

POLICY MANUAL FOR FAIR OAKS CEMETERY DISTRICT

TABLE OF CONTENTS

BYLAWS	01 – 08
CONFLICT OF INTEREST CODE	09 - 10
PERSONNEL	11 - 14
JOB DESCRIPTION - DISTRICT MANAGER	15 – 17
JOB DESCRIPTION – OFFICE MANAGER	18 – 19
JOB DESCRIPTION – FOREMAN	20 – 21
JOB DESCRIPTION – GROUNDSPERSON	22 – 23
CODE OF CONDUCT	24 – 25
EDUCATION PROGRAM	26 - 28
TRAVEL & EXPENSES29
DRUG & ALCOHOL POLICY30 – 32
PURCHASING & CONTRACTING33 – 40
USE OF DISTRICT PROPERTY OR EQUIPMENT BY EMPLOYEES	41
HARASSMENT POLICY	42 - 45
DISCIPLINARY PROCEDURE	46
GRIEVANCE PROCEDURE	46
TERMINATION PROCEDURE47 – 49
SAFETY PROGRAM	50 – 58
PROCEDURES FOR HEAT ILLNESS PREVENTION	58 – 65
SAFE PRACTICES AND OPERATING PROCEDURES.....	66 - 77
RULES & REGULATIONS	78 – 86

POLICY MANUAL FOR FAIR OAKS CEMETERY DISTRICT

FAIR OAKS PUBLIC CEMETERY DISTRICT

BYLAWS

GENERAL PROVISIONS AND GOVERNMENT

Adopted 06-13-2012

A. GENERAL

1. Formation. The Fair Oaks Public Cemetery District is a public cemetery district formed on August, 26, 1926 by resolution of the Sacramento 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 Fair Oaks Public 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 Sacramento 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 govern 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 five (5) members appointed by the Sacramento 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 (2) 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 Sacramento 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 sickness;
- 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 General 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 Fair Oaks Public Cemetery.

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 make arrangements 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 Wednesday] of each month, and shall normally commence at the hour of 9:15 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 advance 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 five (5) members, requires three (3) members to conduct a meeting and requires three (3) 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 Reports
 - (2) Sales, Burials, Safety Report, Major Purchases & Attendance
 - (3) Web Site Hits
 - (4) Correspondence
 - (5) Old Business Updates
- f. Committee reports
 - (1) Facilities Committee Report
 - (2) Finance Committee Report
 - (3) Kilgore Cemetery report
 - (4) Other Committee Reports
- g. Discussion Items & Possible Action Items
 - (1) Old Business
 - (2) New Business
- h. Board Matters
- i. Consent Agenda
 - (1) Approval of Board Minutes of previous meeting
 - (2) Approval of Claims
- j. Recess to Closed Session
- k. Reconvene to Open Session / Closed Session Report
- l. Trustees Questions & Comments
- m. Announcements
- n. 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 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.

G. BYLAWS AND POLICY AMENDMENTS

Bylaws and all policies of the Fair Oaks Public 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.

**FAIR OAKS CEMETERY DISTRICT
CONFLICT OF INTEREST CODE**

Adopted June 13, 2012

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 Fair Oaks Cemetery District.

Designated officers/employees shall file their statements with the Fair Oaks Cemetery District which will make the statements available for public inspection and reproduction. (Government Code 81008) Upon receipt of the statements, the Fair Oaks 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.

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 particular position.

A. DEFINITIONS

1. Anniversary date or start date is the date employee entered full time employment and was placed on the payroll.
2. 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.
3. 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.
4. Part Time Employment is for less than thirty (30) hours per week.
5. Probation period is the first ninety (90) days of employment.
6. Time worked means those hours during which the employee is under the control and discretion of the District Manager.

B. NEW PERSONNEL PROVISIONS

1. All prospective employees are required to complete the District application for employment (see attachment A).
2. All new employees must meet the Federal requirements for employment and complete the Federal I-9 form (see attachment B).
3. 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.

C. WORKWEEK

1. The official workday for full-time employees shall be eight (8) hours and shall be from 7:30 a.m. until 4 p.m. The official workweek shall be Monday through Friday.
2. A lunch period of thirty (30) minutes will normally be given from 12 noon to 12:30 p.m.
3. Employees shall be allowed rest periods of fifteen (15) minutes during each four (4) consecutive hours of work.
4. Overtime shall be allowed at one and one-half (1 ½) times the regular pay rate.
5. Any employee may be scheduled to work outside the official work week or work day at the discretion of the District Manager. (See #1, Page 7)
6. Employees are not permitted to leave the work area except as authorized by the District Manager.

D. PAY PERIOD

Employees will be paid for regular and overtime hours bi-weekly.

E. LEAVE PROVISIONS

1. 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.

Sick leave is a benefit of full-time employment and is not accruable or payable at separation of employment.

If an employee is absent from work for five (5) days or more consecutive days due to sickness, a release from a physician is required before return to work is permitted.

Sick leave may be used for:

- a. An employee's personal injury or illness, medical or dental office appointments or other physician approved absences.
- b. 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.

2. 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 for 1-5 years, fifteen (15) days for 6-10 years, twenty (20) days for 11-15 years and twenty-five (25) days for 16 + years.

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.

A maximum of two hundred forty (240) hours vacation leave may be carried over to the following fiscal year. Any vacation leave in excess of two hundred forty (240) hours will be paid to the employee, at his regular hourly rate of pay at the end of the fiscal year.

Vacation time schedules shall be arranged by the District Manager with particular 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.

