

HUMAN RESOURCES MANUAL
CHANGES FACT SHEET



SOUTH CENTRAL REGIONAL TRANSIT DISTRICT

HUMAN RESOURCES MANUAL

REVISED MAY 2022

- Logo changed from old to new logo.

SECTION 3: EMPLOYMENT OF SCRTD PERSONNEL

Uniforms and Appropriate Work Attire

- Employees will wear appropriate work attire during work hours. Uniforms are required for Drivers and Maintenance workers. Administrative workers will wear business or business casual attire.
- Employees will not wear attire with vulgar or gang-related content.
- Employees will act in an appropriate manner when wearing attire with the SCRTD logo. Employees should be aware that when wearing the SCRTD logo, they are representing the district and should present themselves in a professional manner.

SECTION 4: COMPENSATION

- All non-exempt employees are eligible to earn overtime. Overtime pay or compensatory time shall be given when the employee has worked over 40 hours in a work week. All overtime shall be paid at a rate of 1.5 (1 ½) times the employee's regular hourly wage for time worked. Overtime requires approval of the Supervisor in advance.

Overtime Pay/Compensatory Pay

- Regular part-time employees, extra help or temporary employees will not earn overtime, comp time or personal leave.

1. Hours worked are time working or pre-approved personal leave or holiday hours.

2. Workers' comp will not be counted as hours worked for the purpose of computing overtime.
3. Employees may be required to work overtime, when necessary, as determined by their supervisor where the need for such work has been conveyed in a reasonable and customary manner.
4. Overtime hours are defined in accordance with applicable state and federal law.
5. Overtime will be paid on actual working hours over forty (40) per week. If sick time is used during a pay period with overtime, overtime will only be paid on those hours exceeding forty (40) in a given week less sick leave used. (Example: Employee "A" logs forty-four (44) hours in one week pay period, but three of those hours are logged as sick leave: $44-3=41$. Total overtime hours paid = 1hour.)
6. Overtime or comp hours must be approved in advance by the Executive Director and supervisor using timesheet.
 - a) Failure to obtain permission in advance may result in disciplinary action.
 - b) Employees are subject to a disciplinary action for failure to stay or report for overtime work.
7. Hourly personnel in departments with overtime budget, may, with authorization from the Executive Director, accrue compensatory time after the first five (5) hours of overtime have been paid.
8. Compensatory time is overtime work (hours in excess of the normal work schedule) that will accrue at the rate of one and one-half (1-1/2).
9. Compensatory Time Off for Exempt Personnel Exempt personnel are paid a salary and are not eligible to receive overtime pay or accrue comp time.
10. Exempt personnel are expected to work the hours necessary to complete their job assignments and may flex time within the same pay period with approval from the Executive Director.
11. Examples include but are not limited to working on weekends and thereby adjusting work hours for the following work week. However, one should not assume an hour for an hour basis since comp time cannot be accrued, more specifically, a day off to compensate for time will not be approved.

SECTION 5: WORK HOURS

- Employees are paid biweekly.
- Direct Deposit is currently available for all employees. A voided check, deposit slip, or bank letter will be required.

SECTION 7: CONFLICT OF INTEREST

DEFINITION

SCRTD defines "conflict of interest" as a business activity or relationship with another organization or person, which may compromise employee or volunteer loyalty to the District or which may create the appearance of impropriety.

SECTION 9: DISCRIMINATION, HARRASMENT AND RETALIATION PROHIBITED

The following acts are considered inappropriate and are subject to disciplinary action and/or termination.

1. Intimidation through unjust exercise of power or authority
2. Engaging in any form of violence or committing a crime of violence
3. Harassing telephone calls, faxes, e-mails, correspondence, or other transmissions
4. Verbal, written, or physical threats, threatening gestures or statements, or any threatening behavior as defined by the New Mexico Criminal Code.
5. Any other act or behavior that is judged offensive, inappropriate, or violent in the workplace by the Executive Director

SECTION 11: USE OF SCRTRD PROPERTY (Name of section changed from vehicle to property)

SCRTRD's name, letterhead or other materials are not to be used for non-District business or purposes.

