrective action shall be taken by the District. This will include interviewing the alleged victim, the alleged harasser and all others directly concerned, of its conclusions. If its investigation concludes that harassment has occurred, the District will take disciplinary action against the harasser commensurate with the severity of the offense, and the victim will be advised of the action taken against the harasser. Additionally, the victim may have rights under State and Federal law. No retaliatory action will be taken against an accuser for any allegation proven false.

No employee will be disciplined or otherwise retaliated against for complaining about such harassment. It is important that employees inform the District about such harassment, as nothing can be done to remedy the situation if it is not known that is exists. Confidentiality will be maintained. Paid administrative leave of absence may be granted if asked for by an employee making a claim of harassment. No alteration of job-related duties will be made with out approval of the employee filing the claim of harassment.

A copy of this policy shall periodically be made available to all employees. All employees must read the harassment policy and must sign the certification acknowledging they have read and understood the District’s policy regarding harassment.

**4.District Harassment Complaint Form**

Employee’s Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Position\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of District Manager \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employees state of complaint, if oral. If written, attach copy of Complaint Form (include facts, dates, policy or regulation involved, if any and the remedy desired).

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employee’s Signature\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Received by District Manager \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

District Manager’s Decision

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Given to Employee \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

District Manager’s Signature

1. **Certification**

I hereby acknowledge that I have read and understand the District policy regarding Harassment.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name (Please Print)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name Signature

Witness Date

**6.DISCIPLINARY PROCEDURE**

1. Types of Disciplinary Procedure

Disciplinary procedures include, but are not limited to, the following:

1. Oral reprimand
2. Written reprimand
3. Suspension from duty without pay up to and including a maximum period of loss of two (2) weeks’ pay.
4. Reduction of pay.
5. Demotion.
6. Termination for cause.
7. Head Groundskeeper may issue oral or written reprimands. All other forms of disciplinary action are reserved for decision by the District Manager.
8. Disciplinary action normally is based, but not limited to, violations of the Code of Conduct.
9. To the extent practicable, District Manager will resort to counseling and guidance of employees prior to resorting to disciplinary action.
10. Oral reprimand and written reprimand are subject to review under Grievance Procedures.
11. Suspension from duty without pay, reduction in pay and demotion imposed by written notice to the employee stating the reason(s).
12. Disciplinary termination is imposed by written notice to the employee stating the reason(s) and is subject to review under Termination Procedures.

**7. GRIEVANCE PROCEDURES**

1. Purpose

Through the formal grievance procedure, employees are provided a means by which a complaint, decision or problem is formally reviewed, and an answer or decision may be given at progressively higher management levels. *GRIEVANCE PROCEDURES DO NOT APPLY TO TERMINATION OF AN EMPLOYEE OR DISCIPLINARY ACTION IMPOSED BY THE DISTRICT MANAGER.*

1. Eligibility

All regular employees who have been employed at least ninety (90) days are eligible to use the formal grievance procedure.

1. Procedure
2. The formal grievance procedure is designed not to replace but to supplement the routine methods of responding to and settling employee problems and grievances. If these routine methods fail to resolve the issue, the formal grievance procedure gives the employee access to higher authorities than the Foreman.
3. The District Manager shall directly or indirectly discourage the use of the formal grievance procedure by employees.
4. When warranted by unusual circumstances (illness, extended absences, etc.) the District Manager may extend the time limits indicated in the Formal Grievance Procedure.
5. Content of the Written Grievance:
6. A statement of the District’s policy, rules or practices involved.
7. A statement of the facts and events involved in the matter.
8. An explanation of how the employee has been adversely affected.
9. A statement of the corrective action requested and the reason the action is appropriate.
10. The employee may elect to have a representative for assistance in presenting the grievance.
11. Steps in the formal grievance procedure
12. Step No. 1

The employee shall present the request for an adjustment of the grievance to the District Manager within five (5) working days of the day on which the grievance arises or becomes known to the employee. The District Manager shall reply within seven (7) working days of the grievance by the employee and shall tell the employee the reason for the decision.

In this step, the District Manager shall give the employee a full opportunity to explain his or her grievance and will promptly review all aspects of it. The Head Groundskeeper will make efforts to give a prompt answer; but if more information is necessary, or if the grievance involves a matter beyond the District Manager’s authority, the District Manager will insure that the problem is brought to the attention of the authority that has the responsibility to make such a decision. It is the responsibility of the District Manager to insure, that the employee is aware of the right to proceed to Step No. 1.

1. Step No. 2

If the employee is not satisfied with the departmental reply in Step No. 1 and chooses to proceed to Step No. 2, the employee must present the written grievance to the Board of Trustees within five (5) working days of the preceding decision. The District Manager will review the previous decision concerning the grievance. A written response will be made by the Board of Trustees within ten (10) working days of the presentation of grievance. A decision of the Board of Trustees is final.

1. **TERMINATION PROCEDURE**

Except in an emergency, the following procedure will be followed:

1. **TERMINATION**

a. The employee will be provided a written notice of the fact and effective date of termination and reminded of the Reconsideration provisions.

* 1. If the District Manager deems it appropriate, the reasons for the termination may be stated in the termination notice; provided that the reason(s) have been documented in the disciplinary termination filed in the employee’s personal file.

1. Persons who terminated may be entitled to unemployment compensation.
2. **EMPLOYEES REQUEST FOR RECONSIDERATION**
3. An employee, other than probationary employee, may request that the District Manager reconsider the decision to terminate the employee.
4. The request for reconsideration must be submitted in writing within fourteen (14) days after the notice of termination has been mailed to the employee or personally delivered to the employee. In the event the request is not received within this period, of time, the opportunity to request reconsideration will be waived.
5. A request for reconsideration must be in writing and must contain the following information:

1. The reason that reconsideration is requested.

2. A summary of the factual, information supporting the reasons for requesting reconsideration.

3. If the request for reconsideration is to be supported by statements of other persons, the written statements of those persons must be included in the request, together with any documents to be considered.

4. The District Manager may, as a matter of discretion, determine that a hearing is appropriate, he shall establish the time and place of the hearing and notify the employee concerned.

1. **CONDUCT OF HEARING**

a. Unless the District Manager determines otherwise, the hearing will be conducted in closed session.

b. The District Manager shall conduct the hearing.

c. The employee shall be entitled to have representation to assist the employee in the presentation of his case; the District Manager may designate a person to present the District’s position with respect to termination.

d. The employee shall have the burden of proving that the initial decision to terminate the employee should be reversed and the employee should be retained by the District.

e. The hearing shall be conducted in an informal manner; the District Manager shall make appropriate rulings with respect to procedure and the admission of evidence or information for consideration. The District and the employee shall have the right to produce evidence, to produce witnesses, and to cross-examine witnesses who are presented by the opposing party.

f. The hearing may be recorded and transcribed.

g. The costs incurred for Court Reporter’s service and the preparation of the record initially shall be borne by the District. In the event the employee desires a copy of the transcript from the Court Reporter, the cost shall be borne by the employee.

**4. WAIVER OF RECONSIDERATION**

A failure to request reconsideration in the manner set forth in paragraph 2 above, or failure of the employee to appear at the time and place of hearing shall be deemed a waiver by the employee of reconsideration by the District Manager and acceptance of the termination.

1. **NOTICE OF DECISION**

The District Manager shall notify the employee of his decision. The notice shall be in writing, dated and shall inform the employee whether the employee is retained or terminated.

1. **PETITION TO THE DISTRICT BOARD OF TRUSTEES**
2. An employee has thirty (30) days from the date the District Manager’s decision is deposited in the mail to petition the District Board of Trustees for review of the District Manager’s decision. In the event the Board of Trustees determines that a review is appropriate, the examination will be based on the record of the District Manager’s action.
3. In the event the Board of Trustees either denies the petition or determines after review to sustain the District Manager’s decision, the time limit for judicial review of the Board’s decision pursuant to Code of Civil Procedure 1094.6 runs from the date the notice is deposited in the mail.
4. The Board of Trustees shall inform the employee in writing of the Board’s decision.

**FRAUD PREVENTION**

In an effort, to provide a just and accurate accounting of all financial transactions, Management and personnel of the Orland Cemetery District will adhere to the following procedures for fraud prevention.

1. No cash or credit cards will be accepted as payment for goods and services provided by the Orland Cemetery District. Cashiers’ check, Personal check or Money Orders are acceptable forms of payment.
2. All Warrants for payments, affixed with the appropriate back-up documentation for the transactions will be audited and signed by the Orland Cemetery District Trustees at each monthly meeting before being presented to the Glenn County Department of Finance for processing. Those warrants authorized by a Resolution of the Board of Trustees of the Orland Cemetery District, to be signed only by the Manager, will be audited and signed by the Trustees at the next regular meeting following the Warrants’ deposit with the Glenn County Department of Finance.
3. All deposits will be made using the approved Glenn county Department of Finance Deposit Permit. Each Deposit Permit will show a detailed break-down of each of the account numbers for which the monies are to be deposited into and a signature of the person making the deposit. All payment instruments received by the District will be endorsed with the appropriate ink stamp and shall have a corresponding County of Glenn Receipt showing in detail a break-down of date, check or Money order number received as payment, all expenses included, name of person for corresponding transaction and the grave location relevant to the transaction as well as the signature of the District official accepting/recording payment.
4. All Deposit Permits will be affixed with the corresponding yellow copy of the County of Glenn Receipts for that deposit and will be placed in to the binder appropriate for the fiscal year in which the transaction was made. These Deposit Permits will have the appropriate deposit number from the Glenn County Department of Finance the office copy of receipts will stay in booklet and stored as well.

**FRAUD POLICY**

The Orland Cemetery District fraud policy has been created to help the development of controls that will aid in the detection and prevention of fraud against the Orland Cemetery District. It is the intention of the Orland Cemetery District’s Board of Trustees, to ensure appropriate organization by giving guidelines and procedures as well as establishing responsibility for the development of controls and conduct of investigations.

This policy applies to any misuse or suspected misuse, by employees or Trustees, consultants, contractors, vendors or any outside parties doing business with employees of such agencies, and/or any other parties with a business relationship with the Orland Cemetery District. Any investigations into the conduct of parties involved will be done without regard to the suspected wrongdoer’s length of service, title, position, or relationship to the Orland Cemetery District.

It is the responsibility of the Management of the Orland Cemetery District to detect and prevent fraud, misappropriations or any other irregularities. Fraud is defined as the intentional, false representation, or concealment of a material fact for purposes of inducing another act upon it to his or, her injury. Every member of the management team will be acquainted with the types of improper occurrences that may take place in their respective areas of responsibility and should be vigilant to detect any indication of improper actions.

Any irregularities that may be discovered must be reported immediately to the Chairperson of the Orland Cemetery District Board of Trustees, who will then co-ordinate any investigation with the Auditor and/or Law Enforcement Authorities.

The terms defalcation, misappropriation, and other fiscal irregularities refer to but are not limited to;

* Any dishonest or fraudulent act.
* Misappropriation of funds, securities, supplies or other assets.
* Improper use or mishandling or reporting of money or financial transactions.
* Profiteering as a result, of private trans-actions for Cemetery Services.
* Accepting or asking for anything of material worth from vendors, contractors, or persons doing business or providing services to the Orland Cemetery District.
* Destruction, disposal or removal and/or otherwise inappropriate use of records, equipment, or supplies belonging to the Orland Cemetery District.
* Anything of a similar or related irregularity.

Improper use or irregularities concerning an employee’s moral, ethical, or behavioral conduct should be resolved by Orland Cemetery District Board of Trustees and any Law enforcement if deemed necessary.

The Orland Cemetery District has primary responsibility for any investigations of suspected fraud or abuse as outlined in policy. If an investigation has determined that activity of a fraudulent nature has in fact occurred, the Orland Cemetery District Board of Trustees will issue reports to the necessary authorities.

Any decision to prosecute or refer any results of any internal investigation with the appropriate Law Enforcement authorities for further action will be done with the aid of legal counsel as will final disposition of each case.

The Orland Cemetery District Board of Trustees will treat all information received as confidential. Any employee who suspects dishonest or fraudulent activity will notify the Chairperson of the Board of Trustees immediately and should not attempt to do any investigation on their own regarding any suspected acts of fraud or impropriety.

Any information or results of investigations will not be discussed or disclosed to anyone other than those who have the proper authority and need to know. This is essential to protecting the good name and reputation of person(s) suspected of and then found innocent of any wrongful, improper or fraudulent acts, as well as to protect the Orland Cemetery District from any possible civil litigation or liability.

Members of the Investigation committee will have;

Unrestricted access to all Orland Cemetery District records and premises, whether owned or rented; and

The authority to examine, copy, and/or remove all or any portion of the contents of files, desks, cabinets and other storage facilities, electronic or otherwise on the premises without prior knowledge or permission of any person who might use or have access or custody of any such information or storage facilities when it is within the scope of their investigation.

Extreme care must be exercised during the investigation process of any improper or irregular activities so, as to avoid any mistaken or false accusations or alerting suspected persons that an investigation is ongoing.

Any employee who uncovers or suspects fraudulent activity will contact the Chairperson of the Board of Trustees immediately. The employee or other complainant may remain anonymous.

Any, and all questions regarding the activity in question from the suspected individual, their legal counsel or representative, or any persons inquiring about the incident should be directed to the Chairperson of the Board of Trustees or the legal counsel retained by the Orland Cemetery District. There will be no information regarding the status of any investigation given out. Anyone asked about such an investigation should reply” *I am not at liberty to discuss the matter*.”

No mention or reference should be made to, “the allegation(s)”, “the crime”, “the fraud”, “the forgery”, the “misappropriation” or any reference of specificity.

The individual(s) reporting about the discovery(s) should be advised of the following:

* Do not contact the suspected individual in any effort to determine facts or arrange or demand restitution.
* Do not discuss the facts of the case, suspicions, or allegations with anyone, unless specifically directed to do so by legal counsel.

If the result of an investigation determines that termination of employment is a recommendation for the individual involved, the recommendation will be reviewed by legal counsel before moving forward with the termination process. The decision to terminate the employment of the individual(s) involved, is to be made by the management of that employee. Should a determination of termination decision be inappropriate for the facts established, the final determination authority lies with the Orland Cemetery Districts Board of Trustees.

The Orland Cemetery District Manager, at the direction and under the control of the Board of Trustees will be responsible for the administration, revision, interpretation, and application of this policy. The policy will be reviewed on a regular basis and revised as needed.