3. 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.

4. 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.

5. Holiday Leave: Each full-time employee shall be entitled to compensation for the following holidays:

New Year's Day	Memorial Day	Veteran's Day
Martin Luther King, Jr., Birthday	Independence Day	Thanksgiving
Columbus Day	Labor Day	Thanksgiving Friday
Lincoln's Birthday	Columbus Day	Christmas Day
Washington's Birthday (President's 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 addition to the above, an employee's birthday will be authorized as a holiday if the birthday falls on a regularly scheduled work day.

6. Absence Without Authorization: Absence without authorization for three (3) consecutive working days shall be considered an automatic resignation.

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: 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 the District Manager and his qualified dependents and Office Manager's premiums. This District will pay the lowest of the health plans offered (\$470.67) to all other full-time employees and will not pay for dependents. See Public Employees Retirement System (PERS) list of approved plans. District Manager and employees may choose from this list only.

5. Dental & Vision: Full-time employees are eligible to participate in the District employee Dental and Vision program. The District will pay a maximum of twelve hundred dollars (\$1200) annually per employee for Dental Care and Vision Care.

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.

JOB DESCRIPTION

1. DISTRICT MANAGER

A. DEFINITION

The District Manager is the sole manager of the Fair Oaks 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.

B. 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, employ's, 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 Fair Oaks Cemetery District.

a. Participates 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.

b. Participates in activities with the local Supervisors, such as morning breakfasts, activities with our local Assembly and Senatorial individuals that include lunches, dinners and breakfasts to keep track of political areas that influence the public cemetery.

16. Public Relation Representative for the Fair Oaks Cemetery District within the Sacramento County community.

a. Participates in the Fair Oaks Chamber of Commerce with lunches and activities.

b. Helps service clubs such as Rotary, Lions, V.F.W., Historical Society, Boy or Girl Scouts.

c. Coordinates activities between local public agencies.

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. Must be bondable.
- 2. Must possess and maintain a valid California Driver's license and a good 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, subject to the provisions set forth in this manual and state and local law.

2. OFFICE MANAGER

A. DEFINITION

Under the District Manager's direction, to perform secretarial, accounting and general office work in accordance with the established policies; and to do related work, as required.

B. DUTIES AND RESPONSIBILITIES

1. Performs District secretarial work, including typing of letters, memorandums, reports and other materials.
2. Composes and types correspondence, applying knowledge of District operation and regulations.
3. Maintains general office files.
4. Has responsibility for accounting function of District and knowledge of District and knowledge of specialized accounting techniques.
5. Makes decisions with respect to the classification of source documents.
6. Participates in maintaining a variety of financial records and reports.
7. Analyzes and interprets accounts and prepares warrants for same.
8. Participates In posting and encumbrance procedures.
9. Maintains special cost accounts and prepares special financial reports.
10. Makes adjusting and closing entries and makes trial balances.
11. Makes arrangements for funeral services with general public and funeral directors.
12. Maintains records and maps in connection with funeral services, sale of plots and other District services.
13. Prepares certificates of burial rights.
14. Receives cash for sales and services, maintaining accurate records and prepares deposits.
15. Handles petty cash transactions.
16. Serves as Secretary to the Board of Trustees and keeps all minutes of all Board meetings.
17. Serves as Acting District Manager in the District Manager's absence.
18. Other duties as assigned.

C. EMPLOYMENT STANDARDS

1. Knowledge of:
 - a. Methods, practices and terminology used in financial and budgetary work.
 - b. Office practices and procedures.
 - c. District operation and established policies
 - d. Office computer, machines and equipment
2. Ability to:
 - a. Prepare ledger and journal entries affecting revenue and expenditure accounts.

- b. Prepare and make employee payroll.
- c. Analyze and interpret fiscal and accounting records and data and prepare reports.
- d. Perform difficult financial clerical work requiring the use of independent judgment and initiative.
- e. Operate computer, calculating, adding and duplicating machines.
- f. Perform responsible and difficult secretarial and clerical work involving the use of independent judgment and requiring accuracy and speed.
- g. Conduct correspondence without review, using good grammar, spelling and vocabulary.
- h. Analyze situations accurately and adopt an effective course of action.
- i. Deal effectively with a wide variety of personalities and situations requiring diplomacy, friendliness, poise and firmness.
- j. Maintain records and files.
- k. Type at a speed of not less than forty-five (45) words per minute from clear copy.

D. REQUIREMENTS

- 1. Must be bondable.

E. PHYSICAL REQUIREMENT

- 1. Occasionally lift and move items weighing up to twenty-five pounds (25 lbs.).
- 2. Ability to sit for long periods of time.

F. MINIMUM EDUCATION AND EXPERIENCE: Requires successful completion of two (2) years of college level courses with specialization in accounting and financial management; or a combination of education and professional experience at the rate of two (2) years' experience equivalent to one (1) year of course work. Must possess and maintain a California Driver's license and a good driving record.

3. CEMETERY FOREMAN

A. DEFINITION

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

B. DUTIES AND RESPONSIBILITIES

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

C. EMPLOYMENT STANDARDS

1. 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 valid California certified applicators license for turf and ornamentals.
2. Must be bondable
3. Must possess a valid California driver's license.

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 driver's license and a good driving record.

4. GROUNDSPERSON

A. DEFINITION

Under general supervision of the Cemetery Foreman 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.