- SCRTRD Vehicles are to be operated only by SCRTRD employees with a CDL Class B with P endorsement, and those approved by the Executive Director.
- No employee shall request, use or permit the use of District-owned vehicles, clothing, equipment, materials, or other property for unauthorized personal convenience, for profit, for private use, or as part of secondary employment. Use of District property is to be restricted to the conduct of official District business
- Transporting family, friends or others who are not travelling for the purpose of work or humanitarian reasons in SCRTRD vehicles is prohibited. Public servants who wish to take others on District approved trips where the person does not meet the definitions in above should request approval to use District Vehicles from the Executive Director/Supervisor. Employees must request for approval to have immediate family members ride along in SCRTRD vehicles from their Supervisor.
- Employees will follow inspection guidelines and tasks outlined in their job descriptions. They will be required to maintain their licenses as outlined in their job descriptions.

Use of Electronic Device

- Employees will use SCRTD electronic devices (computers, radios, Ipads, etc.) for District business only. Employees are permitted to have personal electronic devices in the workplace, but use should be limited. Excessive personal calls, texts or emails during the workday, regardless of the device used, can interfere with employee productivity and be distracting to others. Employees shall keep personal communications to a minimum while on duty, whether they are using the district's electronic communication device, or the employees' personal electronic communication device. If excessive use is suspected employee use will be investigated and disciplinary actions may be taken.
- Electronic correspondence will be conducted using District provided email addresses. Emails and electronic correspondence will be written in a professional manner. SCRTD reserves the right to monitor and/or log all network activity with or without notice, including all web site communications and therefore, users should have no expectations of privacy in the use of these resources. Use of the system in violation of this or other SCRTD policies is prohibited and may lead to disciplinary action, up to and including termination

It is unacceptable for an employee or contractor to access, use, submit, publish, display, download, save, or transmit on the network, or on any computer system, any information which:

1. Violates or infringes on the rights of any other person, including the right to privacy.
2. Contains defamatory, false, inaccurate, abusive, obscene, pornographic, profane, sexually oriented, threatening, racially offensive, or otherwise biased, discriminatory, or illegal material,
3. Violates District regulations prohibiting sexual harassment.
4. Restricts or inhibits other users from using the system, or the efficiency of the computer system.
5. Encourages the use of controlled substances or uses the system for the purpose of criminal intent.
6. Uses the system for any other illegal purpose.

It is unacceptable for an employee to use the facilities and capabilities of the electronic system(s) to:

1. Conduct any non-approved business.
2. Solicit the performance of any activity that is prohibited by law.
3. Transmit material, information or software in violation of any local, state or federal law.
4. Engage in any activity for personal gain or personal business transactions; or 5. Make any unauthorized purchases.

Cell Phone allowance policy

South Central RTD will offer a non-taxable allowance for business-related cellular phone expenses on a monthly basis to its administrative employees that meet one or more of the following criteria¹:

- 1) Employee must be responsible for making critical decisions directly related to SCRTD (i.e., financial, administrative, or corrective action).
 - 2) Employee must be able to be reached beyond normal business hours or on weekends on a regular basis (i.e., on-call).
 - 3) Employee must have job responsibilities that require the employee to be out of the office more than 50% of their normal working day, thus requiring a cellular phone to be contacted.
- (Simple convenience is not a criterion for granting a monthly cellular phone allowance.)

Administrative Staff	\$30 monthly allowance	Bi-annual \$130 equipment allowance (\$5.00 monthly)	Total monthly \$35.00
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* iPad allowance included in monthly allowance amount if applicable.

¹ The allowance must be approved by the Executive Director or Director of Finance.

Purpose:

The purpose of this policy is to provide a streamlined method and efficient process for providing reimbursement of business-related cellular phone expenses to eligible District employees, while remaining compliant with IRS rules and regulations. The allowance policy is a practical method that will eliminate the need for an individual log of the time, amount, and business-purpose of each business-related cellular phone call made on a personal cell phone with intent to be reimbursed.

