

Conservation District

MODEL PERSONNEL POLICY

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HOW TO USE THIS MODEL PERSONNEL POLICY

Conservation districts, as a governmental employer, have many rules and laws pertaining to hiring, providing benefits, managing personnel. This model is an attempt to capture most laws conservation districts are required to follow and other options that may assist in personnel management.

After each section, there will be an annotation stating whether the policy must be adopted as is, or whether the conservation district has leeway to make some changes. Remove those annotations and this page prior to the adoption of a personnel policy. If the annotation indicates that the adoption is required and the CD does not adopt it, the law will still apply.

Please keep in mind, there may be other laws that apply and if your district makes a lot of changes to this model, it is advisable to seek the advice of the conservation district attorney before final adoption.

As required by law, once the policy has been adopted by the conservation district, must be followed. Keep a copy in a binder where it can be found easily to answer personnel questions. In addition, a copy must be sent to the Conservation Districts Bureau of DNRC for filing with other important conservation district policies, ordinances, rules, contracts, etc.

Important Caution!

While this model policy provides information to aid in the adoption of personnel policies, it cannot serve as a substitute for legal advice when or if the need arises.

INTRODUCTION

Conservation districts are political subdivisions with broad power and authority to carry out programs that conserve soil and water, protect streams and rivers, and improve other natural resources. Funding for operations comes from a small tax levied on real property within the boundaries of the conservation district and from grants for operations and special projects. Conservation districts are autonomous local governmental entities and as such, the conservation district board is your employer.

Conservation districts carry out most work in cooperation with many partners. The main partners include the following, but there are many others:

- The Natural Resources Conservation Service provides office space and equipment for many conservation districts in exchange for conservation district assistance for planning assistance and providing local guidance in federal program delivery. A three-way memorandum of agreement between the Natural Resources Conservation Service, the Department of Natural Resources and Conservation and conservation districts outlines roles and responsibilities for many of these activities, however conservation districts have many independent responsibilities that are not covered under this agreement.
- The Montana Association of Conservation Districts provides coordinating, educational, and legislative services for and with conservation district supervisors.
- The Montana Department of Natural Resources and Conservation's Conservation Districts Bureau, provides advice, financial, technical, and legal assistance to conservation districts.
- The county collects and distributes taxes to the conservation district as directed by the supervisors, but they have no authority to direct programs or finances of the conservation district.
- The Department of Fish, Wildlife and Parks by law is a team member on all 310 applications. They provide advice on the streambed and land preservation act (310 permits).

Become familiar with the laws pertaining to conservation districts – most notably, MCA 76-15-101 through 76-15-1011. These laws set out the purpose, authorities, and scope of conservation district duties. Another important law to become familiar with is MCA 75-7-101 through 75-7-125, which describes conservation district authority and responsibilities for stream permitting.

A copy of “Laws Pertaining to Conservation Districts” can be obtained from the Conservation Districts Bureau's website at _____; or if you prefer a hard copy, call 444-6668. This website also contains other important information pertaining to conservation district operations, forms, legal opinions, and CD contacts.

STATEMENT OF POLICY

The _____ Conservation District is an Affirmative Action/Americans with Disabilities Act/Equal Employment Opportunity employer. The _____ Conservation District affirms that it does not discriminate in its employment policies on the basis of race, sex, color, national origin, age, religion, marital or parental status, creed, ex-offender status, political ideas, and physical or mental disabilities.

The _____ Conservation District complies with all federal and state law and local ordinances as they apply to all potential and current employees of the _____ Conservation District.

The _____ Conservation District does not discriminate practices in matters related but not limited to recruiting, hiring, training, compensation, benefits, promotion, transfer, layoff, recall from layoff, termination, educational opportunities, facilities use, and participation in all conservation district-sponsored activities and programs.

All employees of the _____ Conservation District, no matter the funding source, will be treated equally.

Since the contents of these policies may change, where differences are noted between the _____ Conservation District's policy and the law, the law will take precedence.

Annotation: Conservation districts may not discriminate and must provide an equal opportunity for individuals to apply for a job based on merit. Adoption required but may be more inclusive.

EMPLOYMENT RULES

1.0 EMPLOYMENT DEFINITIONS

Permanent Full-Time Employee: An employee who has been hired to fill a continuing position requiring 40 hours per week of work.

Permanent Part-Time Employee: An employee who has been hired to fill a continuing position requiring less than 40 hours per week.

Temporary, Seasonal, or Short-Term Employee: An employee who has been hired to fill a position of limited duration (no more than 90 days in a continuous 12-month period).

Annotation: Some benefits may be dependent on the number of hours worked by a conservation district employee. These are common definitions and will be referred to later in the document. Adoption optional, though the district may want to add definitions that may fit its work needs, but only include definitions that you will be using in your rules.

2.0 GENERAL WORK RULES

The following work rules will apply to all conservation district employees.

- a. The board will appoint a board member to act as the employee's immediate supervisor, who will be responsible for communication with the employee regarding work schedules, leave requests, work assignments, performance, and to recommend pay, and benefits. Certain actions require board action, including pay, benefits, hiring, and discipline.

Annotation: The board cannot delegate supervision of a district employee to any other agency. If a CD has more than one employee, you can consider having one employee supervising the others. Sample language could be: A designated board member shall act as the immediate supervisor to the (position title). The (position title) shall act as the immediate supervisor to other CD employees, and shall be responsible for the assigning, directing, and reviewing employee's work.

- b. Employees will be paid for all hours while conducting official conservation district business. Workloads must be managed to fit the hours designated by the board. Employees may not volunteer hours.
- c. Conservation district office hours will be determined by the immediate supervisors but may vary depending on the needs of the district. Punctual arrival at the workplace at the designated time is required of all employees. If an employee is unable to make it to work, the employee must contact the immediate supervisor before the workday begins or as soon as possible in case of emergency. Failure to contact the immediate supervisor is considered unauthorized absence and may result in disciplinary action.