B. DUTIES AND RESPONSIBILITIES

1. Plants, transplants, removes, fertilizes, waters, cultivates, and sprays flowers, shrubs and trees; mows, trims, waters, fertilizes lawns.
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 all kinds 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 concrete grave crypts and vaults.
11. Sets up lowering device, chairs and chapel for funeral services.
12. Assists in the location and makes grave layouts.

C. EMPLOYMENT STANDARDS

1. KNOWLEDGE OF:

- a. Construction and maintenance material, procedures and equipment with particular references 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.

2. ABILITY TO:

- a. Perform semi-skilled or skilled tasks in the maintenance, construction and beautification of cemetery district grounds, buildings and other facilities.

- b. Operate service and maintain a variety of grounds maintenance and construction equipment.
- c. Perform heavy (over 75 lbs.) manual labor.
- d. Understand and carry out oral and written directions.
- e. Work cooperatively with others.

D. REQUIREMENTS

- 1. Must possess a valid California driver's license.

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:

- 1. High school graduate possessing and maintaining a valid California driver's license and a good driving record.

G. 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 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 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 employ 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. This includes the use of racist terms among any and all employees under all conditions and circumstances.
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. Consuming food or beverages at unauthorized times or in unauthorized areas.
24. Selling tickets or chances on pools or raffles, or gambling on District premises.
25. Unauthorized posting of notices or literature on District premises.

26. Soliciting, collecting funds, and/or circulating literature of any nature on District property during working hours without the approval of the District Manager.
27. Performing personal work on District time.
28. Using the District business phone for personal matters.
29. Taking more than the specified time for meals or rest periods.
30. Unauthorized attendance or participating in meetings or gatherings during work hours.
31. Discourteous conduct, abusive treatment or inappropriate language directed toward any customer, visitor, guest, employee or superior.
32. Inefficiency, inability or negligence in the performance of assigned duties.
33. 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.
34. Misrepresenting reasons when applying for a leave of absence or for other time off from work.
35. Failure, without justification, to return to work on time from an authorized leave of absence or vacation.
36. Failure to withdraw from, or report to, outside activities or interests which conflict with, detract from, or adversely affect the interest of the District.
37. Repeated improper or unauthorized parking.
38. Unacceptable personal grooming.
39. Sleeping on the job, intentional slowdown of work, intentional disruption of the work force or loafing during working hours.
40. Failure to promptly report injury or illness.
41. Scheduling off-duty time or vacation without the express consent of the District Manager.
42. Conduct undermining authority or disruptive of District functions or detrimental to close working relationships among employees.
43. Conduct prejudicial to the good reputation of the District.

FAIR OAKS CEMETERY EDUCATION PROGRAM

Adopted 11-14-2000

EDUCATION PROGRAM

The District encourages employees to participate in educational and training activities. In addition to increasing employee job proficiency, this education should improve work force stability and the District's ability to attract and retain outstanding employees. The education program is available to all employees after the six-month probationary period is completed.

ON-DUTY EDUCATION

Employees may, with prior approval, attend seminars, conferences, workshops, cross-training activities or meetings that provide specific training in subjects related directly relating to cemetery operations to the employee's position, or one he or she may reasonably aspire to.

All departments will annually review and identify areas of training required to maintain technical and administrative capabilities. Specific schools, conferences, and/or seminars are to be listed on budget submission requests wherever applicable and available. Fees, tuition and approved expenses will be paid by the District. District Manager approval for all requests for this training must be obtained prior to attendance and/or making reservations.

OFF-DUTY EDUCATION

Educational assistance at the discretion of the District Manager is available to employees who desire to obtain skills and/or knowledge that enables them to become more proficient in their present duties and/or prepare them for future assignments.

This education may occur after regular working hours at a college, vocational trade school, or through a self-study correspondence course, which leads to a certificate, license or diploma related to the general function of the District.

Under special circumstances, employees may attend classes during business hours if, 1) the course is not available (and will not be) at night or through a correspondence course 2) the course pertains to a District approved degree program and 3) the employee arranges a flexible time schedule with his/her Supervisor to make up time spent at class during normal work hours.

ELIGIBILITY FOR OFF-DUTY EDUCATION ASSISTANCE

Only regular, full-time employees, who are performing their jobs satisfactory, are eligible for this program.

The following off duty education qualifies for financial assistance:

1. Degree (Associates, Bachelors, Masters, other as approved).
2. Specific courses taken for credits relating to Cemetery functions.
3. Specific courses taken for credit relating to support functions of the District (i.e. accounting, secretarial, welding).
4. Self-study/correspondence courses from reputable institutions with final exam and certificate in subjects that relate to District functions.

CONDITIONS FOR FINANCIAL ASSISTANCE

1. Every course that the employee desires to attend must be approved in advance by submitting a Request Form.
2. Completion of the course with a minimum final grade of "C" or equivalent.
3. Funds received from outside sources, such as scholarships or Veteran's Education Benefits must be applied to the cost of the program first. Then, the remaining cost will be paid by the District.
4. Work requirement for financial assistance is as follows: Upon completion of approved course program, the employee is required to remain employed for a minimum of six (6) months for every year of school completed. For example, 1 year = 6 months, 2 years = 1 year, 3 years = 18 months, and 4 years = 2 years.
5. Voluntary termination of either the course or employment will result in an automatic deduction for the amount of assistance received at a pro-rated amount and in a time frame that is reasonable. Involuntary termination may or may not result in deduction of the amount of assistance received, as determined by the District Manager.
6. Unless arrangements have been made to pay the costs directly to the school, the assistance check is normally issued to the employee after he/she furnishes evidence of expenses (i.e. receipts, canceled checks, etc.).
7. The employee will furnish the District proof of his/her successful completion of the course as soon as possible after the end of the class.