Process:

The employee will receive a cellular phone allowance to be paid monthly by the Accounts Payable department. This allowance does not constitute an increase to base pay and will not be included in the calculation of percentage increases to base pay due to annual raises, promotions, etc. This allowance must be approved by the employee's Supervisor, based on the aforementioned criteria. In order to obtain this allowance, the employee must complete an allowance request form and return the completed form to the Finance and Budget office.

The employee is prohibited from collecting a monthly cellular phone allowance or bi-annual equipment allowance when one's cellular phone device is no longer active or needed for the performance of the employee's job responsibilities. If there are any changes in employee status that necessitates a change in the allowance amount or cancellation of the allowance, the Finance

Officer is required to be notified, by email or in writing, and a new allowance form may be required based on these changes.

The cellular phone equipment allowance includes all related accessories such as batteries, cases, covers, chargers, etc. Text messaging and calling capabilities are required and covered by the monthly allowance. Data plans, email, text messaging and phone capabilities are required of the employee and thus, covered by the monthly allowance

Frequently Asked Questions (FAQs)

1. Why is SCRTD treating my cellular phone allowance as a non-taxable benefit?

Per IRS memos released in September of 2011, cell phone reimbursement is no longer a taxable, fringe benefit. Some regulations and exclusions apply. See FAQ #8 for links to these documents.

2. Why can't we use an expense report for reimbursement of cellular phone expenses?

Our allowance method will eliminate the need for monthly expense reports, significantly reduce the paperwork necessary for reimbursement, and provide the employee with a more efficient means of receiving "reimbursement" for business use of his/her personal cellular phone.

3. How do I know if I am eligible for a cellular-phone allowance?

Your supervisor in concert with Human Resources will be responsible for determining whether an employee should receive a cellular phone allowance using the table above.

4. Can I use my cell phone for personal calls?

Yes

5. What if my cell phone is lost, stolen, or damaged?

We recommend using a portion of your monthly allowance to purchase insurance for your cell phone. However, the District will provide a one-time (per two-year contract) reimbursement of the replacement costs of your phone of \$100.

6. Will the cash allowance and bi-annual equipment allowance be included in my income for calculating my retirement or other benefits?

No. The cash allowance and bi-annual equipment allowance will not affect your retirement calculations or benefits in any way

7. Which office should I contact if I have questions about my cellular phone allowance?

Please contact Sara Vasquez at (915)274-7628 or by emailing vasquez@scrted.org with any questions.

8. I am a supervisor. How will I determine how much my employee will receive for the monthly cellular phone allowance?

Please see the table below. The cellular phone allowance table has dollar amounts that have been deemed acceptable by the district.

9. Where can I locate information pertaining to cell phone taxation?

Here are several links below that are related to cellular phone taxation:

<http://www.irs.gov/newsroom/article/0,,id=245741,00.html> (IR-2011-93)

<http://www.irs.gov/pub/foia/ig/sbse/sbse-04-0911-083.pdf> <http://www.irs.gov/pub/irs-drop/n-11-72.pdf> (IRS Notice 2011-72)

10. Do I have other options for receiving compensation for my cellular phone expenses?

No. To stay consistent, as well as IRS-compliant, this is a blanket policy and will be applicable to all District employees. If you choose not to adopt this policy, you will be responsible for payment of your cellular phone expenses without the aid of an allowance or reimbursement of those expenses.

11. How do I begin receiving my monthly cellular phone allowance?

Complete the attached cellular phone request form, obtain the appropriate signatures, and return it to the Finance Officer. If the form is completed properly and approved, the allowance will be applied starting on the following pay period.

Cyber Security Section

Scope

This policy applies to all SCRTD remote workers, permanent, and part-time employees, contractors, volunteers, suppliers, interns, and/or any individuals with access to the company's electronic systems, information, software, and/or hardware.