Orland Cemetery District Board of Trustees;

Chairperson Pat De Fries:

Trustee Rick Beale:

Trustee Kevin Donnelley

Attested:

Rob Christian, Clerk of the Board. Date: October 17th, 2018

1. **PURCHASING AND CONTRACTING FOR PERSONAL PROPERTY, SERVICES AND CONSTRUCTION, AND SALE OF DISTRICT-OWNED PROPERTY POLICY**

**2.00 CONSTRUCTION**

2.01 By resolution, the Board may order the construction work to be done, and if it does so, it shall fix a time for receiving proposals or bids for doing the work, and shall direct the clerk to give notice, inviting sealed proposals or bids. Such notice shall include a statement that the work is to be done in accordance with the plans and specifications on file, except insofar as such plans and specifications were changed by the Board.

* 1. All contracts for the construction or completion of any building, structure, or improvement, when the expenditure required for the work exceeds ten thousand dollars ($10,000), shall be contracted for and let to the lowest responsible bidder after notice.

1. *All contracts for the construction or completion of any building, structure, or improvement, when the expenditure required for the work is less than twenty-five thousand dollars ($25,000), may be let to contract by**informal bidding procedures as set forth therein.*
2. All contracts for the construction or completion of any building, structure, or improvement, when the expenditure required for the work exceeds twenty-five thousand dollars ($25,000) may be let to contract by formal bidding procedures as set forth therein.
   1. Project Specifications – Before entering into any contract for a project, the District shall prepare full, complete, and accurate plans and specifications and estimates of cost, giving such directions as will enable any competent mechanic or other builder to carry them out. Plans and specifications shall be sufficiently certain and definite upon all, of the details of the work which affect its cost to apprise bidders of all the essential and substantial parts of the work and enable them to know with reasonable accuracy the outlay they will have to make in performing the work to be contracted for. The plans, specifications, and estimates shall be approved by the Board and the original draft or a certified copy filed permanently in the office of the District before further action is taken.
   2. *Informal Bidding Procedure*
3. *The District shall maintain a list of qualified contractors, identified according to categories of work. It shall be the responsibility of contractors who wish to be placed on the list to provide the District with a statement of the contractor’s qualifications.*
4. *All contractors on the list for the category of work being bid or all construction trade journals specified by the Trade Center Commission, or both, shall be mailed a notice inviting informal bids unless the product or service is proprietary.*
5. *Notice shall also be published in construction trade journals or newspapers of general circulation within the District.*
6. *All mailing notices to contractors and construction trade journals pursuant to subdivision (b) and (c) above shall be completed not less than the ten (10) calendar days before the bids are due.*
7. *The notice inviting informal bids shall describe the project in general terms, how to obtain more detailed information about the project, and state the time and place for the submittal of bids.*
8. *If all bids received are in, excess of twenty-five thousand dollars ($25,000), the Board may, by passage of a resolution by a two-thirds (2/3) vote, award the contract at no more than thirty thousand dollars ($30,000) to the lowest responsible bidder, if it determines that the cost estimate of the District was reasonable.*
   1. Formal Bidding Procedures – Notice inviting formal bids shall state the time and place for the receiving and opening of sealed bids and distinctly describe the project. The notice shall be posted and published at least fourteen (14) calendar days before the date of opening the bids. Notice shall be published at least twice, not less than five (5) days apart, in a newspaper of general circulation in the District. A copy or copies of the notice shall be posted and kept posted for five (5) days at or near the door of the District’s office. In addition to the notice required hereunder, the District may give such other notice as it deems proper under the circumstances.
   2. Awarding Contracts – The Board shall, in open session, open and examine the proposals or bids and declare the same. In its discretion, the District may reject any bids presented. The Board may also withdraw the work from competitive bidding at any time prior to the award of the contract.
9. If, after the first invitation of bids, all bids are rejected, after reevaluating its cost estimated of the project, the District shall have the option of either:

1. Abandoning the project or re-advertising for bids in the manner set forth herein; or

2. By passage of a resolution by a two-thirds (2/3) vote of the Board declaring that the project can be performed more economically by the employees of the District, have the project done by force account without further complying with this procedure.

b. If a contract is awarded, it shall be awarded to the lowest responsible bidder. If two or more bids are the same and the lowest, the Board may accept the one it chooses.

c. If no bids are received through the formal or informal procedure, the project may be performed by the employees of the District by force account or negotiated without further complying with this procedure.

* 1. The Board may, subject to the provisions of Chapter 7 (commencing with Section 3247) of Title 15 of Part 4 of Division 3 of the Civil Code, require the posting of those bonds it deems desirable as a condition of the filing of a bid or the letting of a contract. No proposal or bid shall be considered unless accompanied by such check or such bond as required in the notice for proposals or bids.
  2. A notice of such award, attested by the Clerk of the Board, shall be transmitted to the successful bidder by the Clerk of the Board, and shall also be posted in the same manner as the notice inviting proposals or bids.

2.09 Before being entitled to a contract, the bidder to whom the award thereof has been made must advance and pay to the Clerk of the Board, the costs and expenses of publishing and posting the resolutions, notices and orders required hereunder which have been made, given, posted, or published in the proceedings.

* 1. If the successful bidder fails neglects or refuses for fifteen (15) days after being awarded the contract, to execute the same, the certified check accompanying his or her bid and the amount thereof shall be declared forfeited to the District.
  2. If the Board deems it is in the best interests of the District, the Board may, on the refusal or failure of the successful bidder to execute the contract, award it to the second lowest responsible bidder, or on the refusal or failure of that bidder to execute the contract, to the third lowest responsible bidder. If the Board deems the acceptance of the lowest responsible bid or bids is not in the best interests of the District, the Board may reject all bids and proceed in any other manner selected by the Board.

2.12 Bids may be received, and contracts awarded on a unit basis, that is, the bids compared upon the basis of estimates of the quantities of the work to be done.

2.13 Contracts shall be let only to a holder of a valid State contractor’s license unless such work is exempt from such licensing requirement by any other provision of law. Proof of current and appropriate Liability Insurance coverage and Workers Compensation coverage shall be provided to the District Manager before any work shall begin.

2.14 In the case of an emergency, the Board may adopt a Resolution by two-thirds (2/3) vote of all the members of the Board declaring that the public interest and necessity demand immediate expenditure of public money to safeguard life, health or property. The Board may expend any sum required in the emergency for the construction or completion of any building, structure, or improvement without submitting the expenditure to bid.

2.15 The Board hereby authorizes the District Manager to engage independent contractors to perform construction services for the District, with or without furnishing of material, or for the purchase of supplies, material or equipment, when the aggregate cost does not exceed twelve hundred dollars ($1200).

2.16 It is unlawful, for the, purpose of evading any requirement herein, to split or separate into smaller units of work or purchase any work or purchase covered by this section.

3.00 **PURCHASING OF PERSONAL PROPERTY AND SUPPLIES**

3.01 The District Manager is hereby authorized to make purchases of personal, property and supplies for the District where the cost does not exceed twelve hundred dollars ($2000.00).

3.02 Amounts included in the annual budget approved by the Board for the purchase of specifically identified items of personal, property shall constitute spending authority to the District Manager for such items of personal, property up to the amounts approved, even though in excess, of the twelve hundred dollars ($1200) limit established in 3.1 above.

3.03 Where the cost of the personal, property and/or supplies does not exceed two thousand dollars ($2000.00), price competition shall not be required.

3.04 Where the cost of the personal, property and/or supplies costs between twelve hundred dollars ($1200.00) and ten thousand dollars ($10,000), price competition must be undertaken by securing at least three (3) oral or written quotations.

3.05 Where the cost of the personal, property and/or supplies exceeds ten thousand dollars ($10,000), the Board shall be required to follow the bidding procedure set forth in Section 5 herein.

3.06 Purchase Orders – Procurement of personal, property shall be made only upon the issuance of a purchase order. Purchase orders will be issued only by the District Manager. No other employee of the District may issue a purchase order or otherwise commit to the expenditure of District funds.

3.07 Authorization to Purchase – No purchase may be made without the prior authorization of the District Manager.

3.08 Upon receipt of the materials or equipment purchased, the invoice must be submitted to the District’s Office Manager for processing and possible inventory recording under fixed assets.

3.09 All purchasing, and procurement shall be performed in the best interest of the District, in accordance with the rules, regulations, and policies herein set forth and all applicable provisions of the law.

3.10 It is unlawful, for the purpose, of evading any requirements herein, to split or separate into smaller units of purchase any purchase covered by this section.

**4.00 SPECIAL SERVICE**

* 1. The Board may contract for special services. These contracts shall be with persons specially trained, experienced, expert, and competent for special services. The special services shall be limited to the fields of accounting, administration, architecture, custodial, economics, engineering, finance, insurance, labor relations, law, maintenance, mechanics, medicine, planning, science, technology and other services which are incidental to the operation of the District.
  2. The Board hereby authorizes the District Manager to enter into agreements, not to exceed twelve hundred dollars ($1200), by which independent contractors provide special services to the District. Any contract which is known at the time of procurement to exceed twelve hundred dollars ($1200) may be entered, into only by the Board.
  3. If so authorized, when the expenditure required for the service contract exceeds ten thousand dollars ($10,000), the Board shall ensure the service is contracted for and let to the lowest *responsible* bidder after public notice and bidding. When the projected expenditure is ten thousand dollars ($10,000) or less, the Board may let the contract without the necessity of bidding.
  4. It is unlawful, for the purpose, of evading any requirements herein, to split or separate into smaller units of purchase any purchase covered by this section.
  5. Notwithstanding the foregoing, contracting for architectural, engineering and surveying services shall be made in accordance with the provisions of Government Code &&4525, *et seq*.

5.00 **GENERAL**

5.01 Except otherwise allowed herein, when the expenditure required for the purchase of personal, property and/or services exceeds ten thousand dollars ($10,000), the Board shall contract for and let to the lowest responsible bidder the contract for such purchase of personal, property and/or services.

5.02 When the personal, property or services is to be secured through competitive bidding, the Board or the District Manager shall direct the Office Manager to give notice of the purchase (s) to be made, inviting sealed proposals or bids. Such notice shall include full, complete and accurate specifications of the property or service to be purchased which are sufficiently certain and definite upon all, of the essential material requirements of the property or service sought to be purchased to enable bidders to know with reasonable accuracy the personal, property or services sought.

5.03 The Board may establish procedures under which notice is given exclusively to prequalified vendors and identify other forms and procedures for the issuance of notice. Prequalification shall be based on any available information, including but not limited to information provided by the bidder. A bidder’s name may be removed from the list of qualified bidders for any of the following reasons:

a. Failure to respond to questionnaires issued by the District or to provide financial statement or other information as may be requested;

b. Failure to respond to three (3) consecutive invitations or requests for bids or quotations on services or items offered by the bidder;

c. Failure to satisfactorily perform under a previous purchase order or contract;

d. Failure to respond to any inquiry from the District regarding whether the bidder continues to be interested in doing business with the District;

e. Submittal to the District by the bidder of a written request to be removed from the list of qualified bidders;

f. Change in qualifications of a bidder to the extent that he no longer meets the minimum requirements applicable to bidders offering the services or item offered by the bidder.

5.04 The notice inviting bids shall set a date for the opening of bids. The first publication or posting of the notice shall be at least ten (10) days before the date of opening the bids. A copy or copies of the notice shall be posted and kept posted for five (5) days at or near the door of the District’s office.

5.05 The Board may reject any bids. If the Board rejects all bids, it may either re-advertise or adopt a resolution, by two-thirds (2/3) vote of all, of the District’s Trustees, declaring that the service can be performed more economically by the District’s employees or obtained at a lower price in the open market. Upon adoption of the resolution, the Board may undertake the service contract without further complying with this section.

5.06 If no bids are received, the Board may undertake the service contract or purchase of personal, property without further complying with this section.

5.07 Awards shall be determined by and be based upon the best proposal which, in the discretion of the Board or the District Manager, is the proposal which most adequately meets the needs of the District at the lowest price.

a. In determining the best proposal, in addition to price, the Board or the District Manager may consider the quality, availability and functional or other suitability of the personal, property or contractual services to the specific use intended. The Board or the District Manager may also consider other factors, including, but not limited to, the following: the ability, capacity and skill of the bidder to perform the contract or provide the service required; whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference; the character, integrity, reputation, judgment, experience and efficiency of the bidder; the quality of performance of previous contracts or services; the previous and existing compliance of the bidder with laws and ordinances relating to the contract or service; the sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service; the ability of the bidder to provide future maintenance and service for the use of the subject of the contract; the number and scope of conditions attached to the bid.

b. With respect to acquisitions of title to personal, property or the use of personal, property be rental, lease or otherwise, the best proposal shall be, as to products which equally satisfy intended uses, the one submitted by a responsible bidder at the lowest price.

5.08 Purchases may, but need not, pursuant to competitive proposals under the following circumstances:

a. When the aggregate or cumulative price to be paid under the purchase contract is five thousand dollars ($5,000) or less, unless otherwise required by state law;

b. When a patent or proprietary item is being purchased;

c. In the event of an emergency; or

d. When the following types of personal property or services are being acquired, obtained, rented or leased: (I) advertising; (II) books, recordings, motion picture films, subscriptions; (III) insurance; (IV) public utility services; (V) travel services; (VI) property or services provided by or through other governmental agencies; or obtainable from suppliers which have in force a current contract with another governmental agency for the same item or service; or (VII) property or services the price of which is fixed by law.

5.09 Patented or Proprietary Items: When the District requires supplies, materials or equipment which are produced by only one manufacturer, the District Manager may specify such manufacturer’s make or brand in the invitation to bid, but, shall seek competitive bids from responsible bidders. If the manufacturer or its representative is the sole responsible bidder or sole source of supply, the District Manager may negotiate an open market order or contract with the manufacturer or its representative at prices and on terms most advantageous to the District, subject to the approval of the Board. When the District requires supplies, materials, or equipment which are patented or proprietary and which are obtainable in two or more equally satisfactory and competitive makes, brands, or types, the invitation to bid may indicate such acceptable and competitive makes, brands or types. Such invitations to bid shall include the phrase “or approved equivalent” to permit bidders to bid on alternative or additional makes, brands, or types. It shall be incumbent on each bidder to prove to the satisfaction of the District Manager that the alternate or additional make, brand, or type which is offered is equal in quality or performance to those listed in the invitation to bid.

5.10 The District may request the State Department of General Services to make purchases of materials, equipment, or supplies on its behalf in accordance with the provisions of Government Code Section 14814. The District may also utilize the services of the County of Sacramento’s purchasing agent pursuant to the procedures established therefore.