PROCEDURE

The Degree program is approved by the Administrative Committee on a case by case basis. Employees desiring to obtain a degree should submit their written request stating goals and objectives, institution that they plan to attend, and schedule of estimated

expenditures via the District Manager. The District will pay for tuition, books, fees and parking.

Cap for G.E.D. (High School Diploma) financial assistance: \$150.00/Semester

Cap for Junior College financial assistance: \$455.00/Semester

Cap for Upper Division financial assistance: \$1325.00/Semester

H. TRAVEL AND EXPENSES:

Every Trustee and employee who is authorized to, 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.

I. DRUGS AND ALCOHOL POLICY:

Fair Oaks Cemetery District maintains a drug-free workplace in accordance with the provisions of the Federal Drug-Free Workplace Act of 1988 and the California Drug-Free Workplace Act of 1990.

Fair Oaks Cemetery District has always maintained a strong commitment to provide a safe, efficient, and productive work environment. Fair Oaks Cemetery District has a strict policy regarding the inappropriate use and possession of drugs and alcohol. This policy recognizes that employee involvement with alcohol or drugs can be extremely disruptive and harmful to the workplace. It can adversely affect the quality of work and the performance of employees, pose serious safety and health risks to the user and others, and have a negative impact on work efficiency and productivity. Accordingly, Fair Oaks Cemetery District requires all employees to report for work fit to perform their jobs. All employees must adhere to the rules stated in this policy. Employee possession of alcohol is prohibited on Fair Oaks Cemetery District premises, except authorized events. No employee may use, possess, manufacture, dispense, distribute or sell any illegal drug while on Fair Oaks Cemetery District's property, while on duty, or while operating a vehicle that is owned or leased by Fair Oaks Cemetery District. 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. For purposes of this policy, a drug will be considered an "illegal drug" if its use is prohibited or restricted by law, and an employee improperly uses or possesses the drug, regardless of whether such conduct constitutes an illegal act or whether the employee is criminally prosecuted and/or convicted for such conduct. The legal use of controlled substances, such as prescription drugs prescribed by a licensed physician or over-the-counter medication, is not prohibited by this policy.

Drug Testing: The Fair Oaks Cemetery District reserves the right to ask any employee to undergo a drug test at any time, with or without notice, including as a condition of employment. Fair Oaks Cemetery District need have no reason or basis for requesting such tests. Such tests will be administered by a person qualified and licensed to administer such tests, and the results will be processed by a laboratory certified to process such tests. Tests may include breath testing; blood testing, hair testing or any other non-invasive testing deemed necessary by Fair Oaks Cemetery District and the person administering the test. An employee who refuses to submit to any drug test reasonably requested by Fair Oaks Cemetery District is subject to discipline, up to and including immediate termination of employment.

Discipline: Employees must abide by this policy as a condition of employment. Violation of this policy can result in disciplinary action, up to and including termination, even for a first offense. Fair Oaks Cemetery District also reserves the right to discipline or terminate employees convicted of an offense which involves the use, possession, manufacturing, dispensing or distribution of illegal drugs or alcohol.

Assistance for drug abuse and rehabilitation is available through normal medical providers and covered to some extent by insurance. For assistance, employees are encouraged to contact their physicians directly.

Employees hereby accept and agree to abide by this policy as a condition of employment.

Date: _____

Signature: _____

J. 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.

2.02 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.

a. 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.

b. 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.

2.03 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 of 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.

2.04 Informal Bidding Procedure

a. 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.

b. 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.

c. Notice shall also be published in construction trade journals or newspapers of general circulation within the District.

d. 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.

e. 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.

f. If all bids received are in excess of twenty-five thousand dollars (\$25,000), the Board may, by passage of a resolution by a four-fifths (4/5) 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.

2.05 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.

2.06 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.

a. 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 four-fifths (4/5) 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.

2.07 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.

2.08 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.

2.10 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.

2.11 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.

2.14 In the case of an emergency, the Board may adopt a Resolution by four-fifths (4/5) 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 (\$1200).

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 twelve hundred dollars (\$1200), price competition shall not be required.

3.04 Where the cost of the personal property and/or supplies costs between twelve hundred dollars (\$1200) 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

4.01 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.

4.02 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.

4.03 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.

4.04 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.

4.05 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 four-fifths (4/5) 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 particular 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 by 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 four-fifths (4/5) 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 Fair Oaks Cemetery District, its Trustees, Officers and Employees as additional named insured.

6.00 DISPOSITION OF DISTRICT-OWNED PROPERTY

6.01 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.

6.02 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.

6.03 When District-owned property has been declared surplus by the Board, the disposition of the surplus property may be handled through the Sacramento County Department of Surplus, at the discretion of the District Manager.

6.04 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, officer, 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.

K. USE OF DISTRICT PROPERTY OR EQUIPMENT BY EMPLOYEES

WHEREAS, the Board of Trustees (hereinafter the "Board") of the Fair Oaks Cemetery District (hereinafter the "District") determines and finds that District property should not be utilized for private purposes, and 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 Fair Oaks Cemetery District.

USE OF DISTRICT PROPERTY OR EQUIPMENT BY EMPLOYEES

Employees shall not utilize District-owned equipment, tools 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 Office Manager.

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

Furthermore, District-owned equipment, tools, supplies or any other property shall not be removed from District property or used for any non-District purpose.