- d. Leave or flexible work schedules must be arranged with approval of the immediate supervisor.
- e. Employees must manage work to be completed within a 40-hour work week, including conservation district meetings to avoid overtime. If overtime cannot be avoided, supervisor approval is required.
- f. All conservation district travel must be approved in advance.
- g. All extended leave must be approved in advance in accordance with the policies stated herein.
- h. Any conditions or circumstances in the work environment which prevents an employee from performing duties effectively are to be reported to the supervisor.
- i. Employees will not use district, state or federal property of any kind for other than official conservation district business, including but not limited to computers, the internet, vehicles, cameras, printers and copiers, surveying equipment, and ATVs.
- j. Employees will not engage in criminal, infamous, or dishonest conduct when representing the district.
- k. Employees are encouraged to consider the conservation district, the employee's status as a public service professional, the working environment, and the safety and protection of the employee when choosing working attire.
- l. Personnel files are the property of the conservation district and access to them is restricted to those that have a legitimate reason.
- m. In the event of a federal office closure or leave is given to NRCS employees and the offices are closed to all employees, conservation district employees shall work remotely or take annual leave.

Annotations: Optional. Modify to fit conservation district needs and policies. If adopted and your office is not co-located, remove reference to federal office closures. If your conservation does not appoint an immediate supervisor, remove references to this in this section and throughout this document. The immediate supervisor can be the chair, or any other member of the board. Employees can be designated as immediate supervisors if a CD has more than one employee. See example in the annotation above.

Annotation: It is important to establish office hours and days the conservation district will be open for business. However, many conservation district employees require flexible schedules to allow for childcare or other personal business. Flexible work schedules can accommodate employees' needs and ensure work gets done as expected. If flexible work schedules are allowed, it is recommended that it is in writing.

3.0 RECRUITMENT AND SELECTION PROCESS

- 3.1 The conservation district will comply with all federal, state, local laws, and the polices stated herein to hire best suited candidates for the job.

- 3.2 Prior to advertising, the conservation district will create a job description outlining the scope of the job duties, and the minimum knowledge, skills, abilities, experience needed to reasonably accomplish the job, and pay range.
- 3.3 The conservation district shall advertise a position vacancy using any and/or all the following:
 - a. The community newspaper
 - b. Montana Job Service
 - c. Social media
 - d. Other publications, newspapers, or journals appropriate to notify potential applicants.
- 3.4 The conservation district may reject an applicant if:
 - a. The applicant does not possess the minimum qualifications needed to perform the job as described in the job description.
 - b. The applicant has given false information on the application.
 - c. The applicant has established an unsatisfactory employment record that demonstrates unsuitability for the job.
 - d. Reference checks reveal prior performance issues.
- 3.5 After consideration of all eligible applicants, the conservation district shall select the candidate it believes is the best fit for the position.
- 3.6 The written offer of employment will include the position to which the person is hired, hire date, starting salary, probationary period, and other relevant information. The employee and immediate supervisor must sign the employment letter.
- 3.7 In compliance with the US Immigration and Reform Control Act of 1986, the conservation district will require the completion of an I-9 form, verifying the identity of employee in accordance with the Act.

Annotation: No laws specify how a conservation district must advertise for recruiting employees, so the above process is a suggestion about how you might go about it. How you advertise, how long, where you advertise are all subject to conservation district policy. It is a good policy to have a job description first that lays out the job duties and what qualifications you are looking for. Some of the most qualified on paper may not be the best fit, so it is recommended you use "best fit" language. Remember, public funding is being used so the policy ultimately chosen should ensure that interested citizens know about the availability of employment. Sections 3.1 and 3.7 required. A sample job offer letter can be found in the Appendix.

4.0 EMPLOYMENT OF SPOUSES AND RELATIVES

- 4.1 Spouses and relatives (as defined in MCA 2-2-302) of current conservation district supervisors are not eligible for employment.

Annotation: Under the nepotism laws, the supervisor that is related to the employee hired, may be subject to a fine. There is an exception if the employee only merely does inconsequential work – but that would be a rare case as most conservation district employees are integral to the workings conservation district business. Adoption required.

5.0 EMPLOYEE ORIENTATION AND INITIAL EMPLOYMENT PERIOD

- 5.1 The immediate supervisor will arrange for orientation of a new employee regarding position responsibilities, specific performance expectations of the position, conservation district policies and procedures that affect the job, conservation district structure, goals, objectives, and benefits and compensation offered by the conservation district.
- 5.2 A background check is required to access USDA computers and should be taken care of immediately to avoid unnecessarily delays. A temporary e-mail address may be secured to make sure important messages are received.
- 5.3 The immediate supervisor will contact, or direct new hires to contact DNRC's Conservation Districts Bureau and the Montana Association of Conservation to make sure new employee's e-mail addresses are current and so that welcome materials can be provided. The Montana Association of Conservation District's employee organization website can be accessed for information about where to get help.

Annotation: where to get help and background on conservation district laws is often a daunting task of a new conservation district employee. It is important that the conservation district board put the new employee in contact with DNRC's Conservation Districts Bureau, the Montana Association of Conservation Districts, and the Employee's Organization for orientation. Adoption recommended.

COMPLIANCE WITH ADA

In accordance with ADA, the conservation district will make reasonable accommodations for known physical or mental disabilities of an employee, unless undue hardship would result. The employee must advise the immediate supervisor of any accommodation needed to carry out duties, as appropriate in accordance with state or federal law.

Annotation: Adoption Required.

6.0 NEW EMPLOYEE PROBATIONARY PERIOD

- 6.1 All new employees will serve a **probationary period of one year** to determine whether the employee can effectively perform the duties of the position. During a probationary period of employment, the employment may be terminated at the will of either the conservation district or the employee on notice to the other for no reason. A probationary employee may be notified of dismissal at any time during the probationary period. *The probationary period may be extended if the conservation district believes the employee's ability to accomplish the job requires*

more time to reach a satisfactory level of performance. Employees will be given written notification of the dismissal or probationary extension.