5.11 The Board may delegate to the District Manager the power to enter into and execute on behalf of the District any contracts which do not involve the expenditure of more than five thousand dollars ($5,000) which relate to purposes previously approved and budgeted by the Board, subject to ratification of such approval and execution by the Board. This delegation shall not apply to:

a. The purchase of furnishings, materials, supplies and employment of independent contractors used in construction or repair of any building or facility of the District;

b. Contracts for the construction of any building, facility or other improvement of the District;

c. Contracts which must be awarded after public notice and competitive bidding. Contracts awarded by the District Manager are subject to the following provisions:

d. Any contract let by the District Manager shall contain a provision that such contract terminates upon the date of provision of services or personal, property or incurring of expenses the cumulative total of which exceeds the authorized amount above.

e. The District Manager shall not, absent prior approval by the Board, let any contract for the rental or lease of personal, property or for the acquisition of services by independent contract or otherwise which exceeds a term of one (1) year.

f. Except as otherwise authorized herein, all purchases by the District Manager shall be made pursuant to competitive proposals and shall be let to the party who makes the best proposal as defined in paragraph 5.07 of this section.

g. The solicitation of bid proposals by newspaper publication shall not be required. The District Manager shall utilize such processes to advertise intended purchases as are reasonably calculated to provide adequate competition among vendors, including, but not limited to, the direct solicitation of proposals from known vendors.

5.12 Policy Violations

a. Any violation of this policy shall render the contract or transaction involved voidable at the sole discretion of the Board.

b. Any person claiming to be aggrieved by a decision of the District Manager or the Board pursuant to this policy may appeal to the Board for a final determination. With regard, to any such appeal which relates to a contract award, the appeal must be filed with the District within five (5) days of the date of such award. No contracts may be executed by the District during the five-day period after the date of the award and during any period while an appeal is pending before the Board, unless an emergency exists pursuant to paragraph 5.14 below.

5.13 It shall be District policy that preference be given to local merchants, within the geographical boundary of the District, provided price, quality and service or availability are satisfactory.

5.14 In case of an emergency, the Board may adopt a resolution by two-thirds (2/3) vote of all the members of the Board declaring that the public interest and necessity demand immediate expenditure of public money to safeguard life, health, or property. The Board may expend any sum required in the emergency for the purchase of any personal, property, supplies and/or services without submitting the expenditure to bid.

5.15 Prior to performing any services or commencing any construction, the person, company or firm selected to perform such services or construction shall provide, in a form and amounts satisfactory to the District, proof of current insurance coverage for Worker’s Compensation (if Contractor employs any employee), and Comprehensive General Liability insurance naming the Orland Cemetery District, its Trustees, Officers and Employees as additional named insured.

* 1. **DISPOSITION OF DISTRICT-OWNED PROPERTY**
  2. When purchasing District property, the District may solicit and accept advantageous trade-in allowances for the District-owned property which has previously been determined by the District to be surplus.
  3. Upon recommendation by the District Manager, the Board may declare specific items of District-owned property surplus and authorize the disposition of such property. The District Manager may purchase advertising and advertise the proposed sale or other disposition of the property in newspapers or, other, periodical. Proceeds from the sale of District-owned surplus property shall be paid into the County Treasury for use of the District.
  4. When District-owned property has been declared surplus by the Board, the disposition of the surplus property may be handled through the County Department of Surplus, at the discretion of the District Manager.
  5. The prohibition against dealing with “financially interested” parties, Section 7.00 below, shall also apply to the sale of surplus District-owned property.

7.00 **FINANCIALLY INTEREST PARTIES**: The District shall not make any purchase of any personal, property or services from any person or business in which any Board member, officer or employee of the District has a “financial interest”. A person has a “financial interest” if it is reasonably foreseeable that the purchase will have a material effect on the official or employee or a member of his or her immediate family or on:

a. Any business entity in which the official or employee has a direct or indirect investment worth one thousand dollars ($1,000) or more;

b. Any real property in which the public official or employee has a direct or indirect interest worth one thousand dollars ($1,000) or more;

c. Any source income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to the official status, aggregating two hundred fifty dollars ($250) or more in value provided to, received by or promised to the official or employee within twelve (12) months prior to the time when the decision is made;

d. Any business entity in which the official or employee is a director, office, partner, trustee, employee, or holds any position of management; or

e. Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating two hundred fifty dollars ($250) or more in value provided to, received by, or promised to the official or employee within twelve (12) months prior to the time when the decision is made.

For purposes of this section, “indirect investment or interest” means any investment or interest owned by the spouse of dependent child of an official or employee, by an agent on behalf of a public official, the official’s agents, spouse, and dependent children own directly, indirectly, or beneficially a ten (10) percent interest or greater.

1. **USE OF DISTRICT PROPERTY OR EQUPMENT BY EMPLOYEES**

**WHEREAS**, the Board of Trustees (hereinafter the “Board”) of the Orland Cemetery District, (hereinafter the “District”) determines and finds that personal, property should not be maintained or repaired on District property or with District-owned tools or equipment.

***NOW THEREFORE BE IT RESOLVED THAT*** the following policy be adopted by the Orland Cemetery District.

**USE OF DISTRICT PROPERTY OR EQUIPMENT BY EMPLOYEES**

Employees shall not utilize District-owned equipment, vehicles, or supplies to perform maintenance or repair on personal, property not owned by the District, including but not limited to property such as vehicles, trailers, or lawn and garden equipment, except in cases of emergency or as determined by the District Manager or, in his absence, the Chairperson of the Board of Trustees.

Moreover, no such maintenance or repair shall be performed on the District’s real property or within its premises.

*Furthermore, District-owned small equipment, supplies or any other property shall not be removed from District property or used for any non-District purpose without prior approval of the District Manager.*

On a motion by Trustee Beale, seconded by Trustee De Fries, the foregoing resolution was passed and adopted this 13th day of; March 2018, by the following vote, to wit:

Ayes: 3

Noes: -0-

Absent: -0-

1. **DISCIPLINARY PROCEDURE**
2. Types of Disciplinary Procedure

Disciplinary procedures include, but are not limited to, the following:

1. Oral reprimand
2. Written reprimand
3. Suspension from duty without pay up to and including a maximum period of loss of two (2) weeks’ pay.
4. Reduction of pay.
5. Demotion.
6. Termination for cause.
7. Head Groundskeeper may issue oral or written reprimands. All other forms of disciplinary action are reserved for decision by the District Manager.
8. Disciplinary action normally is based, but not limited to, violations of the Code of Conduct.
9. To the extent practicable, District Manager will resort to counseling and guidance of employees prior to resorting to disciplinary action.
10. Oral reprimand and written reprimand are subject to review under Grievance Procedures.
11. Suspension from duty without pay, reduction in pay and demotion imposed by written notice to the employee stating the reason(s).
12. Disciplinary termination is imposed by written notice to the employee stating the reason(s) and is subject to review under Termination Procedures.

**III. ORLAND CEMETERY DISTRICT SAFETY PROGRAM**

Adopted: April 11th, 2017

1. **District Policy**

To our employees:

It is the policy of the Orland Cemetery District to achieve the greatest practical degree of freedom from accidents and to insure, that every employee is provided safe and healthful working conditions, free from recognized hazards.

Injuries are always costly to the individual worker, often significantly change his future and frequently destroy the security of his family. They are also costly to the District, both directly and indirectly – with indirect costs often being much higher that the direct costs. It is the firm and continuing policy of the Board of Trustees that industrial accidents shall be reduced or eliminated by the use, of every reasonable mechanical precaution and by the aggressive promotion of safe practices within the District.

Every employee plays an important part in preventing accidents and is expected to cooperate fully in the measures taken for safety. Each employee has a responsibility to himself for his safety, but likewise has a responsibility to his family, to his fellow workers, to his community, and to his employer.

In the performance of his duties, therefore, he shall be expected to observe safety practices, rules and operating procedures, as well as instructions relating to the efficient performance of his work. The ideal in safe and efficient district operations is reached only when all employees are keenly alert and safety conscious. We have instituted a Safety Program which, with your help, will succeed in providing a safe, healthful and pleasant working environment.

Everyone stands to benefit, everyone stands to gain! The cooperation of all employees in the District is expected. The results will be worth the effort.

Signed by,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chairman, Board of Trustees

1. **Assignment of Responsibility**

**DISTRICT MANAGER**

The District Manager’s responsibilities shall include but not limited to:

1. Keeping the Board of Trustees informed as to the effectiveness of the various safety programs within the District.
2. Investigating all reported claims occurring in the District. The final report should identify the “cause” of loss, spell out corrective action and assign responsibility to eliminate the likelihood of a recurrence.
3. Overseeing and maintaining control of all operations underway within the District.
4. Providing technical information. Reviewing records to discover trends, repeat offenders, number of losses, lost time days and providing training to the Foreman and other personnel on an on-going basis.
5. Keeping abreast of the latest technical changes occurring in the field of safety by attending seminars, night classes, workshops, reading trade journals, etc.

**HEAD GROUNDSKEEPER**

The Head Groundskeeper’s responsibilities shall include but not limited to:

1. Keeping the District Manager informed as to the effectiveness of the Safety Program with their areas of operation.
2. Investigating all reported claims occurring in their areas of operation. No report shall be considered complete until the cause of the accident is identified, responsibility is determined, and corrective action taken to eliminate the likelihood of a recurrence.
3. Overseeing and assuring the safe operations of the work being done in their areas of operation.
4. Providing training for personnel in safe ways to perform their work, identify hazards and provide safeguards.
5. Providing personnel with technical information necessary to properly pre-plan their daily work assignments.
6. Training the employees under their control through tailgate meetings, to safely perform their duties, identify the hazards that are unique to their work assignments and to continually survey their projects – looking for unsafe conditions and/or unsafe work practices.
7. Pre-planning all work assignments to be undertaken. Identifying work site hazards. Taking proper precautions to prevent an accident or injury. Determining that proper tools are available to do a safe job. Conducting tailgate meetings at all work sites, pointing out the work to be done and the hazards associated with the work and making sure each employee knows and understands his job. Assuring that personal protective equipment is available and in use by all employees.

**EMPLOYEES**

Labor Code Section 6407 informs employees of their responsibility to comply with occupational safety and health standards applicable to their own actions and conduct. In addition, employees must comply with the following District requirements:

1. Immediately report all accidents and illnesses, regardless of how slight, to their foremen.
2. Attend safety training meeting conducted by District personnel, when requested to do so.
3. Report to work free from the effects of drugs or alcohol.
4. Report to work, with required personal protective equipment.
5. Perform his/her duties in a safe and healthful manner.
6. Report all unsafe conditions encountered immediately to the foreman in charge.
7. Obey the “Code of Safe Practices and Operating Procedures” as contained in the District Safety Program.
8. Wear appropriate clothing for the work being performed.
9. Do not remove any mechanical safeguards. All guards must be put in place and kept in place.
10. No employee is to undertake a job that appears to be unsafe or use toxic chemicals without suitable training.
11. No employee shall undertake a job or operate a piece of equipment until he or she has received instruction on how to do it properly and has been authorized to perform that job or operate that piece of equipment.
12. **WORKPLACE HAZARDS**

Hazards in the workplace are an accumulation of the bad-habits, of all employees, if left uncorrected they can result in damage to equipment and serious-injury to personnel

1. Identification and Evaluating

A thorough visual inspection of all equipment and work spaces will be held by the District Manager during the first week of each quarter. A hazard check list (see paragraph C4) will be completed for the office and maintenance buildings. Copies of the previous quarter’s inspection lists will be available to check for uncorrected hazards.

1. Correcting Unsafe and Unhealthy Conditions

Upon completion of the quarterly workplace inspection, the District Manager will review the results with the Foreman. Priorities and dates for having corrections completed will be assigned. Weekly reports of corrective action taken will be made to the District Manager until all items are completed.

1. Communication with Employees
2. Employees are to report any unsafe conditions immediately to the Foreman.
3. The regular monthly training session will allow time for employees to recommend ways to inspect health and safety conditions in the workplace.

**HAZARD CHECK LIST**

**DO ANNUALLY**

OFFICE

Distribution:

( ) District Manager

( ) Head Groundskeeper

Date **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Inspector Title ( S ) ( SA ) ( IA) \*

1. Heaviest material stored in bottom drawers of file cabinet. ( ) ( ) ( )
2. File and desk drawers open and close easily. ( ) ( ) ( )
3. Furniture and fixtures free of sharp edges. ( ) ( ) ( )
4. Aisles and passageways are clear and provide easy movement. ( ) ( ) ( )
5. Floors provided with non-slip surfaces. ( ) ( ) ( )
6. Stairways equipped with standard handrails. ( ) ( ) ( )
7. Adequate illumination in all areas. ( ) ( ) ( )
8. All electrical machinery in good repair, properly grounded. ( ) ( ) ( )
9. Electrical cords and phone cables secures to prevent tripping hazards. ( ) ( ) ( )
10. Employees instructed on use of machines. ( ) ( ) ( )
11. Storage areas clean and orderly. ( ) ( ) ( )
12. Flammable materials stored in metal cabinets. ( ) ( ) ( )
13. Hot plates, coffee makers, portable heaters properly wired and turned off

When not in use. ( ) ( ) ( )

1. Employees instructed in fire emergency procedures. ( ) ( ) ( ) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

RECOMMENDATIONS (Complete for all items which need immediate attention)

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ACTION TAKEN

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\*S=Satisfactory; SA=Needs Some Attention; IA=Needs Immediate Attention

**HAZARD CHECK LIST**

**DO ANNUALLY**

ALL DEPARTMENTS

Distribution:

( ) District Manager

( ) Head Groundskeeper

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date

Inspector Title ( S ) (SA) (IA)\*

1. Aisles and passages clear and unobstructed. ( ) ( ) ( )
2. Temporarily obstructed passages clearly identified and barricaded. ( ) ( ) ( )
3. All spillages and breakages immediately cleaned up. ( ) ( ) ( )
4. Electrical cords and phone cables secured to prevent tripping hazards. ( ) ( ) ( )
5. Floors in good condition. Floors made slip resistant where necessary. ( ) ( ) ( )
6. Storage and equipment rooms clean and orderly. ( ) ( ) ( )
7. Stairways equipped with standard handrails. ( ) ( ) ( )
8. Employees given proper instructions on use of equipment, tools

and machinery. ( ) ( ) ( )

1. Protective equipment, devices and clothing used as required. ( ) ( ) ( )
2. Electric tools and machinery properly grounded. ( ) ( ) ( )
3. All waste materials deposited in proper container. ( ) ( ) ( )
4. All waste receptacles emptied before completely full. ( ) ( ) ( )
5. “*Authorized personnel only*” rule enforced in designated area. ( ) ( ) ( )
6. Fire extinguishers of proper size and type for each location,

properly charged. ( ) ( ) ( )

1. Instruction given on what to do in case of fires or other emergencies. ( ) ( ) ( )
2. No smoking rule enforced in restricted areas. ( ) ( ) ( )
3. Fire escapes and exits adequately marked and kept clear. ( ) ( ) ( )

**RECOMMENDATIONS** (Complete for all items which need immediate attention)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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S=Satisfactory; SA=Needs Some Attention; IA=Needs Immediate Attention

1. **HAZARDOUS MATERIAL**

All employees must be aware of the dangers associated with the handling, use and storage of hazardous materials.