On a motion by Trustee Carter, seconded by Trustee Massey, the foregoing resolution was passed and adopted this 13th day of September, 1995, by the following vote, to wit:

Ayes: Schroeder, Hamilton, Massey Carter & Flood

Noes: -0-

Absent: -0-

Absent: -0-

L. HARASSMENT POLICY

1. Policy

The 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 or medical conditions. Employees are also entitled to a work environment free from all forms of harassment, including sexual harassment. Engaging in any type of harassment is grounds for disciplinary action, up to and including termination.

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 or physical handicaps. 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:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
- b. Submission to or rejection of such conduct by an individual, is used as the basis for employment decisions affecting such individual, or
- c. 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 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 it exists. Confidentiality will be maintained.

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

5. Certification

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

Name	(Please Print)
------	----------------

Name	Signature
------	-----------

Witness

Date

M. DISCIPLINARY PROCEDURE

1. Types of Disciplinary Procedure

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

- a. Oral reprimand
- b. Written reprimand
- c. Suspension from duty without pay up to and including a maximum period of loss of two (2) weeks' pay.
- d. Reduction of pay.
- e. Demotion.
- f. Termination for cause.

2. Foreman may issue oral or written reprimands. All other forms of disciplinary action are reserved for decision by the District Manager.

3. Disciplinary action normally is based, but not limited to, violations of the Code of Conduct.

4. To the extent practicable, District Manager will resort to counseling and guidance of employees prior to resorting to disciplinary action.

5. Oral reprimand and written reprimand are subject to review under Grievance Procedures.

6. Suspension from duty without pay, reduction in pay and demotion imposed by written notice to the employee stating the reason(s).

7. Disciplinary termination is imposed by written notice to the employee stating the reason(s) and is subject to review under Termination Procedures.

N. 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.

2. Eligibility

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

3. Procedure

a. The formal grievance procedure is designed not to replace but to supplement the routine methods of responding 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.

b. The District Manager shall directly or indirectly discourage the use of the formal grievance procedure by employees.

c. When warranted by unusual circumstances (illness, extended absences, etc.) the District Manager may extend the time limits indicated in the Formal Grievance Procedure.

d. Content of the Written Grievance:

1. A statement of the District's policy, rules or practices involved.
2. A statement of the facts and events involved in the matter.
3. An explanation of how the employee has been adversely affected.
4. A statement of the corrective action requested and the reason the action is appropriate.
5. The employee may elect to have a representative for assistance in presenting the grievance.

4. Steps in the Formal Grievance Procedure

a. 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 Foreman 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.

b. 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.

O. 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.

a. 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.

b. Persons who terminated may be entitled to unemployment compensation.

2. EMPLOYEES REQUEST FOR RECONSIDERATION

- a. An employee, other than probationary employee, may request that the District Manager reconsider the decision to terminate the employee.
- b. 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.
- c. 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.

3. 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.

5. 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.

6. PETITION TO THE DISTRICT BOARD OF TRUSTEES

- a. 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.
- b. 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.
- c. The Board of Trustees shall inform the employee in writing of the Board's decision.

III. FAIR OAKS CEMETERY DISTRICT SAFETY PROGRAM

A. District Policy

To our employees:

It is the policy of the Fair Oaks 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 than 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

B. 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.

FOREMAN

The Foreman'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.

C. 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.

2. 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.

3. Communication with Employees

- a. Employees are to report any unsafe conditions immediately to the Foreman.

- b. The regular monthly training session will allow time for employees to recommend ways to inspect health and safety conditions in the workplace.

4 a.

HAZARD CHECK LIST

DO ANNUALLY

OFFICE

Distribution:

() District Manager

() Foreman

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 condition, properly grounded.	() () ()
9.	Electrical cords and phone cables secured 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.	() () ()
14.	Employees instructed in fire emergency procedures.	() () ()

RECOMMENDATIONS (Complete for all items which need immediate attention)

ACTION TAKEN

*

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

4 b.

HAZARD CHECK LIST

DO ANNUALLY

ALL DEPARTMENTS

Distribution:

() District Manager

() Foreman

		Date
Inspector	Title	(S) (SA) (IA)*
1.	Ventilation and illumination adequate in all areas.	() () ()
2.	Aisles and passages clear and unobstructed.	() () ()
3.	Temporarily obstructed passages clearly identified and barricaded.	() () ()
4.	All spillages and breakages immediately cleaned up.	() () ()
5.	Electrical cords and phone cables secured to prevent tripping hazards.	() () ()
6.	Floors in good condition. Floors made slip resistant where necessary.	() () ()
7.	Storage and equipment rooms clean and orderly.	() () ()
8.	Stairways equipped with standard handrails.	() () ()
9.	Employees given proper instructions on use of equipment, tools and machinery.	() () ()
10.	Protective equipment, devices and clothing used as required.	() () ()
11.	Electric tools and machinery properly grounded.	() () ()
12.	All waste materials deposited in proper container.	() () ()
13.	All waste receptacles emptied before completely full.	() () ()
14.	"Authorized personnel only" rule enforced in designated area.	() () ()
15.	Fire extinguishers of proper size and type for each location, properly charged.	() () ()
16.	Instruction given on what to do in case of fires or other emergencies.	() () ()
17.	No smoking rule enforced in restricted areas.	() () ()
18.	Fire escapes and exits adequately marked and kept clear.	() () ()

RECOMMENDATIONS (Complete for all items which need immediate attention)

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

D. HAZARDOUS MATERIAL

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

1. TRAINING

- a. Procedures for handling hazardous materials, including hazardous waste:

Persons Trained: Foreman, 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.