Annotation: The law states that if a time is not specified, the probationary period is 6 months so that should be the minimum. Adoption recommended, but chose a timeframe, no longer than one year. If your conservation district uses the 1-year probationary period, remove the sentence in the italics above. Do not extend a 1-year probationary period.

7.0 COLLECTIVE BARGAINING

- 7.1 It is the policy of the conservation district to recognize the right of employees to bargain collectively, through representatives of their choosing, on questions of wages, hours, fringe benefits, and other conditions of employment 39-31-202 MCA.

Annotation: Adoption required.

8.0 PERFORMANCE EVALUATION

- 8.1 The immediate supervisor will conduct a performance evaluation on an annual basis, or more frequently either at the request of the board or if the prior evaluation reveals improvements are needed. The objective of the performance evaluation is to establish a working environment that supports quality work performance, encourages personal and job-related development, and improves communication between supervisors and employees.
- 8.2 The immediate supervisor shall inform employees of expected performance standards prior to the evaluation. The immediate supervisor will review the performance evaluation with the employee, pointing out strengths of the employee's performance, training needs, work goals, and areas that may need improvement.
- 8.3 Employees may state in writing any differences they have with the evaluation. The performance evaluation and employee comments concerning any aspect of the evaluation, will be reviewed by the board, and placed in the employee's personnel file.
- 8.4 Employee's privacy is important and no one other than the designated board members and the employee may participate in performance appraisals or have access to the written notes. The employee may request that performance appraisals be done in an open meeting.

Annotations: No law requires performance appraisals. It is a good idea to have open opportunities to speak to employees about expectations, what is working well, what the employee needs to do the best job they can, training that may be needed, as well as making adjustments in work performance that better meets the needs of conservation districts and its customers. Adoption recommended – or a version of this. Employee privacy is required, so adoption of 8.4 is recommended.

9.0 DISCIPLINARY PROCEDURES

9.1 Legal counsel may be consulted before any formal disciplinary procedures are initiated and when initiated, formal disciplinary procedure notes will be kept by a designated supervisor and kept in a secure location such as a locked file cabinet or stored offsite to protect the records and ensure the employee's privacy.

9.2 If an employee is not performing duties in a satisfactory manner, it is the responsibility of their immediate supervisor to notify the employee, describe the deficiencies, and provide corrective guidance. The immediate supervisor will notify the Board if any formal disciplinary actions are required. Disciplinary actions will be informal oral warnings, written warnings, suspension with or without pay, or termination of employment, following these procedures:

Informal Disciplinary Procedure: Informal procedures includes corrective counseling and oral warning. The employee has no right to grieve informal discipline. Informal discipline is not required before initiating formal progressive discipline. Informal discipline will not be documented, though supervisor notes will be kept in a secure location to protect the record and protect employee's privacy.

First Offense: A written reprimand with a corrective action plan.

Second Offense: A written reprimand documenting failure to complete corrective action plan.

Third Offense: Failure to correct prior reprimands may result in a suspension for a minimum of five days, with written documentation.

Fourth Offense: Discharge from employment. A written statement will be given to the employee, and a copy of the written statement will be placed in the employee's personnel file.

9.3 An employee may be terminated for the first offense depending on the severity of the act if there is just cause for termination.

9.4 An employee who has been the subject of disciplinary procedures shall have the right to respond in writing, and to file a grievance in accordance with Section 14. A written response shall be submitted to the immediate supervisor within five working days. The supervisor shall acknowledge the communication, which will then be placed in the employee's personnel file.

Annotation: It is helpful to have a roadmap for handling those rare occasions when issues arise. This policy follows important steps that should be followed when handling employee issues. Be sure to secure all records and protect employee's privacy. Adoption is recommended.

10.0 TERMINATION FOR CAUSE

- 10.1 _____ Conservation District has the right to terminate an employee when other disciplinary actions have failed to resolve a conduct or performance problem that affects the conservation district operations. An employee may be terminated for the first offense depending on the severity of the act if there is just cause for termination.
- 10.2 Prior to termination an employee has the right to an opportunity for a hearing. The notice of opportunity for hearing shall include the just cause for the disciplinary action and a statement that the discipline to be invoked is termination.
- 10.3 If, following a hearing, the employee is to be terminated it must be by written notice. The written notice must include the just cause for termination and notice of the employee's right to grieve the termination.
- 10.4 If termination is imminent, and the district is insured by MACO, the district must contact MACO prior to initiating termination process.

11.0 LAYOFFS

- 11.1 The conservation district has the authority to dismiss employees due to lack of funds, termination of position, reorganization, or curtailment of work. The following guidelines shall apply to layoffs.
- 11.2 Employees will be given a 30-day notice of impending layoffs.
- 11.3 Laid-off employees shall receive preference if the conservation district rehires for the same position within one year of the layoff.

Annotation: Grant funded employees are usually hired for a specific term to carry out a specific project. This policy covers these and other necessary lay-offs due to lack of funds, etc.

12.0 RESERVED

13.0 EMPLOYEE RESIGNATION/TERMINATION/LEAVE PAYOUT

- 13.1 Employee wishing to leave conservation district employment must notify the board preferably 14 days in advance of termination.
- 13.2 By the effective date of termination, the employee shall return any conservation district property, credit cards, employee ID, and provide information required for continuity of services, such as financial reports, and passwords needed to access important accounts. The final paycheck will not be released if any conservation district property is outstanding.