1. TRAINING
2. Procedures for handling hazardous materials, including hazardous waste:

Persons Trained: Groundskeeper, Mechanic, Hazardous Materials Applicators

Training Time: Two (2) hours; Refresher frequency: annually

Refresher time: One (1) hour

Training Content: Proper procedures for hazardous material storage, handling, use and labeling. Review proper methods for all hazardous waste disposal and record keeping requirements. Review material safety data sheets and safety procedures for materials handling.

1. Procedures for coordination with emergency response agencies:

Persons Trained: Emergency Coordinator and Alternate

Training Time: One (1) hour; Refresher Frequency: Annually

Refresher Time: 1 hour

Training Content: Review of Emergency Response Plan and Emergency Notification Procedures to ensure coordination with local Fire Department, Paramedics and clean-up contractor.

1. Use of emergency response equipment and materials under the business’ control:

Persons Trained: Head Groundskeeper / Mechanic

Training Time: One (1) hour; Refresher Frequency: Six (6) months

Refresher Time: One (1) hour

Training Content: Annual inspection and inspection of safety equipment (fire extinguishers, eye-wash stations) and review of procedures for proper use of safety and spill control equipment.

1. Emergency Response Plan Implementation:

Person Trained: All Employees

Training Time: One (1) hour; Refresher Frequency: Annually

Refresher Time: One (1) hour

Training content: Review of Emergency Response Plan, Evacuation Procedures, and location of emergency shut-off switches and specific responsibilities of all employees. Remind employees of the location of the emergency response plan.

1. EMERGENCY RESPONSE PLAN

Business Name: **ORLAND CEMETERY DISTRICT**

Business Site Address: **3900 County Road P, Orland, CA 95963**

Business Telephone: **(530)-865-3880** 24 Hour **Phone (530)-519-0007**

Brief description of product manufactured and / or service provided: Cemetery Services.

1. Evacuation Procedures: Notify employees to evacuate by telephone intercom or by shouting. Employees will exit all buildings through the nearest exterior door and meet at staging area in front of the office. Emergency coordinator will be available at staging area to assist emergency responders.
2. Notification Procedures: In the event of a release or threatened release of a hazardous material the following agencies are to be notified:
3. Local Emergency Response Agencies 911

Hazardous Materials Management Division (916) 875-8550 / (916) 874-4670

1. State Office of Emergency Services: (800) 852-7550 / (916) 845-8510

Name of person (s) responsible for completing notifications:

***District Manager: Rob Christian***

***Head Groundskeeper: Vernon Dado***

Describe notification procedures: As listed above and clean-up contractor (if needed):

1. Emergency Procedures: Main concerns – fire or chemical spill

Fire: Employees will notify local Fire Department. If safe, Mechanic will shut off power and attempt to control fire using fire extinguishers.

Small Spill: Chemicals will be picked up with absorbent materials by employees using proper protective clothing and safety equipment. Waste will be placed in a labeled waste drum.

Large Spill: Employer will notify Fire Department. Trained employees using proper safety equipment will attempt to prevent spill from entering storm drain or running-off site. If safe, clean-up contractor will be called to remove spill as necessary.

1. HAZARDOUS MATERIAL SITE MAP

Business Name: ORLAND CEMETERY DISTRICT

Emergency Coordinator: DISTRICT MANAGER

Business Address: 3900 County Road P, Orland CA 95963

Phone (Day): (530)-865-3880 24 Hour: (530)-519-0007

**PROCEDURES FOR HEAT ILLNESS PREVENTION**

** **

**The following designated person or persons (Program Administrator Safety**

**Coordinator/Supervisor/Foreman/Field Supervisor/Crew Leader) have the authority and responsibility for implementing the provisions of this program at this worksite.**

**Name/Title/Phone Number**

1. Rob Christian District Manager (530)-519-0007
2. Vernon Dado Head Groundskeeper (530)-519-0952
3. **Procedures for Provision of Water (include but are not limited to the following)**:

* Drinking water containers (of five to 10 gallons each) will be brought to the site, so that at least two quarts per employee are available at the start of the shift. All workers whether working individually or in smaller crews, will have access to drinking water.
* Paper cone rims or bags of disposable cups and the necessary cup dispensers will be made available to workers and will be kept clean until used.
* As part of the Effective Replenishment Procedures, the water level of all containers will be checked periodically (e.g. every hour, every 30 min), and more frequently when the temperature rises. Water containers will be refilled with cool water, when the water level within a container drops below 50 percent. Additional water containers (e.g. five-gallon bottles) will be carried, to replace water as needed.
* Ice will be carried in separate containers, so that when necessary, it will be added to the drinking water to keep it cool.
* Water containers will be placed as close as possible to the workers (given the working conditions and layout of the worksite), to encourage the frequent drinking of water. If field terrain prevents the water from being placed as close as possible to the workers, bottled water or personal water containers will be made available, so that workers can have drinking water readily accessible.
* Water containers will be relocated to follow along with the crew, so drinking water will remain readily accessible.
* Water containers will be kept in sanitary condition.
* Daily, workers will be reminded of the location of the water coolers and of the importance of drinking water frequently. When the temperature exceeds or is expected to exceed 90 degrees Fahrenheit, brief ‘tailgate’ meetings will be held each morning to review with employees the importance of drinking water, the number and schedule of water and rest breaks and the signs and symptoms of heat illness.
* Audible devices (such as whistles or air horns) will be used to remind employees to drink

water.

* When the temperature equals or exceeds 95 degrees Fahrenheit or during a heat wave, the number of water breaks will be increased, and workers will be reminded throughout the work shift to drink water.
* During employee training and tailgate meetings, the importance of frequent drinking of water will be stressed.

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1. **Procedures for Access to Shade (include but are not limited to the**

**following)**:

***Note: Follow the general guidance provided above, under the Provisions for Water (identify the person assigned the task and list the specific tasks that have, to be carried out).***

* Shade structures will be opened and placed as close as practical to the workers, when the temperature equals or exceeds 85 degrees Fahrenheit. When the temperature is below 85 degrees Fahrenheit, access to shade will be provided promptly, when requested by an employee. Note: The interior of a vehicle may not be used to provide shade unless the vehicle is air-conditioned, and the air conditioner is on.
* Enough shade structures will be available at the site, to accommodate at least 25 percent of the employees on the shift at any one time.
* Daily, workers will be informed of the location of the shade structures and will be encouraged to take a five-minute cool-down rest in the shade.
* Shade structures will be relocated to follow along with the crew and they will be placed as close as practical to the employees, so that access to shade is provided at, all times.
* In situations where trees or other vegetation are used to provide shade (such as in orchards), the thickness and shape of the shaded area will be evaluated, before assuming that sufficient shadow is being cast to protect employees.
* In situations where it is not safe or feasible to provide access to shade (e.g., during high winds), a note will be made of these unsafe or unfeasible conditions, and of the steps that will be taken to provide shade upon request.
* For non-agricultural employers, in situations where it is not safe or feasible to provide shade, a note will be made of these unsafe or unfeasible conditions, and of the steps that will be taken to provide alternative cooling measures but with equivalent protection as shade.

1. **Procedures for Monitoring the Weather (include but are not limited to)**:

* The supervisor will be trained and instructed to check in advance the extended weather forecast. Weather forecasts can be checked with the aid of the internet (http://www.nws.noaa.gov/ ), or by calling the National Weather Service phone numbers (see CA numbers below) or by checking the Weather Channel TV Network. The work schedule will be planned, in advance, taking into consideration whether high-temperatures or a heat wave is expected. This type of advance-planning should take place all summer long.

**CALIFORNIA Dial-A-Forecast**

Eureka 707-443-7062

Hanford 559-584-8047

Los Angeles 805-988-6610 (#1)

Sacramento 916-979-3051

San Diego 619-297-2107 (#1)

San Francisco 831-656-1725 (#1)

* Prior to each workday, the forecasted temperature and humidity for the worksite will be reviewed and will be compared against the National Weather Service Heat Index to evaluate the risk level for heat illness. Determination will be made of whether, or not workers will be exposed at a temperature and humidity characterized as either “extreme caution” or “extreme danger” for heat illnesses. It is important to note that the temperature at which these warnings occur must be lowered as much as 15 degrees if the workers under consideration are in direct sunlight.
* Prior to each workday, the supervisor will monitor the weather (using http://www.nws.noaa.gov/ or with the aid of a simple thermometer, available at most hardware stores) at the worksite. This critical weather information will be taken into consideration, to determine, when it will be necessary to make modifications to the work schedule (such as stopping work early, rescheduling the job, working at night or during the cooler hours of the day, increasing the number of water and rest breaks).
* A thermometer will be used at the jobsite to monitor for sudden increases in temperature, and to ensure that once the temperature exceeds 85 degrees Fahrenheit, shade structures will be opened and made available to the workers. In addition, when the temperature equals or exceeds 95 degrees Fahrenheit, additional preventive measures such as the High Heat Procedures will be implemented.

**Handling a Heat Wave**:

* During a heat wave or heat spike, the work day will be cut short or rescheduled (example conducted at night or during cooler hours).
* During a heat wave or heat spike, and before starting work, tailgate meetings will be held, to review the company heat illness prevention procedures, the weather forecast and emergency response. In addition, if schedule modifications are not possible, workers will be provided with an increased number of water and rest breaks and will be observed closely for signs and symptoms of heat illness.
* Each employee will be assigned a “buddy” to be on the lookout for signs and symptoms of heat illness and to ensure that emergency procedures are initiated when someone displays possible signs or symptoms of heat illness.

1. **High Heat Procedures (include but are not limited to)**:

**High Heat Procedures are additional preventive measures that this company will use when the temperature equals or exceeds 95 degrees Fahrenheit.**

* Effective communication by voice, observation, or electronic means will be maintained, so that employees at the worksite can contact a supervisor when necessary. If the supervisor is unable to be near the workers (to observe them or communicate with them), then an electronic device, such as a cell phone or text messaging device, may be used for this purpose if reception in the area is reliable.
* Frequent communication will be maintained with employees working by themselves or in smaller groups (keep tabs on them via phone or two-way radio), to be on the lookout for possible symptoms of heat illness.
* Employees will be observed for alertness and signs and symptoms of heat illness. When the supervisor is not available, an alternate responsible person may be assigned, to look for signs and symptoms of heat illness. Such a designated observer will be trained and know what steps to take if heat illness occurs.
* Employees will be reminded throughout the work shift to drink plenty of water.
* New employees will be closely supervised, or assigned, a “buddy” or more experienced coworker for the first 14 days of the employment (unless the employee indicates at the time of hire that he or she has been doing similar outdoor work for at least 10 of the past 30 days for four or more hours per day).

1. **Procedures for Acclimatization (include but are not limited to)**:

Acclimatization is the temporary and gradual physiological change in the body that occurs when the environmentally induced heat load to which the body is accustomed is significantly and suddenly exceeded by sudden environmental changes. In more common terms, the body needs time to adapt when temperatures rise suddenly, and an employee risks heat illness by not taking it easy when a heat wave strikes or when starting a new job that exposes the employee to heat to which the employee’s body hasn’t yet adjusted.

Inadequate acclimatization can be significantly more perilous in conditions of high heat and physical stress. Employers are responsible for the working conditions of their employees, and they must act effectively when conditions result in sudden exposure to heat their employees are not

* The weather will be monitored daily. The supervisor will be on the lookout for sudden heat

wave(s), or, increases in temperatures to which employees haven’t been exposed to for several weeks or longer.

* **During a heat wave or heat spike, the work day will be cut short (example 12 p.m.), will be rescheduled (example conducted at night or during cooler hours) or if, at all possible cease for the day.**
* For new employees, the intensity of the work will be lessened during a two-week break-in period (such as scheduling slower paced, less physically demanding work during the hot parts of the day and the heaviest work activities during the cooler parts of the day (early-morning or evening). Steps taken to lessen the intensity of the workload for new employees will be documented.
* The supervisor will be extra-vigilant with new employees and stay alert to the presence of heat related symptoms.
* New employees will be assigned a “buddy” or experienced coworker to watch each other closely for discomfort or symptoms of heat illness.
* During a heat wave, all employees will be observed closely (or maintain frequent communication via phone or radio), to be on the look-out for possible symptoms of heat illness.
* Employees and supervisors will be trained on the importance of acclimatization, how it is developed and how these company procedures address it.

1. **Procedures for Emergency Response (include but are not limited to)**:

* Prior to assigning a crew to a particular-worksite, workers and the foreman will be provided a map of the site, along with clear and precise directions (such as streets or road names, distinguishing features and distances to major roads), to avoid a delay of emergency medical services.
* Prior to assigning a crew to a particular-worksite, efforts will be made to ensure that a qualified and appropriately trained and equipped person is available at the site to render first aid if necessary.
* Prior to the start of the shift, a determination will be made of whether, or not a language barrier is present at the site and steps will be taken (such as assigning the responsibility to call emergency medical services to the foreman or an English-speaking worker) to ensure that emergency medical services can be immediately called in the event of an emergency.
* All foremen and supervisors will carry cell phones or other means of communication, to ensure that emergency medical services can be called. Checks will be made to ensure that these electronic devices are functional prior to each shift.
* When an employee is showing symptoms of possible heat illness, steps will be taken immediately to keep the stricken employee cool and comfortable once emergency service responders have been called (to reduce the progression to more serious illness).
* At remote locations such as rural farms, lots or undeveloped areas, the supervisor will designate an employee or employees to physically go to the nearest road or highway where emergency responders can see them. If daylight is diminished, the designated employee(s) shall be given reflective vest or flashlights in, order to direct emergency personnel to the location of the worksite, which may not be visible form the road or highway.
* During a heat wave or hot temperatures, workers will be reminded and encouraged to immediately report to their supervisor any signs or symptoms they are experiencing.
* Employees and supervisors training will include every detail of these written emergency procedures.

1. **Handling a Sick Employee:**

* When an employee displays possible signs or symptoms of heat illness, a trained first aid worker or supervisor will check the sick employee and determine whether resting in the shade and drinking cool water will suffice or if emergency service providers will need to be called. A sick worker will not be left alone in the shade, as he or she can take a turn for the worse!
* When an employee displays possible signs or symptoms of heat illness and no trained first aid worker or supervisor is available at the site, emergency service providers will be called.
* Emergency service providers will be called immediately if an employee displays signs or symptoms of heat illness (loss of consciousness, incoherent speech, convulsions, red and hot face), does not look OK or does not get better after drinking cool water and resting in the shade. While the ambulance is in route, first aid will be initiated (cool the worker: place the worker in the shade, remove excess layers of clothing, place ice pack in the armpits and join area and fan the victim).