- b. 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.

- c. Use of emergency response equipment and materials under the business' control:

Persons Trained: Foreman / 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.

- d. 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.

2. EMERGENCY RESPONSE PLAN

Business Name:

Business Site Address:

Business Telephone: _____ 24 Hour Phone _____

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

a. 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.

b. Notification Procedures: In the event of a release or threatened release of a hazardous material the following agencies are to be notified:

1. Local Emergency Response Agencies 911
Hazardous Materials Management Division (916) 875-8550 / (916) 874-4670
2. State Office of Emergency Services: (800) 852-7550 / (916) 845-8510

Name of person (s) responsible for completing notifications:

District Manager:

Foreman:

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

c. 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.

3. HAZARDOUS MATERIAL SITE MAP

Business Name_____

Emergency Coordinator_____

Business Address_____

Phone (Day)_____ 24 Hour_____

PROCEDURES FOR HEAT ILLNESS PREVENTION

Adopted 07-10-2013



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. Ray Young	District Manager	916-966-1613
2. Guillermo Barron	Lead Man	916-966-1613
3. Terri Perrin	Office Manager	916-966-1613
4. Teresa Day	Office Clerk	916-966-1613

1. 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.

2. 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.

3. 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.

4. 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 assign 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).

5. 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 used to.

- 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.

6. 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 from 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.

7. 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 groin 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.

8. 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.

E. CODE OF SAFE PRACTICES AND OPERATING PROCEDURES

1. 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.

- a. Work shall be well planned and supervised to prevent injuries.
- b. All injuries and accidents shall be reported immediately to the Supervisor.
- c. Supervisors shall ensure that employees observe and obey every rule and regulation necessary to the safe conduct of the work.
- d. 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.
- e. Alcoholic beverages or non-prescribed drugs are not allowed on District premises. Violators will be subject to disciplinary action.
- f. 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.
- g. There will be no horseplay or practical joking on District premises.
- h. All posted safety signs shall be obeyed.
- i. 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.

2. HOUSEKEEPING

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

- a. Keeping clear an adequate passageway to all exits.
- b. Keeping clear space around fire extinguishers, electrical controls and other emergency equipment.
- c. Removing defective equipment from service. Equipment in need of repair shall be reported and repaired or tagged by the Supervisor.
- d. 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.
- e. Pick up your tools, scrap and other items so that no one else will slip or trip on them.
- f. Oily rags shall be placed in a covered metal container.
- g. Never leave rakes, shovels or hoes where they can be stepped on. Proper tools placement not only prevents accidents, but enable you to keep tools in good working condition.
- h. Never pick up sharp objects such as glass, nails, etc. with bare hands.
- i. Access to first aid kits, fire extinguishers or any emergency equipment shall not be obstructed.
- j. 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.

3.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.

- a. 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.
- b. Available safeguards shall be utilized consistently to minimize hazards.
- c. Materials, tools, or other objects shall not be thrown, tossed or dropped. Always hand or lower items as needed.

4. PERSONAL PROTECTIVE EQUIPMENT

- a. Hard hats should be worn at all times when working around power equipment or any tree trimming operations.
- b. 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.
- c. Where work exposure to hazardous substances, cuts or burns exists, appropriate gloves shall be worn.
- d. Ear protection will be worn whenever an employee is on or around equipment that produces loud noise,
- e. Adequate work shoes or boots shall be worn at all times.
- f. Protective respiratory equipment shall be worn in areas where personnel are exposed to excessive dust, airborne particles, etc.

5.LIFTING AND MATERIAL HANDLING

- a. 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.
- b. Never carry a load you cannot see over or around.
- c. When lifting, caution should be exercised. If the object to be lifted is too heavy, get help.
- d. If two or more workers carry a load, designate one worker to give signals.
- e. 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.
- g. Cemetery personnel will no longer carry caskets from the hearse to the gravesite lowering device.

6. MATERIAL HANDLING – RESOLUTION 98-04

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:

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

- | | |
|--------------------|-------------------------|
| * Load 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.

7. VEHICLE SAFETY OPERATION

- a. All California Vehicle Codes shall be strictly adhered to.

- b. Drivers operating District vehicles must have a valid California Driver's License in their possession.
- c. 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.
- d. Report immediately any deficiencies observed or suspected in the vehicle to your Supervisor.
- e. Seat belts shall be fastened before vehicle is set in motion.
- f. 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.
- g. No one shall be allowed to ride in the bed of a pickup truck. Adequate seating for each person must be provided.
- h. All vehicles shall be safely parked with handbrakes secured and doors locked when left unattended.

8. 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:

- a. Keep your distance and keep others away.
- b. If it is burning or giving off large amounts of gas, cover it with dirt.
- c. Immediately contact your Supervisor and explain the problem to him.
- d. Collect as much information about the material (color, smell, form, container markings, etc.) as you possibly can.
- e. The District Office should then be notified and given as much information about the substance or material as can be reasonably determined.
- f. If necessary, the Hazardous Materials Response Team will be notified.

9. FIRE PROTECTION

- a. Know the location of the nearest fire extinguisher in your work area and become familiar with its operation.
- b. Never use water on an electrical fire.
- c. Know the fire emergency procedures for your area.
- d. Employees should know the location of fire extinguishers and first aid kits in their area.
- e. All diesel and gas tanks should be properly posted with warning signs.
- f. Keep service areas free of excessive amounts of lubricant spillage on the ground.
- g. Areas around fuel tanks and maintenance areas should be cleared of weeds and debris.