- 13.3 Upon termination and return of conservation district equipment and information required in this termination policy, the employee will be compensated for unpaid wages and accumulated leave credits as described herein.
- 13.4 Vacation leave and sick leave time accrued will be paid out at termination in accordance with MCA 2-18-611, 2-18-617, and 2-18-618, and 2-18-621 specifically set out below.
- 13.5 Annual leave: An employee whose employment is terminated with the conservation district, for a reason not reflecting discredit on the employee shall be entitled to cash compensation for unused annual leave based on the employee's salary at the time of termination. An employee must be employed for six consecutive months to be eligible for pay out of annual leave at the time of termination.
- 13.6 Sick leave: An employee who terminates employment with the conservation district for any reason are entitled to a lump sum payment equal to one-fourth of the value attributed to the accumulated sick leave, based on the salary of the employee at termination. Employees must be employed for the 90-day qualifying period to be eligible for pay out of sick leave at the time of termination.
- 13.7 Overtime compensatory time (*if allowed*): All unused overtime compensatory overtime credits on the books will be paid based on the employee's salary at the time of termination.
- 13.8 For employees covered by the Public Employees Retirement System Act, retirement fund equity with interest or retirement benefits will be paid in accordance with the Title 19, Chapter 3, MCA and Board Rules and Regulations contained in the *Administrative Rules of Montana*.

Annotation: Specific laws apply to the amounts of leave payout upon termination. These rates are outlined here so they can be easily found. Overtime is governed by the Fair Labor Standards Act which is also outlined in this document. If there are other procedures your conservation district has in place upon employee resignation, such as saving e-mails, providing passwords to accounting files, add them here. It may be advantageous to add a policy regarding passwords. Care should be given when withholding paychecks – seek legal advice if property is not returned or passwords are not provided to access accounting software is advisable. Remove section regarding the public employee retirement system if not applicable. Remove the section about paying out overtime compensatory credits if the CDs policy does not allow this option for employees.

14.0 GRIEVANCE PROCEDURE

- 14.1 The _____ Conservation District is committed to providing the best possible working conditions for its employees and strives to ensure fair and honest treatment of all employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or

question receives a timely response from immediate supervisors and/or the conservation district board. Employees and the conservation district board members are expected to treat each other with mutual respect.

14.2 The _____ Conservation District has established a uniform procedure for the resolution of employee grievances. A grievance exists when an employee feels dissatisfied with an aspect of their employment and desires remedial action. Most grievances can be settled by presenting the problem informally to the immediate supervisor. All employees shall be free to present grievances to the conservation district board and shall be assured freedom from discrimination, coercion, restraint, or reprisal as a result of presenting grievances. The following grievance process shall be followed:

- a. Within 30 days of the matter being grieved, the employee informally explains the grievance to their immediate supervisor and requests a specific remedy. The supervisor investigates the alleged grievance and responds to the employee in writing. Every reasonable effort should be made to settle all grievances at this stage.
- b. If the grievance is not settled at the first step, the employee may, within 15 working days of receiving the immediate supervisor's response, submit a written grievance to the conservation district board. The grievance must contain a complete statement of the action or situation being grieved and the remedy being sought. The conservation district board shall make a written reply to the employee's grievance claim within 30 days of receipt of the written grievance.
- c. If the grievance is not settled at the second step, the employee may, within 5 working days after receiving the conservation district board's written reply, request an arbitration panel. The arbitration panel shall consist of three members: one chosen by the district board, one chose by the employee, and one chosen by mutual agreement.
- d. The arbitration panel will, within 30 calendar days of receipt of the grievance appeal, confer with all persons who panel members feel can aid in making a just decision. The arbitration panel will inform the employee and the Board of Supervisors, within 45 days of receipt of the grievance, of its written findings and decision. The arbitration panel's decision is final.

Annotation: This policy simplifies an employee's right to submit a grievance. Adoption recommended.

15.0 DISCRIMINATION CLAIMS

15.1 The _____ Conservation District prohibits discrimination based on race, color, national origin, age, physical or mental disability, marital status, religion, creed, sex, sexual orientation or political beliefs, including discrimination in hiring, firing, promotions, compensation, job assignments and other terms,

conditions or privileges of employment. Any employee or applicant for employment who believes they have been subjected to discrimination based upon any of these factors may contact the Montana Human Rights Bureau.

Annotation: Adoption recommended.

EMPLOYEE BENEFITS AND COMPENSATION

16.0 EMPLOYEE COMPENSATION

- 16.1 Employees are expected to manage time to accomplish work within a 40-hour work week.
- 16.2 Employees required to work in excess of 40 hours a work week shall be paid at the rate of 1.5 times their current hourly rate for time worked in excess of 40 hours per week. The conservation district employee will maintain complete and accurate overtime time records for the board's review.
- 16.3 A work week starts at 12:00 am on Saturday and ends at 11:59 pm on Friday.
- 16.4 If overtime cannot be avoided, it must be approved by the immediate supervisor in writing. Approval may be made by signing a form, sending an e-mail, or other written documentation.
- 16.5 Abusing the overtime policy is subject to disciplinary action.

Annotation: Paying overtime for hours worked over 40 in a week is governed by the Fair Labor Standards Act. Paying overtime is required; allowing it is a policy decision. Regardless whether it is approved, it must be paid, so breaching this policy can become a discipline issue. Some conservation districts adopt a stricter policy of overtime due to financial constraint; some will allow a certain number of hours of overtime each month to accommodate travel, board meetings, or other situations. Some language may be modified to fit your conservation district needs. Adoption recommended.

17.0 COMPENSATORY TIME IN LIEU OF OVERTIME PAY

- 17.1 Compensatory time in lieu of overtime pay shall be administered by the conservation district in accordance with the conditions below.
 - a. Employee must provide a written consent request to be compensated for overtime hours in compensatory time in lieu of paid overtime compensation *prior* to working overtime. This must be requested each pay period in which overtime will be earned. A sample of the request form is attached to this document.