Do not let a sick worker leave the site, as they can get lost or die before reaching a hospital!

* If an employee does not look OK and displays signs or symptoms of severe heat illness (loss of consciousness, incoherent speech, convulsions, red and hot face), and the worksite is located more than 20 minutes away from a hospital, call emergency service providers, communicate the signs and symptoms of the victim and request Air Ambulance.

1. **Procedures for Employee and Supervisory Training (include but are not limited to):**

* Supervisors will be trained prior to being assigned to supervise other workers. Training will include this company’s written procedures and the steps supervisors will follow when employees’ exhibit symptoms consistent with heat illness.
* Supervisors will be trained on how to track the weather at the job site (by monitoring predicted temperature highs and periodically using a thermometer). Supervisors will be instructed on, how weather information will be used to modify work schedules, to increase number of water and rest breaks or cease work early if necessary.
* All employees and supervisors will be trained prior to working outside. Training will include the company’s written prevention procedures.
* Employees will be trained on the steps that will be followed for contacting emergency medical services, including how they are to proceed when there are non-English speaking workers, how clear and precise directions to the site will be provided and the importance of making visual contact with emergency responders at the nearest road or landmark to direct them to their worksite.
* When the temperature exceeds 75 degrees Fahrenheit, short ‘tailgate’ meetings will be held to review the weather report, to reinforce heat illness prevention with all workers, to provide reminders to drink water frequently, to inform them that shade can be made available upon request and to remind them to be on the lookout for signs and symptoms of heat illness.
* New employees will be assigned a “buddy” or experienced coworker to ensure that they understand the training and follow company procedures.

1. **CODE OF SAFE PRACTICES AND OPERATING PROCEDURES**
2. **GENERAL SAFETY RULES**

All employees should follow the rules of safe practice, render every possible aid to safe operations, and report all unsafe conditions and practices to the property authority.

* 1. Work shall be well planned and supervised to prevent injuries.
  2. All injuries and accidents shall be reported immediately to the Supervisor.
  3. Supervisors shall ensure that employees observe and obey every rule and regulation necessary to the safe conduct of the work.
  4. An employee reporting for work who, in the opinion of his Supervisor, is unable to perform his assigned duties in a safe and reasonable manner will not be allowed on the job.
  5. Alcoholic beverages or non-prescribed drugs are not allowed on District premises. Violators will be subject to disciplinary action.
  6. No employee shall be assigned a task without first having been instructed on proper methods of carrying out the task. Any employee who feels he has not received proper instruction shall notify his Supervisor prior to carrying out the task.
  7. There will be no horseplay or practical joking on District premises.
  8. All posted safety signs shall be obeyed.
  9. When personnel are conducting hazardous operations, there shall be at least one other person on duty in the immediate area as a cover in case of emergency.

1. **HOUSEKEEPING**

The continuous practice of good housekeeping is essential to the prevention of accidents, fires and injuries. Each employee is responsible for:

1. Keeping clear an adequate passageway to all exits.
2. Keeping clear space around fire extinguishers, electrical controls and other, emergency equipment.
3. Removing defective equipment from service. Equipment in need of repair shall be reported and repaired or tagged by the Supervisor.
4. Slipping hazards may be caused by oil, water or other liquid spilled on the floor. If you cause the spill, clean it up. If help is required, notify your Supervisor.
5. Pick up your tools, scrap and other items so that no one else will slip or trip on them.
6. Oily rags shall be placed in a covered metal container.
7. Never leave rakes, shovels or hoes where they can be stepped on. Proper tool placement not only prevents accidents, but, enables tools to be kept in good working condition.
8. Never pick up sharp objects such as glass, nails, etc. with bare hands.
9. Access to first aid kits, fire extinguishers or any emergency equipment shall not be obstructed.
10. If a cover from any floor opening, septic tank, irrigation valve vault has been removed for any reason, the opening shall be guarded by barricade while the opening is uncovered.
11. **EQUIPMENT**

Equipment used in the carrying out of everyday work assignments should be treated with proper respect and care and maintained in a manner that will insure proper and safe operation.

1. Employees shall not handle, tamper with, or attempt to operate any power equipment or motorized vehicles outside the scope of their work prior to receiving instruction from their Supervisor.
2. Available safeguards shall be utilized consistently to minimize hazards.
3. Materials, tools, or other objects shall not be thrown, tossed or dropped. Always hand or lower items as needed.
4. **PERSONAL PROTECTIVE EQUIPMENT**
   * 1. Hard hats should be worn at all, times when working around power equipment or any tree trimming or overhead operations.
     2. Goggles or face shields shall be worn at all, times where eye hazards due to flying particles exist. Safety glasses should be worn at all other times when on Cemetery grounds or in the shop area.
     3. Where work exposure to hazardous substances, cuts or burns exists, appropriate gloves shall be worn.
     4. Hearing protection will be worn whenever an employee is on or around equipment that produces loud noise,
     5. Adequate work shoes or boots shall be worn at all, times.
     6. Protective respiratory equipment shall be worn in areas where personnel are exposed to excessive dust, airborne particles, etc.
5. **LIFTING AND MATERIAL HANDLING**
6. When possible, mechanical equipment shall be used for lifting in preference to lifting by hand. This is especially true for lifting of granite markers or monuments that have been knocked down.
7. Never carry a load you cannot see over or around.
8. When lifting, caution should be exercised. If the object to be lifted is too heavy, get help.
9. If two or more workers carry a load, designate one worker to give signals.
10. Follow safe lifting and handling methods below:

1. Keep feet parted when lifting an object.

2. Keep your chin tucked in so that your spine is straight.

3. Grip the object with you whole hand.

4. Keep elbows and arms tucked in.

5. Keep body weight directly over feet.

6. Lift the object by straightening your legs.

7. Reverse this procedure when lowering an object.

8. Avoid twisting movements while lifting or lowering an object.

9. Ask for help or use team lifting when moving heavy objects over fifty pounds (50 lbs.).

10. Try to keep physically fit to perform daily work tasks.

11. Maintain good posture while standing, sitting and driving.

12. Back braces are required.

f. One person should not attempt to lift anything seventy-five pounds (75 lbs.) or more.

* + 1. Cemetery personnel will no longer carry caskets from the hearse to the gravesite lowering device.

1. **MATERIAL HANDLING**

Back injuries and hernia problems are among the most common injuries. They can be extremely painful. Many of these injuries are caused by poor lifting procedures. Follow the proper procedures to reduce the risk of injury. Figure how much you can lift safely, and never exceed that limit. Seventy-five pounds (75 lbs.) is enough for anyone in good physical condition.

If the load is too heavy for you to lift by yourself, call for assistance or a crane. Use power trucks or material handling equipment only if trained and authorized. Never assume that the operator of material handling equipment sees you. Stand clear. Always keep watch when walking around corners.

To avoid stomach or back strain, use the “bend your knees” method of lifting.

When lifting:

* + - 1. Stand close to the load, feet spread for good balance.
      2. Grip load with both hands and not just the fingertips.
      3. Bend your knees and keep your back relatively straight. Use your legs and buttock muscles to lift the object – not your back.
      4. Hold the load closely and keep it centered over your legs. This will put the least strain on your body.
      5. Avoid these mistakes:

\* Load is too heavy \* Twisting the load

\* Bending back \* Shifting load

\* Reaching too far \* Lifting from one side

f. Seek help for awkward or heavy loads.

g. When rolling a drum horizontally, place hands flat on top surface and away from edges.

**MONUMENT SAFETY AND REPAIR**

In addition to natural settling which occurs over time, gravestones and monuments are

subject to considerable damage caused by:

• Weathering and cracking

• Rusting dowels and supports

• Erosion due to acid rain

Damaged gravestones present serious risks for personal injury, especially monuments

made of such heavy materials as marble, granite and concrete. Cemetery maintenance

workers should be charged with carrying out regular inspections to ensure that monuments

are securely anchored and stable. However, workers should only undertake visual inspections and very careful physical (push/pull) inspections. Monuments that are determined to be unsafe should be laid flat until repairs are undertaken. Non- professionals should not undertake the repair of gravestones. In addition to the risk of injury to the worker/s, your liability exposure

will be increased if the work is not performed suitably. Monument maintenance and repairs should be handled by a professional gravestone/monument repair firm. Their experts know

how to determine the stability of a headstone and ensure that damaged monuments are properly repaired and anchored. Make sure that the firm you engage carries appropriate liability insurance coverage.

**PERSONAL SAFETY VISITOR SAFETY.**

To help ensure personal safety, signs should be posted at the entrance(s) of the cemetery and in other appropriate locations asking visitors

to remain on pathways and to refrain from leaning against headstones and monuments. Use signage to remind visitors that gravestones and monuments can topple, that stone slabs covered in moss or lichen can be very slippery, that children must be supervised, at all times, and that they must respect the dignity of the premises. Signage should also be posted in areas where repairs are taking place and where an internment is scheduled. Where a grave is excavated, the area should be clearly marked to prevent falls.

**CEMETERY WORKER SAFETY**

The duties of cemetery workers include tending grave sites, installing memorial stones,

excavating, equipment moving and setup, lawn maintenance, shrub trimming, tree works,

seasonal bed planting, sweeping roads and paths etc. Workers should have proper training

in the use and maintenance of all equipment. They should take necessary precautions and

use appropriate protective equipment. When necessary, use respirators, safety goggles, work gloves to handle chemicals, etc. Good work practices should be followed, for example not walking over grave sites and concrete slabs, especially older slabs that may collapse.

**MAINTENANCE OF CEMETERY GROUNDS YEAR-ROUND GUIDELINES:**

• Inspect cemeteries regularly and remove litter as soon as possible.

• Store equipment and building material away from public areas.

• Inspect driveways and parking lots to ensure there are no potholes, loose gravel, broken pavement, depressions or cracks – all of which present trip and fall hazards.

• Inspect fences or boundary markers annually to ensure that they are secure and that

they do not pose a safety hazard.

• Install fences and/or barriers to prevent access to drainage ditches, steep slopes or uneven terrain. Use clearly visible warning signs if fencing is impractical.

• Inspect outdoor stairs and railings on a regular basis. Make sure that hand rails are securely fixed and that steps are level and intact.

Coat stairs with a non-slip finish.

Provide adequate lighting during evening/night hour

**VEHICLE SAFETY OPERATION**

1. All California Vehicle Codes shall be strictly adhered to.
2. Drivers operating District vehicles must have a valid California Driver’s License in their possession.
3. Operator of District vehicles and other motorized equipment shall be held responsible for the condition of the vehicle or equipment. Before operating the vehicle, conduct a routine check to ensure that it is in proper operating condition.
4. Report immediately any deficiencies observed or suspected in the vehicle to your Supervisor.
5. Seat belts shall be fastened before vehicle is set in motion.
6. Extra caution shall be exercised when backing. If rear vision is obstructed, take time to walk around the vehicle or have someone guide you back.
7. No one shall be allowed to ride in the bed of a pickup truck. Adequate seating for each person must be provided.

All vehicles shall be safely parked with handbrakes secured and doors locked when left unattended.

**NEW DRIVER ORIENTATION**

Within the first 30 days of employment, a new driver may receive the following:

1. Safe vehicle operating skills training.

2. Vehicle safety orientation.

**Note: It is the employee's supervisor who is responsible for ensuring completion of this training. Consider a policy which state that: No individual will be allowed to operate a company vehicle alone unless they have successfully completed the above requirements.**

Should a driver upgrade to a larger or different type of vehicle, that driver will need to be re-certified to operate that vehicle.

**Orientation is the first STEP IN a successful driver training program.**

The objectives of the driver orientation procedure are:

To make the new employee productive quickly.

To avoid accidents which injure employees.

To avoid damage to cargo or equipment.

To avoid accidents or errors which have a negative impact on customer relations.

Driver orientation covers all aspects of the driving job. Even when a company hires an experienced driver from another company or from a driver training school, that employee still needs to learn company policies, procedures, and safety regulations.

The new employee is anxious to feel at home, to meet other workers and to learn the job routine. They are interested in becoming a part of things and being receptive, it is at this stage that they can be trained to be a productive, loyal employee. If such training is not provided the new employee will either turn to the company's "GRAPEVINE" as a source of information or will learn through a potentially costly process of trial and error.

**The orientation should be planned and Could include:**

Introductions: Key management personnel, supervisors, co‑workers, company organization and objectives.

Reporting to Work: When, where and to whom to report, procedures for signing in or clocking in.

Work Standards: Dates and responsibilities, motor vehicle record review process, performance evaluation, incentive program, benefits disciplinary procedure, vehicle accident reporting and review procedure.

Pre-Trip, On The Road and Post Trip Inspections: Making inspections, recording results, and the importance of having defects corrected before departure.

Emergency Procedures: Vehicle accident handling at the scene and accident reporting procedures, how to handle breakdowns or other emergency situations.

Rules and Regulations: Company safety rules, local, state and Federal Motor Carrier Safety Regulations.

**SUGGESTED GUIDELINES FOR NEW DRIVER ORIENTATION**

Routes and Schedules: Road conditions, hazardous and, congested areas, overhead clearances and width restrictions.

Equipment Familiarization: Operator controls, emergency equipment and safety equipment.

Handling of Cargo: Dealing with shippers and consignees, handling of bills, checking cargo, security and safety precautions.

Special Equipment: Loan tie downs, winches or hoists, pumps and hoses, etc.

Procedures at Completion of Trip: Parking and refueling vehicle, completion of records and reports, post trip inspections.