10. 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:

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

11. HAND TOOLS

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

- a. Select proper tool for the job.
- b. Be sure it's in good condition.
- c. Use it correctly.
- d. Return tools to the tool box at the end of each shift.

12. POWER TOOLS

SAFE POWER TOOL OPERATION: Power tools such as edgers 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.

- a. Be thoroughly familiar with any power tool before attempting to operate it.
- b. Wear the proper protective work clothing including goggles or face shields, gloves, work shoes and ear plugs.
- c. Use only the fuel that is recommended in the owner's manual.
- d. Make sure other employees, or the public, are a safe distance away from the operation (especially edging).
- e. Make adjustments or repairs to power tools only after the engine is shut off.
- f. Make sure that protective guards and devices are in place and operable.
- g. Do not attempt to operate any tool that is beyond your capacity or experience.

13. 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.
- c. When opening or digging a double or triple depth grave, no persons will be allowed to enter the grave until the crypt or vault is installed.
- 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 whether the graves are single, double or triple depth.
- f. The sole discretion of the Fair Oaks Cemetery District Manager will determine whether or not a triple depth burial can be made. The decision will be based upon soil conditions and the location of the grave within the cemetery. (Adopted 1-9-2013)

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.

16. 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:

- a. Causing of injury to self and/or others.
- b. Misuse of District vehicles or equipment and failure to adhere to California Vehicle Code.
- c. Failure to heed District's posted caution and warning signs.
- d. Failure to report accidents or unsafe conditions.
- e. Reporting for work under the influence of drugs or alcohol, or the possession of drugs or alcohol on District premises.
- f. 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.

17. REPORTING PROCEDURES

a. ACCIDENTS & INJURIES

1. POLICY: After medical attention or first aid is provided, all injuries and accidents shall be promptly reported to the District Manager.

2. PROCEDURES: JOB RELATED ACCIDENTS / INJURIES

a. 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, 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.

b. ACCIDENTS INVOLVING THE PUBLIC

1. 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.
2. 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.

F. 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.

Hearing Test: Audiometer screening.

Radiological Studies: Back lumbar spine / chest.

Written report of examination.

G. 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. AUDIOMETRIC TESTING

- a. Testing of all foremen, maintenance personnel and mechanics currently employed by the District to establish a baseline audiogram against which subsequent audiograms can be compared.
- b. Testing of newly employed full time foremen, maintenance personnel and mechanics at the time of hire to establish a baseline audiogram.
- c. Annually, and on termination of employment, obtain a new audiogram of all foremen, maintenance personnel and mechanics.

Each employee's annual audiogram shall be compared to that employee's baseline audiogram to determine if the audiogram is valid and if a standard threshold shift, as defined in Section 5097 (d) (8) of reference (a), has occurred.

2. HEARING PROTECTORS

- a. 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.
- b. Employees are required to wear hearing protectors while operating or exposed to noise from any equipment designated as requiring hearing protection.

3. TRAINING

At least annually, all foremen, maintenance personnel and mechanics shall receive training as follows:

- a. The effects of noise on hearing
- b. The purpose of hearing protectors, the advantages, disadvantages, and attenuation of various types, and instruction on selection, fitting, use and care.
- c. The purpose of audiometric testing, and an explanation of the test procedures.
- d. Access to information and training materials.

4. RECORDKEEPING

- a. The District shall maintain an accurate record of all employee exposure measurements required by Section 5097 (b) of reference (a).

- b. The District shall retain all employees audiograms obtained pursuant to Section 5097 (c) and (d) of reference (a). this record shall include:
 - 1. Name and job classification of the employee.
 - 2. Date of audiogram.
 - 3. The examiner's name.
 - 4. Date of the last acoustic or exhaustive calibration of the audiometer.
 - 5. Employee's most recent noise exposure assessment.
- c. The District shall maintain accurate records of the measurements required by Appendix C, Title 8 of the reference (a) of the background sound pressure levels in audiometric test room.
- d. The District shall retain records required in this section for at least the following periods.
 - 1. Noise exposure measurements records shall be retained for two (2) years.
 - 2. Audiometric test records shall be retained for the duration of the affected employee's employment.

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

H. EQUIPMENT SAFETY PROTECTION REQUIREMENTS CHART

EQUIPMENT	HEAD	EYE	HEARING TO NOISE*	MAX DAILY 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:

- a. Monthly – regular training session.
- b. As required – tailgate sessions at the jobsite, prior to starting task.

2. Recordkeeping

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

- a. Name of trainer
- b. Subject of talk/presentation.
- c. Names of attendees.
- d. Length of session.
- e. Questions/difficulties discussed.

FAIR OAKS CEMETERY DISTRICT

RULES & REGULATIONS

Adopted 03-12-2012

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 Fair Oaks Cemetery District.
2. “District” shall mean the Fair Oaks Cemetery District.
3. “Cemetery” shall mean the Fair Oaks Cemetery owned and operated by the District.
4. “Manager” shall mean the District Manager of the Fair Oaks Cemetery District.
5. “Interment” means 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” means to “mix together with” or in other words to place the cremains with other cremains in the same place.
7. “Interment Right” means the authorization purchased from the District to inter human remains in the ground or niches, urns or other disposition.
8. “Plot” as used herein means the in ground burial space for the interment of human remains.
9. “Ossuaries” means 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 means 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" means 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.