Confidential Data

SCRTD defines "confidential data" as:

- Unreleased and classified financial information.
- Customer, supplier, and shareholder information.
- Customer leads and sales-related data.
- Patents, business processes, and/or new technologies.
- Employees' passwords, assignments, and personal information.

- Company contracts and legal records.

Device Security

Company Use.

To ensure the security of all company-issued devices and information, SCRTD employees are required to:

- Keep all company-issued devices, including tablets, computers, internet hot spots, and mobile devices, password-protected (minimum of 8 characters).
- Secure all relevant devices before leaving their desk.
- Obtain authorization from the Office Manager and/or Inventory Manager before removing devices from company premises.
- Refrain from sharing private passwords with coworkers, personal acquaintances, senior personnel, and/or shareholders.
- Regularly update devices with the latest security software.

Personal Use

SCRTD recognizes that employees may be required to use personal devices to access company systems. In these cases, employees must report this information to management for record-keeping purposes. To ensure company systems are protected, all employees are required to:

- Keep all devices password-protected (minimum of 8 characters).
- Ensure all personal devices used to access company-related systems are password protected.
- Install full-featured antivirus software.
- Regularly upgrade antivirus software.
- Lock all devices if left unattended.
- Ensure all devices are protected at all times.
- Always use secure and private networks.

Email Security

Protecting email systems is a high priority as emails can lead to data theft, scams, and carry malicious software like worms and bugs. Therefore, SCRTD requires all employees to:

- Verify the legitimacy of each email, including the email address and sender name.
- Avoid opening suspicious emails, attachments, and clicking on links.
- Look for any significant grammatical errors.
- Avoid clickbait titles and links.
- Contact our contracted IT department regarding any suspicious emails.

Transferring Data

SCRTD recognizes the security risks of transferring confidential data internally and/or externally. To minimize the chances of data theft, we instruct all employees to:

- Refrain from transferring classified information to employees and outside parties.
- Only transfer confidential data over SCRTD networks.
- Obtain the necessary authorization from senior management.
- Verify the recipient of the information and ensure they have the appropriate security measures in place.
- Adhere to SCRTD data protection law and confidentiality agreement.
- Immediately alert the IT department of any breaches, malicious software, and/or scams.

Disciplinary Action

Violation of this policy can lead to disciplinary action, up to and including termination. SCRTD disciplinary protocols are based on the severity of the violation. Unintentional violations only warrant a verbal warning, frequent violations of the same nature can lead to a written warning, and intentional violations can lead to suspension and/or termination, depending on the case circumstances.

SECTION 13: LEAVE PROCEDURES

- Employees must submit proof of relationship to supervisor to forward to the Executive Director within three (3) days of returning to work in order to receive up to the three (3) days paid bereavement leave. The proof may be a letter from the funeral home or obituary stating the relationship of the employee and the deceased.
- This leave includes the below family members, as well as corresponding in-laws and step relationships (i.e. father-in-law or step-father):
Spouse, Sister, Grandparents, Mother, Children, Brother, Grandchildren, Father

SECTION 17: OTHER LEAVES

Court Service Jury Duty

Objective

To provide income protection while an employee carries out his or her civic responsibility, SCRTD provides the difference between jury duty pay and an employee's regular day's pay for time spent serving on jury duty. Generally, income protection for time spent serving on jury duty will be provided for a maximum of five workdays. Additional income-protected time away from the workplace for this purpose will be considered on a case-by-case basis.

Eligibility

Full-time and regular, part-time employees are eligible to receive this benefit.

Responsibility

Upon receipt of notification from the state or federal courts of an obligation to serve on a jury or to act as a court witness, the employee should notify his or her supervisor. The employee is required to provide copies of the subpoena or jury summons to his or her supervisor and to the payroll department.

The supervisor will verify the notification by contacting the office issuing the summons or subpoena and make scheduling adjustments to accommodate the employee's obligation. The supervisor will also provide court documentation to payroll for processing.

Employees appearing in their own case as a plaintiff or defendant or for a non-subpoenaed court appearance will not receive paid time off. Vacation or unpaid time should be used for such instances.