**It cannot be expected that the employee will remember all of the information provided. Written materials (forms, checklists, etc.) and refresher training should be provided as appropriate.**

**orland Cemetery District**

**Driver Orientation Checklist**

|  |  |  |  |
| --- | --- | --- | --- |
| **Subject** |  | **Trainer** | **Date** |
| Introductions | - Management Personnel  - Supervisor  - Co-Workers |  |  |
| Reporting to Work | - Locations  - Hours  - Signing In |  |  |
| Work Standards | - Duties & Responsibilities  - Benefits  - Motor Vehicle Record  Review Procedure  - Performance Evaluation  - Incentive Programs  - Disciplinary Procedures  - Vehicle Accident Reporting and Review Procedures |  |  |
| Pre-Trip, On the Road and Post-Trip Inspections | - Inspection Procedures  - Equipment Condition Reports  - Correcting Defects |  |  |
| Emergency Procedures | - Vehicle Accident Reporting and Review Procedures  - Breakdowns |  |  |
| Rules and Regulations | - Review of Written Fleet Safety Policy  - Company Safety Rules  - Local Regulations  - State Regulations  - Federal Motor Carrier Safety Regulations |  |  |
| Routes and Schedules | - Road Conditions  - Hazardous or Congested Routes  - Height and Width Clearances  - Student Trips Date: \_\_\_\_\_\_  - Supervisor Training Date: \_\_\_\_\_ |  |  |
| Equipment Familiarization | - Operator Controls  - Emergency Equipment  - Air Brakes |  |  |
| Accident Investigations and Records | - Accidents Investigated  - Accidents Reviewed  - Accidents Analyzed  - Accident Records Maintained  - Accident Review Committee |  |  |

**ORLAND CEMETERY DISTRICT**

**Driver Orientation Checklist (Page 2)**

|  |  |  |  |
| --- | --- | --- | --- |
| **Subject** |  | **Trainer** | **Date** |
| Maintenance | - Equipment Specifications  - Planned Program  - Records |  |  |
| Handling of Cargo | - Shippers & Consignees  - Bills & Manifests  - Safety/Security Precautions  - Hazardous Materials |  |  |
| Special Equipment | - Load Tie downs  - Winches or Hosts  - Pumps & Hoses  - Specialized Safety Equipment |  |  |
| Motivation/Recognition | - Driver Recognition  - Award Program |  |  |
| Completion Trip | - Parking and Refueling  - Completing Reports  - Post-Trip Inspections |  |  |

Driver Name Signature Date

1. **HAZARDOUS SUBSTANCES AND MATERIALS**

If you should encounter any substance or material in any form, which you think might be dangerous, you should follow these steps:

1. Keep your distance and keep others away.
2. If it is burning or giving off large, amounts of gas, cover it with dirt.
3. Immediately contact your Supervisor and explain the problem to him.
4. Collect as much information about the material (color, small, form, container markings, etc.) as you possibly can.
5. The District Office should then be notified and given as much information about the substance or material as can be reasonable determined.
6. If necessary, the Hazardous Materials Response Team will be notified.
7. **FIRE PROTECTION**
8. Know the location of the nearest fire extinguisher in your work area and become familiar with its operation.
9. Never use water on an electrical fire.
10. Know the fire emergency procedures for your area.
11. Employees should know the location of fire extinguishers and first aid kits in their area.
12. All diesel and gas tanks should be properly posted with warning signs.
13. Keep service areas free of excessive amounts of lubricant spillage on the ground.
14. Areas around fuel tanks and maintenance areas should be cleared of weeds and debris.
15. **SAFE MOWING**

**GENERAL PROCEDURES**: Much of mower safety, as well as the operation of any equipment, is common sense and good judgment. The following is an important list of rules and safety precautions to follow in the operation of push and ride-on mowers:

1. Be thoroughly familiar with any mower before attempting to operate it.
2. There are operation manuals on each piece of equipment.
3. Make sure you are checked out on any mower by an experienced employee before attempting to operate it.
4. Always look over your mowing area before starting.
5. Be sure your working areas are free from dangerous objects and miscellaneous debris as rotary mowers can throw a foreign object a significant distance.
6. Avoid mounds, rocks, etc. which could be hazardous to operator and equipment.
7. Steep slopes should be avoided.
8. Avoid extremely wet areas.
9. Be constantly alert for overhanging limbs, etc. which could cause injury to operator.
10. Always operate the equipment in a safe and reasonable speed.
11. Excessive speed is hazardous to equipment and extremely dangerous.
12. Wear protective clothing when appropriate
13. Avoid loose fitting clothing, which can be caught in machinery.
14. Make all adjustments and repairs to mower ***only when engine is shut off***, and plug wire is disconnected and key removed. Keep mower in safe operational condition by having all guards in place and properly maintenance after each usage.
15. Avoid areas where the public is at an unsafe distance from mower operation.

Always be alert to any potential dangers and use common sense and good judgment when operating any mower.

1. **HAND TOOLS**

**ACCIDENT PREVENTION**: We can prevent most hand tool accidents if you remember our basic rules:

1. Select proper tool for the job.
2. Be sure it’s in good condition.
3. Use it correctly.
4. Return tools to the tool box at the end of each shift.
5. **POWER TOOLS**

**SAFE POWER TOOL OPERATION**: Power tools such as weed-eaters and chainsaws present a far greater hazard than hand tools. The most frequent are cuts, punctures, and eye damage from flying particles. Most all power tool accidents are due to improper handling and poor maintenance.

1. Be thoroughly familiar with any power tool before attempting to operate it.
2. Wear the proper protective work clothing including goggles or face shields, gloves, work shoes and ear plugs.
3. Use only the fuel that is recommended in the owner’s manual.
4. Make sure other employees, or the public, are a safe distance away from the operation. (especially edging)
5. Make any adjustments or repairs to power tools only after the engine is shut off.
6. Make sure that protective guards and devices are in place and operable.
7. Do not attempt to operate any tool that is beyond your capacity or experience.
8. **OPENING AND CLOSING GRAVES**

**GENERAL PROCEDURES**

a. Select the proper tools for digging and make sure they are in good condition (sod cutters, spade, shovel, pick, etc.).

b. When possible, two (2) men should be assigned to open a grave. This will lessen the amount of fatigue on one man and reduce the possibility of strains.

d. When digging with the backhoe, observe all heavy equipment safety precautions and make sure the backhoe is secured and balanced. Only qualified employees will operate the backhoe.

e. Lowering devices and the placing of crypts or vaults require at least two (2) workers. The proper methods of lowering and carrying of heavy objects should be practiced at all, times.

14. **FIRST AID**

a. When an accident results in an injury requiring medical attention, emergency first aid shall be rendered. If the nature of the injury is serious, contact the local paramedic unit.

b. A District employee shall remain with the injured person until professional medical assistance arrives.

c. First aid kits are available at each District Facility and will be kept fully stocked.

d. A District employee will be trained and immediately available to provide first aid treatment. The employee must possess a current Red Cross (First Aid) Certificate.

15. **GENERAL HEALTH PRECAUTIONS**

It is important that good personal hygiene be exercised throughout all District facilities. Remember to wash your hands thoroughly prior to eating or drinking.

1. **PENALTIES**

When the occasion arises whereby established safety rules and practices are violated, appropriate penalties may be imposed. An investigation of the incident will be carried out by proper authorities to determine the degree of the safety infraction.

Examples of types of infractions include, but are not limited to, the following:

1. Causing of injury to self and/or others.
2. Misuse of District vehicles or equipment and failure to adhere to California Vehicle Code.
3. Failure to heed District’s posted caution and warning signs.
4. Failure to report accidents or unsafe conditions.
5. Reporting for work under the influence of drugs or alcohol, or the possession of drugs or alcohol on District premises.
6. Any other action deemed detrimental to the health and well-being of a District employee or the public.

In addition to these General Safety Rules and Practices, employees are expected to adhere to safety and health rules unique to the area in which they work.

1. **REPORTING PROCEDURES**
   1. **ACCIDENTS & INJURIES**

**POLICY**: After medical attention or first aid is provided, all injuries and accidents shall be promptly reported to the District Manager and then to **Medcor @ 1-800-775-5866**

* + 1. **PROCEDURES: JOB RELATED ACCIDENTS / INJURIES**
  1. **EMPLOYEE PROMPTLY REPORTS INJURY TO SITE SUPERVISOR**

All employees should be aware that, with any serious, injury, whether to an employee or the public, the first and immediate action is to render assistance to the injured and use the 911 emergency numbers to contact the paramedics. For injuries to employees that are not considered serious but still require medical attention, the following procedure shall be adhered to:

1. Notify the District Office by phone, then ***Medcor,*** state the nature of the injury and the medical facility to be used.
2. Employee will complete employee’s claim for Worker’s Compensation Benefits form and submit to the District Office as soon as possible.
3. The District Manager is responsible for completing Worker’s Compensation Report of Occupational Injury or Illness within five (5) working days.
4. If more information is needed, an Incident Report will be completed.
   1. **ACCIDENTS INVOLVING THE PUBLIC**
5. Serious accidents requiring one or more emergency services such as fire, paramedic, law enforcement or tow trucks shall be responded to immediately by using the 911 emergency procedure.
6. Incidents resulting in personal injury to the public or damage to public property in which District personnel, property, vehicles or equipment are involved, must be reported in writing to the District Office. The site Supervisor shall be responsible for the completion of all written reports.

**ACCIDENT INVESTIGATION**

**SEE IIPP BINDER FOR INVESTIGATION PROCEDURE.**

1. **PHYSICAL EXAMINATIONS**

In order, to insure, that District personnel are aware of their physical condition and are able, to safely perform their job assignment, all employees will be given a medical examination prior to being accepted for full employment and upon termination of employment. The examination will be made during regular working hours, by the District designated physician, and at the expense of the District. Information compiled by the physician for the District shall be placed in the employee’s file and shall be accessible to the employee. The physician will discuss the employee’s physical condition with him in, an effort to practice both preventative medicine and disclose any condition, which may have gone unnoticed. This information shall be recorded and made a part of the medical report given to the District and which is placed in the employee’s file.

The following comprises a District physical:

Health History Questionnaire

Complete Physical Examination including:

Height; Weight; Blood Pressure; Pulse (with exercise) before and after exercise; Eyes: field of vision, extra ocular movements, pupils, Fundi; Ears: Tympanic membrane, Wax; Nose; Mouth; Throat; Dental Hygiene; Neck; Chest; Heart; Lungs; Abdomen & Viscera – Liver, Kidneys Spleen; External genitalia (men); Skin; Spine; Extremities; Lymph Nodes; Nervous System.

Written report of examination.

1. **HEARING CONSERVATION PROGRAM**

Reference (a) California Industry Safety Orders, Title 8, Group 15, and Article 105, Enclosure (1) Equipment Safety Protection Requirements.

The District shall administer a continuing effective hearing conservation program in accordance with reference (a), to insure, that employees are properly protected when exposed to noise levels which exceed 80 decibels. This program shall include:

1. **HEARING PROTECTORS**
2. The District shall make hearing protectors available to all employees exposed to an eight (8) hour time-weighted average of eighty (80) decibels or greater at no cost to the employee. Hearing protectors shall be replaced as necessary.
3. Employees are required to wear hearing protectors while operating or exposed to noise from any equipment designated as requiring hearing protection.

All records required by this section shall be provided upon request of the employees, former employees and representatives designated by the individual employee.

1. **EQUIPMENT SAFETY PROTECTION REQUIREMENTS CHART**

EQUIPMENT HEAD EYE HEARING MAX DAILY

TO NOISE\* EXPOSURE

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Air compressors (gas powered) X X 8.00 hrs.

Blowers (gas powered) X X X 8.00 hrs.

Cement Mixer (gas powered) X X 8.00 hrs

Edger (gas powered) X X X 8.00 hrs.

Hydraulic Impact or X X X 4.00 hrs.

Jack Hammer (air powered) X X X 5.25 hrs.

Mowers X X 8.00 hrs.

Pump (gas powered) X X 8.00 hrs.

Saw, chain X X X 5.25 hrs.

Sprayer (gas powered) X X 8.00 hrs.

Street Sweeper X X 8.00 hrs.

Tamper (air powered) X X 8.00 hrs.

Tractors X X 8.00 hrs.

Trencher X X 8.00 hrs.

Trimmer (gas powered) X X X 8.00 hrs.

Weed eater (gas powered) X X X 8.00 hrs.

Welder X X 8.00 hrs.

Any Equipment with Gas Powered Engine X X 8.00 hrs.

\*With Hearing Protection Provided by the District

I. **TRAINING**

It has been said that 85% of all accidents are caused by unsafe acts of people, with the remaining 15% attributable to unsafe conditions within the workplace. The District shall pursue a vigorous and ongoing training program which will insure that no employee be allowed to perform any task or operate any equipment without being properly trained and equipped.

1. Frequency

At a minimum, the following training will be accomplished:

1. Monthly – regular training session.
2. As required – tailgate sessions at the jobsite, prior to starting task.
3. Recordkeeping

A written record of all training accomplished will be kept which shall contain:

1. Name of trainer
2. Subject of talk/presentation.
3. Names of attendees.
4. Length of session.
5. Questions/difficulties discussed.

**3. PESTICIDE TRAINING.**

Annual training shall be mandatory for all personnel handling, mixing, loading and applying pesticides. Employees who hold Qualified Applicators Certificates are required to have continuing education courses and will be provided the information on current meeting dates, places and the time necessary to attend. The District will fund the cost to maintain license requirements.

Personal Protective Equipment will be provided by the District to meet all label requirements on materials applied by the District as well as to meet all requirements of the California Department of Pesticide Regulation and local regulatory Agencies.

**ORLAND CEMETERY DISTRICT**

**RULES & REGULATIONS**

**Adopted May 9th,2017**

**RULES AND REGULATIONS**

**A. DEFINITIONS** – As used in these Rules and Regulations, the following terms shall have the following meanings:

1. “Board” shall mean the Board of Trustees of the Orland Cemetery District

2. “District” shall mean the Orland Cemetery District

3. “Cemetery” shall mean the Orland Cemetery District owned and operated by the District.

4. “Manager” shall mean the District Manager of the Orland Cemetery District.

5. “Interment” shall mean the disposition of human remains by burial in a cemetery or, in the case of cremated remains, by inurnment, placement or burial in a cemetery.

6. “Commingling” shall mean to “mix together with” or in other words to place the cremains with other cremains in the same place.

7. “Interment Right” shall mean the authorization purchased from the District to inter human remains in the ground or niches, urns or other disposition. No promissory claims will be honored.

8. “Plot” as used herein shall mean the in-ground burial space for the interment of human remains.

9. “Ossuaries” shall mean the containers or receptacles, such as urns or vaults in a designated in-ground location for the interment of cremated remains.

10. “Owner” shall mean one who has purchased Interment Rights.

11. “Vases” shall mean receptacles intended for floral tributes and installed by the District flush to the ground or in the marker foundation.

12. “Markers” as used herein shall mean any plaque, stone or other item used to mark the location of an interment or memorialize a person interred in the Cemetery, and shall include flat, pillow, upright and monument grave markers, as well as any plaque affixed to any post, niche, plate or elsewhere.

13. “Marker Foundation” shall mean a permanent cement foundation pad for the marker/headstone, where required.

14. “Base” shall mean what the marker resides or sets upon on the Marker Foundation.

15. “Niche” shall mean the receptacle or space in a wall or bank of spaces for the purpose of inurnment of cremated human remains.

16. “Niche Fascia or Niche Front” shall mean the cover plate over the space that the cremated remains reside within.

17. “Niche Plate, Scroll Plate, or Staff Bar” shall mean the bronze marker on the fascia that designates the person who resides within the space.

18. “Disinterment” means the removal from the ground of deceased human remains.