- b. Employees are not required to take compensatory time in lieu of paid overtime compensation.
- c. Compensatory time in lieu of overtime pay shall be earned at the rate of 1.5 hours times the number of hours worked over 40 hours in a work week.
- d. Overtime compensatory time must be used within ___ of being earned. A maximum of ___ hours of compensatory time may be kept on the books at any given time. Upon accrual of ___ hours of compensatory time, the employee must confer with the immediate supervisor to arrange for the use of the compensatory time immediately or for payment of overtime at the rate of 1.5 times the current hourly rate.

Annotation: The Fair Labor Standards Act applies here. Allowing the option for the employees to request comp time instead of overtime pay is a policy decision of the conservation district. If allowed, per FLSA, it must be requested in advance by the employee each time. In order to manage budgets and avoid large payouts that the CD may not be able to afford, limit the number of hours that can be kept on the books, if this policy is adopted. Adoption of this section regarding comp time in lieu of overtime is optional, but if your district allows it, this policy should be adopted.

18.0 PROMOTIONS/RAISES

- 18.1 The immediate supervisor may annually consider a promotion or a raise in hourly wage, depending upon cost of living increases or if applicable, employee performance. If budgets don't allow for a raise in hourly pay, other compensation may be considered.

Annotation: Conservation district supervisors should recognize that keeping valuable employees is a benefit for the entire community. A CD may not always be able to provide a pay increase due to budget constraints but should consider other options that benefit its employees. Options may include increasing pay, reducing hours and keeping the same pay, increasing group benefits, contributing to a retirement account, or other benefits. This section is optional and should be developed to meet your district's own needs.

19.0 LEAVES OF ABSENCE WITHOUT PAY

- 19.1 An employee may request to take an unpaid leave of absences. The request for approval must be made in writing. Such requests shall be submitted to the conservation district at least 14 days in advance of the beginning leave date. The request shall state the beginning date and ending date, which will usually include fewer than 60 days. Supervisors may consider emergency situations or extenuating circumstances if less than 14 days' notice is given.
- 19.2 During periods of leave of absence without pay, sick leave credit and vacation leave credit shall not accrue (MCA 2-18-611).

- 19.3 In considering requests for leaves of absence without pay, the conservation district shall consider the length of the employee's service with the conservation district, the reasons for the leave, work performance, and workload allocation.
- 19.4 Any employee failing to report for work on the first day following the expiration of such leave shall be considered absent without authorized leave and be subject to the absence without leave policy.

Annotation: Leave without pay is allowed with supervisor approval by law. Adoption recommended.

FAMILY MEDICAL LEAVE ACT

- 19.5 In compliance with the Family and Medical Leave Act (FMLA), _____ Conservation District will provide eligible employees with job-protected unpaid family or medical leave, or paid leave if the employee has earned or accrued it, for up to 12 weeks in any 12-month period. Family or medical leave may be taken:
- upon the birth of an employee's child;
 - upon the placement of a child for adoption or foster care with an employee;
 - when an employee is needed to care for a child, spouse, or parent who has a serious health condition; or
 - when an employee is unable to perform at least one of the essential functions of his or her position because of the employee's own serious health condition.
- 19.6 In accordance with the equal treatment standard of the Pregnancy Discrimination Act, more stringent conditions will not be placed on female employees who want time off for maternity reasons than on other employees wishing to take time off for other reasons. In certain cases, family or medical leave may be taken on an intermittent basis rather than all at once, or the employee may work part-time.
- 19.7 Definitions
- a. A "**serious health condition**" is a condition or illness affecting one's health to the extent that in-patient care is needed or that absences are necessary on a recurring basis for more than a few days for treatment or recovery.
 - b. A "**child**" does not have to be a biological child. A "parent" does not need to be a biological parent if that person stood in the place of a parent to the employee. FMLA leave may be taken to care for adopted children, foster children, legal wards, or a niece, nephew, or grandchild whom the employee is actively raising. A "son or daughter" includes a child 18 years old or over who is incapable of self-care because of a mental or physical disability.
 - c. For FMLA purposes, a "**spouse**" is defined in accordance with applicable state law and may include common-law spouses in states where common-law marriages are recognized. An unmarried domestic partner can qualify as a "spouse" for the purposes of this MFL policy.

Under the law, _____ Conservation District is not required to grant leave for any other relative or individual in the employee's household.

19.8 Eligibility

- a. To be eligible for leave under this policy, an employee must have worked at _____ Conservation District for at least 1,040 hours during the 12-month period preceding the beginning of the leave. This averages out to roughly 20 hours per week for 12 months, and employees who work less than this number of hours are not entitled to leave under the Act.
- b. This policy applies to all family and medical leaves of absence including leaves that are covered under paid employment benefit plans or policies for any part of the 12 weeks of leave to which the employee may be entitled under this policy. In other words, if an employee is entitled to both FMLA leave and paid leave under another benefit plan or policy, the employee is required to use all applicable paid leave plans or policies before unpaid leave and the FMLA leave and the paid leave will run concurrently.

19.9 Conditions

- a. _____ Conservation District may require medical certification to support a claim for leave based on an employee's own serious health condition or the need to care for a seriously ill family member. For the employee's own medical leave, the certification should include a statement that the employee is unable to perform at least one of the functions of his or her position. For leave to care for a family member, the certification should include an estimate of the amount of time that the employee is needed to provide care.
- b. _____ Conservation District may require the employee to obtain a second medical opinion and/or periodic recertification by a health care provider designated and paid for by the CD. If the first and second opinions differ, the CD may require the binding opinion of a third health care provider, approved jointly by the CD and the employee and paid for by the CD.

19.10 Notification and Reporting

- a. When the need for leave is foreseeable, as in the case of the birth of a child, the placement for adoption or foster care of a child, or planned medical treatment, the employee must provide reasonable prior notice and make an effort to schedule leave so that it does not unduly disrupt _____ Conservation District's operations.
- b. Employees who take leave for their own serious health condition or to care for a family member will be required to report periodically on their status and intention to return to work.