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Employees appearing in their own case as a plaintiff or defendant or for a non-subpoenaed court appearance will not receive paid time off. Vacation or unpaid time should be used for such instances.

Employees who are called for jury duty or to testify on behalf of SCRTD in court during normal work hours will be paid at their regular pay for the time their service is required. The employee must pay all fees received back to SCRTD. The employee must notify his/her supervisor/manager of jury duty or other required court service as soon as possible.

SECTION 22: SEPARATION OF EMPLOYMENT

Termination

- The final paycheck for a departing employee will be issued no later than the next regular payday.
- The departing employee will be asked, but not required, to participate in an exit interview.
- When an employee voluntarily resigns, the district requests a two-week notice, either oral and/or written.
- The district does not recognize a resignation notice period that exceeds two weeks (it will be considered a "two week" notice). Exceptions may be made in cases of key positions.
- All departing employees will receive payment for all unused, accrued PTO.

- All District equipment and property must be returned to the district before the final paycheck is released.

SECTION 23: DISCIPLINARY ACTIONS

1. Failure to provide notice of absence or tardiness to the immediate supervisor, poor attendance and tardiness are disruptive and may result in disciplinary action, up to and including termination of employment.
2. Notification of an absence or tardiness by another employee, friend or relative is not considered proper except in an emergency situation where the employee is physically unable to make the notification.
3. If a non-exempt employee forgets to clock or sign in or out, the employee must notify his/her supervisor immediately so the time may be accurately recorded for payroll. Repeated failure to sign in or out may result in disciplinary action up to and including termination.

Abuse of PTO may result in a supervisor withholding approval for leave and is cause for disciplinary action up to and including termination of employment. Abuse of PTO may include but is not limited to the following:

1. An employee who continually exhausts his/her accrued sick leave balance without a certification under the FMLA.
2. An employee who develops a pattern of being absent from work without pre- approved PTO for days immediately before or after scheduled days off or on the same day of the work week.
3. An employee who is absent from work and fails to notify his/her supervisor of an illness or injury that prevents him/her from being at work.
4. An employee who falsely indicates he will be at his/her place of residence, a medical facility or other location identified by the employee to the supervisor.
5. Any leave without a supervisor's authorization. Insubordination or uncooperative behavior.
6. Taking unofficial or unapproved breaks for an extended length of time, or leaving the job site without prior approval.

[Employee Improvement process](#)

Under general circumstances, supervisors will attempt to address performance and behavior problems with a verbal warning. Should the behavior not immediately improve, further action, including but not limited to a written action plan, may be enacted.

1. Supervisors or the appropriate level of departmental authority will collect the facts and specifically identify the issue(s).
2. The supervisor and the employee will then meet to develop the Performance Improvement Plan or PIP.
3. The PIP will clearly define the issue(s), including citing the appropriate document(s) that outline expectations of the employee.
4. The PIP shall be effective for ninety (90) days.
5. Failure to improve after the PIP may result in further disciplinary action up to and including termination

Referral to EAP is not a disciplinary action and should not be viewed as a substitute for progressive discipline.

Demotions

A supervisor may recommend in writing to Executive Director that an employee under their supervision be demoted in position and/or pay for the employee found to be in violation of any rules of policies of the district or engaging in other misconduct, the employee will be subject to appropriate disciplinary action by the Executive Director including demotion and/or reduction in pay.

SECTION 26. ADDENDUM PAY SCALES

SECTION 27: EFFECTIVE DATE

Effective Date

The undersigned employee acknowledges receipt of the SCRTD Employee Handbook and understands the provisions therein and in consideration of employment acknowledges and agrees that:

All employment by SCRTD is "at will" and subject to State and Federal law

Any agreement(s) or assurance(s) concerning the terms, conditions or duration of any individual's employment are not binding unless they are in writing and signed by the Executive Director.

An employee may request or accept voluntary demotion when being assigned to a less difficult or responsible position would be to the employee's advantage and in the interests of the district.