**B. CARE OF GRAVES, NICHES, AND CEMETERY GROUNDS –** The absolute control of the Cemetery grounds in particular is vested in the Board of Trustees. Plot Owners, niche Owners, visitors and others are entitled only to such privileges within the grounds as are provided by these Rules and Regulations. Subject to the control of the Board, following are the rules regulating the general care of the graves, niches, and Cemetery grounds.

1. Interment Rights in the Cemetery are conveyed for interment purposes only.

2. Each day, the Cemetery will be examined by staff for possible dangerous conditions. The results will be noted in a written Inspection log. The log will include: (1) the date the inspection was performed; (2) the person(s) who performed the inspection (verified with their initials or signature); (3) the findings (if any) of the inspection; and (4) any action taken to remedy any conditions found and the date such action was completed. (Adopted 1-9-2013)

3. The Orland Cemetery District is an old, historic cemetery, which may contain hazards such as tree roots, sunken areas, rodent holes, raised and lowered areas, coping surrounding plots, numerous grave Markers of many types and some well over 100 years old, and other potentially hazardous conditions. Possible hazardous conditions signage shall be posted. Every person entering onto the Cemetery shall be responsible for his or her own safety, and, shall exercise due caution and care.

4. No animals, with the exception, of guide or service dogs which must accompany their owners, are allowed in the Cemetery without permission from the Manager.

5. No person not employed by the District shall trespass on any plot of which he/she is not the Plot Owner. All persons shall confine themselves to the roadways, paths and other public places provided for public use within the Cemetery grounds, except when accessing a specific Plot or Niche. All children must be under the control of an adult.

6. No person not employed by the District shall plant, maintain, or adorn any trees, shrubs, or flowers on the Cemetery grounds. If any tree, shrub, plant or vine situated on any plot shall by reason of roots, branches, height, shade or otherwise become detrimental or unsightly to adjacent plots, paths, streets or the Cemetery grounds, the Manager or any authorized District personnel may enter upon such plot and remove or trim such trees, shrubs, plants or vines as deemed necessary. Donations of trees are acceptable, but trees must be selected and planted by and under the direction of the Board.

7. No person not employed by the District shall remove any earth or in any way damage the Cemetery grounds or place or pour sand, gravel, rocks, cement or any metal of any kind in the vases, around the markers, the Plot or on the Cemetery property.

8. Flowers may be placed only in vases provided in the ground or Marker Foundations or, if not yet installed, in unbreakable containers placed at the head of the Plot. Not more than two (2) vases/containers shall be permitted on any one (1) in-ground plot. Flowers in such containers will be removed by District personnel as they become unsightly. Any flowers or items disposed by the Plot Owner should be placed in trash receptacles provided for that purpose throughout the Cemetery grounds. Unauthorized containers will be removed by the District personnel.

9. The Board reserves the right to remove from any Plot, Marker, Headstone, Monument or other structure, trees, flowers or plants (plastic or real), or other objects which may conflict with the Rules and Regulations, or which may be considered a safety hazard or maintenance obstruction to the grounds, lawns, plots, or person. Mylar balloons, pinwheels, shepherd’s hooks, statuary, and trinkets are prohibited.

10. The Board reserves the right to make improvements to any Plot, Niche, or to any public portion of the Cemetery grounds at any time at the cost of the District.

**C. MARKERS** – Subject to the Rules and Regulations set forth herein, and as they may be amended from time to time, grave Markers may be placed on interments in the Orland Cemetery District. Although such Markers, as well as their placement and installation, must conform to the Rules and Regulations of the District, the Orland Cemetery District does not own or control any such Marker. Accordingly, the Orland Cemetery District, its’ Trustees, Officers, Managers and Employees are not responsible for the loss or damage to any Marker, unless such loss or damage is the result of the negligence or misconduct of a Trustee, Officer, Manager or Employee of the District.

If a damaged Marker has been in place in the Orland Cemetery District for 25 years, and if the District is unable to locate a family member responsible for the care and upkeep of the Marker the District may, at its sole discretion, elect to either repair or replace a damaged Marker.

The District reserves the right to repair, replace or remove any Marker that, in the sole discretion of the District, constitutes a potential threat to public safety.

* 1. The following are for the protection of all Lots. The District reserves the right to regulate all work done in the cemetery. The cemetery authority must approve any work in the cemetery, including the erection of monuments and markers. A single monument or combination of pieces that exceeds 2’ ft. is the responsibility of the monument seller to erect. The ***maximum height limit is 36 inches (3 feet)***. The work to erect monuments that exceed 2 feet will be done by appointment and to be completed during regular business hours under the direct supervision of a qualified cemetery employee.

Any damages to other monuments, personal family objects, cement base or grounds will be the business operator’s responsibility to cover all costs. The monument dealer will be required to submit to the Orland Cemetery District proof of current liability and workers compensation insurance before any work can be performed on cemetery grounds.

* 1. Concrete grave caps are not allowed.

3. All Markers, Stones and Monuments must comply with the District’s Marker Policy. All benches must have prior approval of the District Manager as to placement and safety. No curbing is allowed.

*4.* All Markers must be made only of granite, marble (Veterans Administration markers only), or standard bronze. Markers made of other materials are not permitted. Markers that are upright with straight sides, whose dimensions are less than 12 inches in depth and rise more than 12 inches in height, must be drilled and pinned to prevent toppling. All pinning material shall be of stainless steel and at a minimum of ½ inch in diameter. Markers that meet the afore-mentioned criteria must be drilled at a minimum of 6 inches into the upright section of the marker and through the entirety of any base that may accompany it.

5. Any person or company working on Markers must notify the District Office prior to doing any work, and, will not be permitted to perform any services on Cemetery grounds until proof of insurance, satisfactory to the District, has been provided.

6. All Markers shall be set in a four (4) inch thick concrete Marker Foundation, whose top surface is flush with the surrounding ground. A minimum of one (1) flower vase and a maximum of two (2) flower vases shall be set in each Marker Foundation, except that no vases are permitted on second or subsequent Markers. Only flush-with-the-ground vases are allowed with flush Markers, which must be placed on foundations that are set at sufficient below-ground depth to insure the Marker is flush with the ground.

7. The District Manager must be notified before the removal of any Marker.

8. The District is not liable for damage, theft, vandalism, or deterioration of Markers.

1. Veteran markers placed in the Veteran Section # 5 in I.O.O.F. Cemetery shall conform to all standard fonts and emblems (2 ft. x 1 ft. gray granite with flat sides), either supplied through the Veterans Administration or monument dealer,

**D. INTERMENTS**– Plot owners, Funeral Directors and other authorized persons shall comply with the following regulations in the use of plots for burial purposes.

1. Eligibility to purchase Interment Rights in the Orland Cemetery District will be, in compliance with the California Health & Safety Code sections 9060, 9061, and 9062.

2. All interment arrangements shall be conducted through the administration/business office of the Orland Cemetery District.

3. A record shall be kept of every interment showing the date the human remains were received, the date of interment, the name and age of the person interred (when these specifics can be conveniently obtained), and the Plot or Niche in which the interment was made.

4. No interment will be permitted in the Cemetery without an “Authorization for Interment Order” signed by an authorized member of the family of the deceased. If prior to his/her death, the decedent had signed custody of his/her remains to someone other than his/her family, then said custodian will sign the authorization. If the family requests the Funeral Director to make the interment arrangements, the family will fill out the authorization stating the services they wish the District to provide and the location of the grave they wish to use for the interment. In accordance with the California Health & Safety Code, Sections 7104 and 7111, if there are no known survivors or in the case of the indigent dead, the County Coroner will give the authorization

5. The Orland Cemetery District shall be given at least seventy-two (72) hours-notice for a planned interment.

6. No more than eight (8) graves will be sold to any one individual without approval of the Board of Trustees.

7. No Plot Owner shall allow any interment to be made in his/her plot for remuneration. No interment right may be purchased for investment or speculation.

8. No services in connection with an interment will be made until all charges for such services, as fixed by the Board, have been paid in advance to the District.

9. All committals will be made after 9 a.m. and completed prior to 3 p.m. each weekday, except on Saturday, when committals must be completed prior to 2 p.m. An additional fee, as set by the Board, shall be charged for all Saturday interments, except those ordered by a public health officer. Burials are to be made following any chapel or church services. There will be no receptions allowed to take place between church or chapel services and grave side ceremonies/ burials.

10. No interment shall be made on Sunday or any of the following holidays: 1st of January, Martin Luther King, Jr.’s Birthday, President’s Day*,* Memorial Day, 4th of July, Labor Day, Veteran’s Day, Thanksgiving Day, Thanksgiving Friday and Christmas Day unless interment is ordered by a public health officer or in case of an extreme emergency. In that case, such basis is to be determined jointly by the District Manager and the Funeral Director. No Saturday burials will be made on holiday weekends.

11. The remains of the deceased shall be brought to the Cemetery in a closed casket or urn. A minimum container of a cloth covered wood casket with handles is required for all interments except for cremated remains. In some cases, when a person has been disinterred from another cemetery and will be re-interred in the District, and is in a container, this container must be an approved concrete, metal, or urn vault. Only caskets transported by   
Hearse, van, private vehicle or pick-up will be allowed on Cemetery driveways. Heavy Commercial vehicles used to transport the deceased will not be allowed on the driveways of the Orland Cemetery District because of their gross vehicle weight.

12. No opening or closing of a grave or the placement of any lawn crypt, vault, set up, or device shall be made by anyone except employees of the District.

13. At no time shall an employee of the District open a casket.

14. Graves and niches:

a. All single adult graves shall be dug to a depth of five (5) feet at the center.

b. Infant graves for domed liners shall be dug to a depth of thirty-six (36) inches at the center.

c. Cremation sites shall be dug to a depth of twenty-four (24) inches.

d. No more than one (2) cremains will be permitted in a single cremains niche, and no more than two (4) cremains interments will be permitted in a cremains grave.

e. No more than one (1) full-size (casket) interments are allowed per grave.

16. A Poly liner is the minimum requirement for adult coffin burials. Please be advised that standard full-body caskets cannot exceed dimensions of 29” wide by 84” long by 25” high, including all handles, attachments and other decorative elements. If a casket exceeds these dimensions, Orland Cemetery District must have no less than 72 hours’ notice to install a vault that will accommodate larger caskets. There will also be an additional charge for larger vaults.

Failure to provide at least 72 hours’ notice of oversized caskets will result in the burial service being delayed.

1. Cremation burials and infant burials require outer burial container (vault)

17. No grave shall be graded or mounded, and the top of the grave shall be level with the surrounding ground when the burial is fully settled.

18. Except when ordered by a Court, dis-interments will be at the discretion of the Board. No dis-interment will be made without a “Dis-interment Form” signed by the person or persons who have the legal right to control the remains. When allowed, District personnel will open the grave andremove or open the vault. The District shall not be responsible for removal of the casket or for any damages to the vault, casket or remains.

Disinterment, or removal from the ground of deceased human remains shall be subject to the following regulations;

1. Authorization for the dis-interment must be signed by a family member or person having legal authority to do so by Power of Attorney. All authorization forms must be signed and in the possession of the Orland Cemetery District before removal is done. If the remains are to be removed to a Cemetery in another District, City, State or Country, all permits for dis-interment are to be obtained through a Funeral Home or Mortuary and in the possession of the Orland Cemetery District before work begins.
2. All fees and charges for disinterment must be paid in advance of any work to the Orland Cemetery District. Any other unforeseen costs incurred by the Orland Cemetery District during the disinterment process, will be reimbursed to the Orland Cemetery District by the responsible party after being furnished with a proper accounting and invoice of expenses incurred by the Orland Cemetery District during the process of removal. Fees involved can include but, may not be limited to:

1. Disinterment fee.

a. Outer burial container disposal fee. Cement Sectional Liners become unusable during the process of dis-interment.

b. Monument removal/relocation fee

c. Opening fee; if remains are to be relocated in the Orland Cemetery District.

d. New outer burial container, ie; Vault/Liner if remains to be reinterred within the Orland Cemetery District.

e. Services of a Licensed Funeral Director shall be obtained by the persons authorizing disinterment prior to the opening of the grave. Funeral Directors that are contracted by the family or responsible party must be present at the time of disinterment. Due to the unknown status of the integrity of the casket and remains after prolonged burial, it may be necessary for the remains of the deceased to be removed from the grave or casket and placed into another container before relocation. The personnel of the Orland Cemetery District will not handle the remains of the deceased directly. Payment of all fees to Funeral Directors for their services are the responsibility of the person authorizing the disinterment and are not included in the fees charged by the Orland Cemetery District.

1. The responsible party authorizing the disinterment shall be available by phone or in person during the disinterment to give authorization to the Funeral Director as to the disposition of the remains in the event special circumstances arise. If responsible party is present on Orland Cemetery District property during the time of disinterment, they shall remain a safe distance from the worksite as determined by Cemetery personnel.
2. There will be no dis-interments of remains in the ossuary.

19. The Orland Cemetery District does not permit the interment of animal remains.

20.All lots in the Veterans Section shall be for the exclusive interment of veterans and their spouses.

1. Veterans who meet the following criteria shall qualify for interment in the “Veterans’ Section”:
   * Have lawfully worn the uniform of the Armed Forces of the United states of America, and
   * Have received an honorable discharge, and
   * Are either members in good standing of any Veterans organization having its local headquarters or meeting place within the District, or
   * Residents within the political boundaries of the Orland Cemetery District

**GAZEBO – FUNERAL SERVICES**

1. The Gazebo facility is to be used for funeral services that are coordinated through the Funeral Director or person in charge, along with the Orland Cemetery District authority.
2. All Funeral services held in the Gazebo are to begin and conclude at the building, there is to be no procession to the gravesite. At the conclusion, of the service the Cemetery employees will perform their duties for burial.
3. There will be a fee charged for the use of the Gazebo for funeral services.
4. Other uses of the Gazebo not related to Funeral Services shall be placed on the Agenda. The Trustees will make the determination as per the request submitted and if deemed necessary charge a fee. The Board of Trustees meets the second Tuesday of each month at 9:00 a.m. at our office at 3900 County Road “P” in Orland, CA.

**BACKFILLING OF GRAVE**

The backfilling of a grave after a funeral service will be performed by cemetery staff only. Performance of this work is to be done when it is deemed safe to do so by cemetery personnel. Families are permitted to place soil by hand only, no hand tools will be provided, or machinery used for such practice. Waivers releasing the Orland Cemetery District of any, and all, liability *may* be granted to members of a recognized Native American Tribes for the practice of their cultural ceremonies related to burials.

**MUSICIANS AND BANDS**

1. All musicians and bands performing, before, during and, after funeral services must do so in a manner as not to impede or endanger the public or Cemetery personnel from the safe completion of their duties. A distance, of 25 feet must be maintained between the band or musician(s) and the gravesite to provide a safe zone in which Cemetery personnel are able to perform their tasks. Performances will cease 30 minutes after the service concludes.