19.11 Procedures

- a. The employee must request family or medical leave in writing and must submit this request to his or her supervisor for proper approval. If possible, the request should be submitted 30 days before the effective date of the leave.
- b. All requests for family and medical leaves of absence due to illness must include the following information:
 - the date on which the serious health condition began
 - the probable duration of the condition
 - the appropriate medical facts known about the condition
- c. When leave is requested to care for a family member, the request must include an estimate of the amount of time required to provide such care.

19.12 Calculating Leave

- a. To determine the amount of FMLA leave to which an employee is entitled, the 12-month period is measured backward from the date that the employee uses any FMLA leave. Any FMLA leave that was taken by the employee during the 12 months preceding the date that the employee takes additional FMLA leave will be counted to determine the amount of FMLA leave remaining.
- b. Under certain circumstances, leave may be taken intermittently (in small blocks of time such as days or hours) or on a reduced work schedule. When such leave is unpaid, _____ Conservation District will make salary deductions based on the amount of time worked. Employees who are on an intermittent or reduced schedule leave may be temporarily transferred to an available alternative position to better accommodate the leave requirements.

19.13 Reinstatement

- a. For up to 90 days, an employee who signifies an intent to return to work at the end of a family or medical leave of absence is guaranteed a right to return to full-time employment promptly thereafter on the same general terms. He or she will be reinstated to the original job or to an equivalent position with equivalent pay, seniority, and benefits, unless _____ Conservation District's circumstances have so changed to make it impossible or unreasonable to do so.
- b. An employee may use sick leave, annual leave, leave without pay or a combination of all three for time away from work under this act.

Annotation: Family medical leave is allowed by law and covers extended leave to care for family members. This policy will help determine the legalities when the need arises. Adoption required.

20.0 ABSENCE WITHOUT LEAVE

- 20.1 Any absence from duty without authorized leave is grounds for disciplinary action or dismissal. Failure of the employee to notify his/her supervisor within 24 hours after the shift begins may be cause for suspension and/or discharge. Unauthorized absence without leave for three consecutive workdays is considered a resignation from service. Such absence may be approved retroactively by the conservation district board by a subsequent grant of leave, with or without pay, when extenuating circumstances exist.

Annotation: Adoption recommended.

21.0 HOLIDAYS

- 21.1 Employees shall be granted the following paid holidays:
- a. January 1 (New Year's Day)
 - b. Third Monday in January (Martin Luther King Jr. Day)
 - c. Third Monday in February (Presidents' Day)
 - d. Last Monday in May (Memorial Day)
 - e. July 4 (Independence Day)
 - f. First Monday in September (Labor Day)
 - g. Second Monday in October (Columbus Day)
 - h. *State General Election* (congressional, gubernatorial or presidential elections on even numbered years only)
 - i. November 11 (Veterans' Day)
 - j. Fourth Thursday in November (Thanksgiving Day)
 - k. December 25 (Christmas)

- 21.2 Full time employees receive a maximum of eight hours of holiday pay per holiday will be allowed.

Part time employees receive holiday pay on a prorated basis by taking the number of hours typically worked in a pay period divided by the number of days in a pay period.

Employees scheduled to work four 10-hour days a week, will receive a maximum of 8 hours holiday pay, but may work an additional 2 hours later in the week, or take two hours annual leave to make up the additional time.

- 21.3 An employee who is scheduled for a day off on a day that is observed as a legal holiday is entitled to receive a day off with pay either on the day preceding the holiday or on another day following the holiday in the same pay period or as scheduled by the employee and the employee's supervisor, whichever allows a day off in addition to the employee's regularly scheduled days off.
- 21.4 If one or more holidays fall in the period of an employee's annual vacation leave, or sick leave, the holiday will not be charged against the vacation or sick leave credits.

Annotation: Adoption required.

USDA OFFICE CLOSURES

If the NRCS closes the office for any reason during regular business hours, the employees will be allowed to work from home, or take annual leave.

Annotation: USDA closes the offices for many reasons, leaving district employees to find an alternative place to work. Employees should be allowed to work from home, but they may also choose to take annual leave. Adoption recommended if co-located with USDA. Remove this section if your district is not co-located.

22.0 ANNUAL LEAVE

22.1 Employees will earn annual leave as outlined in the table below. Employee shall earn annual leave credits from the first day of employment but will not be eligible to take annual leave time until six months of employment are complete. Annual leave cannot be earned while in leave-without-pay status or during overtime hours.

22.2 Annual leave credits are earned on an hourly basis calculated according to the schedule below.

Part time employees earn prorated annual leave rates shown in the table below.

Annual leave may be accumulated to a total not to exceed two times the maximum number of hours earned annually. In December of each year, time accrued over the maximum amount must be reported to the immediate supervisor. Excess leave not taken within 90 days of the calendar in which the excess was accrued will be forfeited. The immediate supervisor may authorize additional time if the leave cannot be taken during that time if the employee submits a plan in writing to use the excess leave for approval by the supervisors. The extension can be granted for up to a year, but all attempts should be made to use the time expeditiously.

Cash distribution of excess leave is not allowed by law.

Employees wishing to take leave, must request approval to do so in writing by the supervisors.

The table below shows annual leave rates for part time and full-time employees and the maximum that can be accrued. "Years of service" refers to the total years of employment with the conservation district but may also include other public service with another Montana conservation district, a county, a town, or state government.

Years of service	Total days per year Full time	Per hour rates for part time (or fulltime)	Maximum hours to be accrued = twice the number that can be accrued in 1 year
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			Maximum fulltime hours shown below; part time must be calculated based on hours worked
0 - 10	15	.05775	240 hours
10 - 15	18	.06925	288 hours
15 - 20	21	.08075	336 hours
20 +	24	.09225	384 hours

22.3 The _____ Conservation District reserves the right to alter annual leave requests due to conservation district work demands.

Annotation: The law sets the minimum and maximum amounts of leave that can be earned, how much can be accrued, and how it is paid out upon termination. The table shows what those lawful amounts are. The amount to be paid upon termination is in the "Termination" section of this model policy. Annual leave administration is required by law. Adoption required.