B. CARE OF GRAVES, NICHES, AND CEMETERY GROUNDS – The absolute control of the Cemetery grounds in every particular is vested in the Board. 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. The Cemetery gates shall be opened, daily, at 7:30 a.m. and closed at 7:30 p.m. or dusk. There is no admission to the grounds when the gates are closed.
3. 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)
4. The Fair Oaks Cemetery 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.
5. 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.
6. 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 particular Plot or Niche. All children must be under the control of an adult.

7. 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.

8. 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.

9. 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.

10. 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. Such items removed by the District personnel will be held for thirty (30) days and thereafter destroyed.

11. Regulations established by the Sacramento/Yolo Mosquito Vector Control District require that "Watersorb" be used in all vases for the purpose of mosquito control. It is available free at the District Office.

12. No person shall burn any material within the Cemetery grounds.

13. **OAK KNOLL CREMATION PLOTS** – This rule pertains only to the cremation Plots in the Oak Knoll section that have three-sided cinderblock walls. Above-ground containers are permitted with the following provisions: Containers must be made of metal, wood or hard plastic. No breakable containers are allowed. The vases and containers may have only artificial or live plants or flowers. The containers and contents must be confined entirely within the perimeter of the three (3) walls. The total height of the vases/containers and their contents shall not exceed that of the highest of the surrounding three (3) walls. Plots are limited to three (3) vases and three (3) pots/containers.

14. **NICHES**

- a. Block 47 and Block 48 decorations will be limited to the vases provided below and in front of the niche walls. Fresh or artificial flowers may be used. All decorations must be placed only in the vases provided. No decorations will be placed in the openings or spaces of the Niche

Fascia. Nothing shall be glued or attached to the Niche Fascia other than the picture and Scroll Plate.

- b. Oak Knoll Niche decorations are limited to the bud vase provided by and placed by the District. No other decorations are allowed.

15. 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 Fair Oaks Cemetery. Although such Markers, as well as their placement and installation, must conform to the Rules and Regulations of the District, the Fair Oaks Cemetery District does not own or control any such Marker. After burial, the ground may settle for up to a year. It is recommended that the marker is not placed during the first year. If it is placed during the first year and it repositions, the cemetery is not responsible for any damage as a result of placing the marker too soon after the interment. (Adopted 3/13/2013). Accordingly, the Fair Oaks 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 Fair Oaks Cemetery 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.

The following regulations govern Markers in the Cemetery:

1. 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.
2. All Markers must be made only of granite, marble (Veterans Administration markers only), or standard bronze. Markers made of other materials are not permitted.
3. Placement of Markers must take place Monday through Friday 8:00 a.m. – 3:00 p.m. The person setting the Marker must be finished and depart the Cemetery grounds at or before 4:00 p.m. 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.
4. 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.

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

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

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 Fair Oaks 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 Fair Oaks 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 particulars 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. Interment orders must be signed by the person ordering burials before graves are opened.

5. The Fair Oaks 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.

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 interments will be made after 9 a.m. and completed prior to 3 p.m. each weekday, except on Saturday, when interments 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.
10. No interment shall be made on Sunday or any of the following holidays: 1st of January, Martin Luther King, Jr.'s Birthday, Lincoln's Birthday, President's Day, Memorial Day, 4th of July, Labor Day, Columbus 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.
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 be allowed to 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. The lower tier of a double interment grave shall be dug to a depth of seven (7) feet at the center.
 - c. Infant graves for domed liners shall be dug to a depth of thirty-six (36) inches at the center.
 - d. Cremation sites shall be dug to a depth of twenty-four (24) inches.
 - e. No more than one (1) cremains will be permitted in a single cremains niche, and no more than two (2) cremains interments will be permitted in a cremains grave.
 - f. No more than two (2) full-size interments are allowed per grave.
15. Vaults of steel or concrete must be used for all full-body casket interments. **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, Fair Oaks Cemetery 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.

16. For interments of cremated remains, the vaults must be made of steel, concrete, fiberglass, or plastic. **No urn or other container may exceed total dimensions of 10" wide by 14" long by 11" high.**
17. Ossuaries
 - a. In the Oak Knoll Family Garden Ossuary, there can be no more than six (6) commingled family cremated remains.
 - b. The West Hill, Block 48 Ossuary is the designated location in the Cemetery for generalized interment of commingled cremated remains.
 - c. There is no possibility of retrieval or disinterment once the cremated remains have been commingled.
18. 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.
19. Except when ordered by a Court, disinterments will be at the discretion of the Board. No disinterment will be made without a "Disinterment Form" signed by the person or persons who have the legal right to control the remains. When allowed, District personnel will open the grave and remove 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.
20. The Fair Oaks Cemetery District does not permit the interment of animal remains, unless interred with human remains. Animal remains will be permitted only if interred in the same grave, and within the accompanying deceased's casket or burial vault. All such animal remains must be contained within a separate container. Only cremated remains of animals will be permitted to be interred with human remains – whole body animal interments will not be permitted or accepted.

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.

3. In accordance with California Health & Safety Code § 9065, the Fair Oaks 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, an Interment Rights Certificate, signed by the Board of Trustees, will be issued for every interment right sold.

F. INTERMENT IN FAIR OAKS CEMETERY - 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.

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

5. The Fair Oaks 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.

7. Each purchaser of an Interment Right shall be issued a Certificate of Purchase. 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 Fund deposit, if paid.**

G. LIABILITY – Please use caution when entering and using the Cemetery. The Fair Oaks Cemetery District, its 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 character that may be lost, stolen, or misplaced on Cemetery property.

H. 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 Fair Oaks Cemetery District in a regular meeting held at its regular place of meeting the **14th day of March, 2012.**