**E. FEES AND CHARGES**

1. In accordance with California Health & Safety Code § 9068, the Board shall establish the prices at which Interment Rights shall be sold, the fees for the opening and closing of graves, the additional fees for performing such services other than during the normal times established by these Rules and Regulations, and the fees for all other services performed by the District in connection with the use of the Cemetery grounds. A schedule of the current fees is available at all reasonable hours in the business office of the District. (See Attachments E & F).

2. In accordance with California Health & Safety Code § 9061, non-resident fees shall be charged for the interment of a person who is not a resident of or paying taxes in the District at the time of death, but who is otherwise eligible for interment in a Cemetery of the District***. The non-resident fee, once paid is non-refundable***

3. In accordance with California Health & Safety Code § 9065, the Orland Cemetery District maintains an Endowment Care Fund, and is an “endowment care cemetery.” Section 9065 also requires the payment of a contribution to the Endowment Care Fund for each interment right sold. In accordance with California Health & Safety Code § 8738, the Board shall establish the amount to be paid by purchasers for deposit into the Endowment Care Fund. ***Such amount paid into the Endowment Care Fund is not refundable.***

4. All fees must be paid in full prior to any interment, including the endowment fee. When the plot fee and the endowment care are paid in full, Burial Rights Certificate, signed by the District Manager, will be issued for every interment right sold.

**F. INTERMENT IN THE ORLAND** **CEMETERY DISTRICT**- In addition to the provisions established by the California Health & Safety Code for the operation of the District’s cemeteries, the following Rules and Regulations shall apply:

1. Interment in the District’s cemeteries shall be limited to residents and taxpayers of the District, and their family members, in accordance with the California Health & Safety Code § 9060, as the same now exists or may be hereafter amended.

2. *“Family member*” of a resident or taxpayer of the District is defined as any spouse, by marriage or otherwise, child or stepchild, by natural birth or adoption, parent, brother, sister, half-brother, half-sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, first cousin or any person denoted by the prefix “grand or great” or the spouse of any of these persons. (Cal. Health & Safety Code § 9002.)

3. Pursuant to California Health & Safety Code § 9061, a nonresident fee must be paid for the interment of any person otherwise qualifying for interment in a District cemetery but who is not a resident of the District at the time of death. ***All Non-Resident fees are non-refundable.***

4. No interment right in any cemetery owned and operated by the Orland Cemetery District shall be transferred or legal unless made in the office of, and signed by, the Manager or representative of the District.

5. The Orland Cemetery District shall keep a record of the ownership of all interment rights in the Cemetery which have been conveyed by the Cemetery authority and of all transfers of such rights in the Cemetery. (Cal. Health & Safety Code § 9064.)

6. Transfer of any interment right shall be complete and effective when recorded on the books of the Cemetery authority. No monetary compensation can be made between the two parties of the transfer for such a transfer.

7. Each purchaser of an Interment Right shall be issued a *Certificate of Burial Rights*. The interest acquired by such purchaser shall not be an interest in real property, but, shall be simply the revocable right granted to the Certificate holder to use said plot, or niche for interment purposes in accordance with these Rules and Regulations. An assignment may be made of Interment Rights by the purchaser to a Family Member of the purchaser’s family, as defined in the California Health and Safety Code, which assignment will be recognized by the District, whether said assignment is made during the purchaser’s life time or is made by will or device. The use of any such Interment Right shall be permitted only in accordance with the California Health & Safety Code. In the event the owner of such Interment Right does not qualify for interment in the District’s Cemetery or does not wish to use the plot or niche, such Interment Right may be transferred only to the District and not to any other person or entity. If a Certificate holder desires to sell his/her Interment Right to the District, the District will pay the holder the original purchase price, as near as can be determined, less any Endowment Care, and/or any non- resident fee deposit, if paid.

**G. LIABILITY** – Please use caution when entering and using the Cemetery. The Orland Cemetery District, it’s Trustees and Employees, are not responsible for any injury or damage suffered by any persons, including children, while on Cemetery grounds. Every person entering the Cemetery does so at his or her own risk. The District or any of its Employees shall not be responsible for anything of moveable or immoveable character that may be lost, stolen, or misplaced on Cemetery property.

**PRE-NEED CONTRACT -** All pre-need contracts executed by employees of the Orland Cemetery District will be held to the following regulations;

**1**. All contracts are enforced by the terms contained in writing in the contract.

**2**. No transfer of monies from pre-need contracts will be allowed for the use of any person and or location other than for person and location contained in the contract.

**3**. Monthly payments must be maintained, in order, to keep the contract in *effect* until paid in full. Payments made above the minimum amount on the contract are allowed.

**4**. Any contract with payments in arrears beyond six, (6) months shall be forfeited and all monies retained by the Orland Cemetery District after Board action to cancel any contract in arrears.

**DISINTERMENTS**

Disinterment, or removal from the ground of deceased human remains shall be subject to the following regulations;

1. Except when ordered by a Lawful Court, dis-interments will be at the discretion of the Board of Trustees of the Orland Cemetery District. All dis-interments will be conducted in accordance to California Health and Safety Code Parts 7500 through 8005. Authorization for the dis-interment must be signed by all immediate family members or person having authority by Power of Attorney. If the person desiring to cause the removal is not an heir at law of the person whose remains he/she desires to remove, the removal shall not be made by him / her until he /she has delivered to the Orland Cemetery District, the written consent of a majority of the known heirs at law of the decedent who are residents of this State. The statements in the affidavit are sufficient evidence of the number, names, and residences of the heirs at law for all of the purposes of this article, and the written consent of the majority of the heirs at law named in the affidavit is sufficient authority for the cemetery authority to permit the removal of the remains. All authorization forms must be signed and in the possession the Orland Cemetery District. If the remains are to be removed to a Cemetery in another District, City, State or Country, all permits for dis-interment are to be obtained through a Funeral Home or Mortuary and in the possession of the Orland Cemetery District before work begins. Dis-interments will only be done during regular work hours of Monday through Friday, 7:00 am to 3:30 pm.
2. The Orland Cemetery District assumes no liability for any property damage, including damage to a casket, vault, memorial, etc., or for bodily injury sustained during a disinterment from causes beyond its reasonable control. The Orland Cemetery District is not liable for acts of omissions of any third party for any reason. Any expenses incurred due to damage to an adjacent lot/vault will be the responsibility of the requester. The Orland Cemetery District is not liable for mental anguish, shock, or negligent infliction of emotional distress arising out of any disinterment.
3. All fees and charges for disinterment must be paid in advance of any work done to the Orland Cemetery District. Any other unforeseen costs incurred by the Orland Cemetery District during the disinterment process, will be reimbursed to the Orland Cemetery District by the responsible party after being furnished with a proper accounting and invoice of expenses incurred by the Orland Cemetery District during the process of removal. Fees involved can include but, may not be limited to:

A. Disinterment fee.

B. Outer burial container disposal fee. Cement Sectional Liners become unusable during the process of disinterment.

C. Monument removal/relocation fee

D. Opening/Closing fee; if remains are to be reinterred in the Orland Cemetery District.

E. New outer burial container; Vault/Liner if remains to be reinterred within the Orland Cemetery District.

F. The services of a Licensed Funeral Director shall be obtained by the person(s) authorizing disinterment prior to the opening of the grave. The personnel of the Orland Cemetery District will not handle the remains of the deceased directly. Funeral Directors that are contracted by the family or responsible party must be present at the time of disinterment. Due to the unknown status of the integrity of the casket and remains after prolonged burial, it may be necessary for the remains of the deceased to be removed from the grave or casket and placed into another casket before relocation. If remains are to be placed into another casket, the Funeral Director will do so at a location other than the Cemetery in order to respect the dignity and privacy of the family. If the casket is deemed unusable, or in such a state of disrepair, the cost and responsibility of the proper disposal of the casket shall be the responsibility of the responsible party and Funeral home in accordance with all Federal State and laws and not the responsibility of the Orland Cemetery District.

1. Payment of all fees to Funeral Directors for their services are the responsibility of the person(s) authorizing the disinterment and are not included in the fees charged by the Orland Cemetery District.
2. The cost of the rental of any equipment by the Orland Cemetery District necessary in order to complete the dis-interment process/removal of vaults or crypts will be paid by person(s) authorizing dis-interment.
3. The responsible party authorizing the disinterment shall be available by phone or present in person during the disinterment to give authorization to the Funeral Director as to the disposition of the remains in the event special circumstances arise. The responsible party shall provide the District a signed document signifying that they have received, read and will abide by all Orland Cemetery District regulations regarding disinterment. Person(s) present onsite during the disinterment will be directed by staff of the District as to where they will be permitted to wait during the process.

**ALL RULES AND REGULATIONS** - Any previously adopted Rules and Regulations that are inconsistent with the foregoing are hereby repealed. The Board reserves the right of passing other Rules and Regulations, or amending these Rules and Regulations, at any time the occasion arises.

**PASSED, APPROVED AND ADOPTED** by the Board of Trustees of the Orland Cemetery District in a regular meeting held at its regular place of meeting this the ***9th day of May 201******7***

***Amended May 14th, 2019***

***ORLAND CEMETERY DISTRICT***

***Volunteer Policy***

***Adopted September 12th, 2017***

**Purpose of** **Volunteer Policy**

These policies are written to provide overall guidelines and direction to staff and volunteers engaged in volunteer work efforts. These policies do not constitute, either implicitly or explicitly, a binding contractual or personnel agreement between the Orland Cemetery District and the volunteer. The Orland Cemetery District reserves the exclusive right to change any of these policies at any time and to expect compliance to the changed policy. Any changes to or exceptions from these policies may only be granted at the discretion of Orland Cemetery District Manager and must be obtained in advance and in writing. Areas not specifically covered by these policies shall be determined at the discretion of the Orland Cemetery District Manager.

**Definition of 'Volunteer'**

The term ‘‘*volunteer*’’ means an individual performing services for a nonprofit organization or a governmental entity who does not receive:

* + - Compensation.
    - Expenses.
    - any other thing of value in lieu of compensation,

*Reference:* 111 STAT. 218 *PUBLIC LAW 105–19—JUNE 18, 1997 VOLUNTEER PROTECTION ACT OF 1997*

Unless specifically stated in writing, volunteers will not be considered as "*employees*" of the Orland Cemetery District.

**Scope of Service.**

The scope of the volunteer work is to be determined as allowable by the Orland Cemetery District Manager. A responsible "*volunteer* " or “*volunteer group*” must be officially recognized and approved by the Orland Cemetery District, prior to performance of the task. This recognition *shall* be accomplished by submitting the name of the volunteer (group) and a *certificate of insurance coverage* along with the intended scope of volunteer work to be performed in writing at the office of the Orland Cemetery District located at 3900 County Road P, Orland California, *60 days in advance of the event*. A minimum of $1 million dollars General Liability Insurance coverage is required for the scheduled duration of the volunteer event. The date, time and scope of the volunteer work is to be outlined in writing and approved in advance by the Orland Cemetery District Manager.

**Volunteers Under the Age of 18**

Any volunteers performing work at the Orland Cemetery District under the age of 18 are the sole responsibility of their parent or Volunteer Program Supervisor.

**Termination of Volunteer Service**

The Orland Cemetery District accepts the service of responsible volunteers and volunteer groups with the understanding that such service is at the sole discretion of the Orland Cemetery District. Volunteers agree that the Orland Cemetery District may at any time, for whatever reason, decide to terminate the volunteer's relationship with the Orland Cemetery District. The volunteer may at any time, for whatever reason, decide to sever the volunteer's relationship with the Orland Cemetery District. Notice of such a decision should be communicated as soon as possible to the volunteers’ supervisor.

**Dismissal of a Volunteer**

Volunteers who do not comply with the policies and procedures or the volunteer codes of conduct of the Orland Cemetery District or, who fail to satisfactorily perform their volunteer assignment are subject to dismissal. Possible grounds for dismissal may include, but, are not limited to the following: gross misconduct or insubordination, theft of property or misuse of Orland Cemetery District materials, abuse or mistreatment of visitors, staff or other volunteers, and failure to satisfactorily perform assigned duties.

***Adopted September 12th, 2017***

*ORLAND CEMETERY DISTRICT BOARD OF TRUSTEES*

Chairperson Pat De Fries

Trustee Dan Lyons

Trustee Rick Beale

***ORLAND CEMETERY DISTRICT***

***VOLUNTEER CODE OF CONDUCT***

I understand that the Orland Cemetery District consists of old historic cemeteries and that hazards, unknown to the Orland Cemetery District, may exist within these cemeteries. I also understand that by entering any of the cemeteries of the Orland Cemetery District, I do so at my own risk.

I understand that any work performed with in the scope of this agreement in the Orland Cemetery District will be performed without compensation or expectation of compensation. All volunteer work is performed at the discretion of the Orland Cemetery District Board of Trustees and is under the control of the Orland Cemetery District Manager.

I understand that I am committed to the necessary time for the completion of the volunteer work outlined in the agreement between the Volunteer group and the Orland Cemetery District. Any failure to complete task(s) outlined in the agreement will be considered in any future application for approval of volunteer work.

I understand that horseplay, misconduct or any activity deemed unsafe or dis-respectful, by any volunteers will not be tolerated. Any misconduct or violation of the Code of Conduct for volunteers will result in the volunteer or volunteer group being asked to cease the activity and will be asked to leave Orland Cemetery District premises.

I understand that the Orland Cemetery District has a zero-tolerance policy against any type of harassment, discrimination, violence, threat, intimidation, implied or actual in the volunteer activities performed within the boundaries of the Orland Cemetery District. I agree to abide by this policy and understand that I will be protected by it.

I understand that my volunteer work at the Orland Cemetery District may be performed during adverse weather conditions of heat, cold, wind, rain or snow and that any personal protective equipment is the responsibility of the volunteer and that the Orland Cemetery District is not responsible for loss or damage to any volunteers’ personal belongings while performing volunteer service on District grounds.

I understand that the Orland Cemetery District has a zero-tolerance policy for alcohol and illegal drug possession and use on the premises. No volunteer will be allowed to perform volunteer work if under the influence of alcohol, illegal or prescription drugs.

I have read and understand the terms of volunteer service and codes of conduct of the Orland Cemetery District. I agree to comply with this policy.

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Volunteers signature:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Orland Cemetery District representative:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_



**ORLAND CEMETERY DISTRICT**

**Employee Manual Certificate of Receipt**

I hereby certify that I have received and read a copy of this latest version of the

Orland Cemetery DistrictEmployee Manual: dated; \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I also reaffirm that, I will abide by all rules and regulations contained herein.

Signature, Date