23.0 SICK LEAVE

- 23.1 All employees earn sick leave credit at the rate of .046 times the number of hours worked in a pay period for a maximum of 12 days a year. Sick leave credits are not calculated on overtime hours or leave without pay hours.
- 23.2 Sick leave credits are earned from the first day of employment, but employees are not entitled to take paid sick leave until they have been continuously employed for 90 days.
- 23.3 Employees may take sick leave for the following reasons;
- a. Personal illness;
 - b. Illness of an employee's immediate family member;
 - c. A death in an employee's immediate family;
 - d. Attendance at a funeral of a family member, fellow employee, or a personal friend;
 - e. Dentist and doctor appointments.
- 23.4 An employee on sick leave shall inform their supervisor as soon as is reasonably possible.
- 23.5 The employee's supervisor may request a doctor's verification of illness or injury.
- 23.6 An employee who has been unable to work due to illness or accident may be required, before being permitted to return to work, to provide medical evidence that he/she is again able to perform all critical duties of the position in a competent manner, without hazard to himself/herself or others.

- 23.7 Sick leave credits shall be charged to the nearest one-half hour. Sick leave needed in excess of earned sick leave credits may be charged to available annual leave or to leave without pay.
- 23.8 Employees covered by the Workers' Compensation Act are entitled to benefits administered by the Department of Labor & Industry when they suffer injury or illness as a result of their employment. An employee may elect to use accrued sick leave credits instead of or to supplement Workers' Compensation payments.
- 23.9 Any holiday which falls during a period that an employee is on sick leave will not be charged against sick leave credits.

Annotation: Sick leave is required by law. Adoption required.

24.0 LEAVE FOR JURY DUTY

- 24.1 As specified in 2-18-219, MCA, each employee who is summoned as a juror or subpoenaed to serve as a witness shall collect all fees and allowances payable as a result of such service and forward the fees to the district. Juror and witness fees shall be applied against the amount due the employee from the district. If an employee charges juror or witness time off against annual leave, the employee shall not be required to remit fees to the district. Either way, the employee may keep any expense and mileage allowance paid by the court.
- 24.2 An employee subpoenaed to serve as a witness shall collect all fees and allowances payable as a result of the service and forward the fees to the appropriate accounting office. Witness fees must be applied against the amount due the employee from the employer. However, if an employee elects to use annual leave to serve as a witness, the employee may not be required to remit the witness fees to the employer. An employee is not required to remit to the employer any expense or mileage allowances paid by the court.
- 24.3 Employers may request the court to excuse their employees from jury duty if they are needed for the proper operation of a unit of state or local government.

Annotation: Jury duty administration is defined in 2-18-219. Adoption required.

25.0 MATERNITY LEAVE

- 25.1 Employees may take reasonable leave of absence for pregnancy. MCA 49-2-310 makes it unlawful to:
- a. Terminate a woman's employment because of her pregnancy.
 - b. Refuse to grant to an employee a reasonable leave of absence for pregnancy.
 - c. Deny to an employee who is disabled as a result of pregnancy any compensation to which she is entitled as a result of the accumulation of sick or

annual or leave benefits accrued pursuant to plans maintained by her employer, provided that the employer may require that the disability as a result of pregnancy be verified by medical certification that the employee is not able to perform her employment duties.

- d. Require that an employee take a mandatory maternity leave for an unreasonable length of time.
- e. Employees may take accrued sick leave, annual leave, leave without pay, or a combination while on leave.

25.2 The employee on maternity leave is entitled to return to her/his original job or an equivalent position with equivalent pay, accumulated seniority retirement, fringe benefits, and other service credits. The federal Family and Medical Leave Act of 1993 (FMLA) allows “eligible” employees of a covered employer to take job-protected, unpaid leave, or to substitute appropriate paid leave if the employee has earned or accrued it, for up to a total of 12 workweeks in any 12 months.

Annotation: This may be covered under the Family Medical Leave section but is included here for clarity. Adoption recommended.

26.0 MILITARY LEAVE

26.1 Employees who are members of the Montana National Guard or who are members of the organized or unorganized reserve of the military forces of the United States, and who have been employed by the conservation district for a period of at least six months, shall be given leave with pay for a period of time not to exceed 15 working days in a calendar year for attending regular encampments and training programs. Such leave will not be charged against vacation or sick leave (MCA 10-1-604).

26.2 A copy of military orders must be submitted with the employee’s time sheet.

Annotation: Military leave is required by law. Adoption required.

27.0 OTHER BENEFITS

27.1 All employees who work a minimum of ___ per week or more will be entitled to receive _____ dollars per month for to be used for group benefits

Increases in group benefits will be considered when it has been determined that the costs have risen beyond the benefit. Supervisors may also consider the increased cost of living, satisfactory performance, increases in job duties, an increase in the number of hours worked, and/or longevity of an employee as a reason to increase benefits.

The ___ Conservation District provides retirement benefits through (social security), (PERS), (457 account), (IRA), (whatever else).

Annotation: There are many options here when considering adding a group benefits and many of them can be paid for by a permissive levy (see guidance on how to implement the permissive levy on CDB's website). Some CDs pay payments in lieu of group benefits. Others pay for insurance and consider increases when costs rise. If this is the case, modify this sample to match your policy. Some CDs set up flexible savings accounts for their employees, others provide additional stipends (which are taxable), and other CDs provide retirement benefits either through PERS or by making contributions to an employee's IRA or 457 account. This section is optional, but should include retirement benefits (PERS, Social Security, for contributions to retirement accounts) and/or group benefits (hospitalization, health, medical, surgical, life, or payments in lieu of group benefits) here. CDs are required to pay into either the Public Employee's Retirement System or Social Security for employee's retirement. Some CDs do both, some CDs also make payments into a 457 account or an IRA. This section should be modified to meet your conservation districts needs and policy.

28.0 RESERVED

EMPLOYEE TRAVEL

29.0 USE OF CONSERVATION DISTRICT/NRCS VEHICLES/PERSONAL VEHICLES

- 29.1 The conservation district may authorize an employee to use her/his private vehicle for official use if a conservation district or USDA Natural Resource Conservation Service (NRCS) vehicle is not available. Proof of insurance is required if a personal vehicle is used for conservation district business. The conservation district is not responsible for personal vehicles involved in accidents.

When an employee is authorized to use a personal vehicle for conservation district business, the employee must keep track of the day travelled, the purpose of the travel, and mileage for reimbursement at the prevailing mileage reimbursement rates. Authorization and limitations of that authorizations must be made by the immediate supervisor.

Transportation in a conservation district or NRCS vehicle is limited to authorized personnel only. Using a conservation district or NRCS vehicle for personnel business or transporting unauthorized personnel is prohibited.

- 29.2 A valid Montana operator's license must always be in the possession of the operator and the operator shall comply with all state and municipal vehicle operation laws. When operating a conservation district or NRCS vehicle, the operator will always observe all traffic laws. If a vehicular accident or theft of the vehicle occurs, it must be immediately reported to police and to the immediate supervisor.
- 29.3 Violation of this policy will result in a disciplinary action against the employee.

Annotation: You may adopt other policies regarding vehicle use, but this sample is provided as a minimum. Adoption recommended.

30.0 TRAVEL REIMBURSEMENT / CREDIT CARD POLICY

- 30.1 Employees representing the conservation district on official conservation district business shall receive reimbursement for travel expenses, including meal allowances, mileage, lodging, and incidental expenses based on rates established by MCA 2-18-501, 2-18-502, and 2-18-503.
- 30.2 Registration fees for approved conferences, workshops, and meetings must first be approved and then either paid in advance or reimbursed to the person incurring them, provided a claim for reimbursement is supported by a receipt showing payment of the registration fees.
- 30.3 To be reimbursed, travel must have been approved by the board. An employee must submit a travel expense voucher detailing mileage, purpose of travel, date and time left and returned, and expenses incurred. Receipts must be submitted for all expenses, except mileage and meals, which will be paid at the current rates established in the laws stated above. Actual original receipts are required. Credit card receipts are not proper documentation.
- 30.4 The willful misrepresentation or altering of claims is unlawful. It is grounds for dismissal and may result in the filing of criminal charges.

Annotation: Adoption recommended. Consider if advances are appropriate for your district and if not, modify the policy. Motel reimbursement rates in the statutes above apply to conservation district supervisors. Supervisors can approve that rate for employees or pay actual lodging costs. Most conservation districts use state rates, however. A sample travel expense voucher is attached for reference.

CREDIT CARD POLICY

A credit card will be provided to pay for incidental conservation district expenses. The use of a conservation district credit card is a privilege, which may be withdrawn in the event of serious or repeated abuse. All expenses charged to the credit card must be approved by the board. The board will determine the maximum credit limit.

Each month, the original credit card statement, with original receipts will be presented to the board for approval for payment.

Credit cards shall not be used for unauthorized purchases, non-business, or non-essential purpose, for any personal purchases or any transaction for the benefit of anyone or anything other than the conservation district.

Employees using the credit card for unauthorized or personal purchases is a violation of this policy and will be subject to disciplinary actions, including

dismissal. Personal charges will be recovered in full from the employee's paycheck.

Annotation: If the CD uses credit cards, it is advisable to have a policy and to request an employee signs a credit card use policy to make sure they are aware of the policy. Credit cards can be a safe and effective way to monitor expenses but can also be an area of risk if the CD does not review expenses and receipts monthly. A credit card use form is attached in the appendix. Delete this section if the CD does not use them. Adoption recommended if the CD uses credit cards.

EMPLOYEE CONDUCT

31.0 DRUG-FREE WORKPLACE

- 31.1 The _____ Conservation District complies with all provisions of the Drug-Free Workplace Act of 1988 to provide a drug-free workplace as stated in Public Law 100-690, 102 Stat. 4181, 5151.
- a. The unlawful manufacture, distribution, dispensing, possession, or use of controlled substance is prohibited in the workplace. Actions will be taken against employees for violation of such prohibition.
 - b. The conservation district will establish an ongoing drug-free awareness program to inform employees about the dangers of drug abuse in the workplace; the _____ Conservation District's policy of maintaining a drug-free workplace; any available drug counseling, rehabilitation, and employee assistance programs; and the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace. All employees should receive a copy of the district's drug-free workplace policy and must abide by the statement as a condition of employment.
 - c. Employees must notify employer (within 5 days) in writing of any criminal drug statute conviction for a violation occurring in the workplace. Appropriate action will be taken within 30 days of receiving notice. Action against an employee could include personnel action up to and including termination or requiring employee to participate in an approved drug abuse assistance or rehabilitation program.

Annotation: Adoption required. Check out the drug free workplace website for materials to help your conservation district comply with this provision of federal law. CDs in federal buildings can take advantage of their postings and on-going awareness programs. CDs not co-located – follow directions on the website.

32.0 SAFETY

- 32.1 The health, safety, and welfare of employees are a primary concern. Accident prevention is important to both the conservation district and its employees. The

_____ Conservation District will comply with all provisions of the Montana Safety Culture Act of 1993 (MCA 39-71-1501). All supervisors and employees have the responsibility of maintaining safe and healthful working conditions wherever work is performed. Supervisors and employees are required to exercise caution in the performance of their duties; use normal, safe working practices; observe and obey safety postings and rules; use and maintain protective equipment; and report all accidents to the appropriate authority as soon as is reasonably possible.

Annotation: Complying with the Safety Culture Act is required. The above policy provides the essential part of the law. Adoption required but may be modified so long as it maintains the integrity of the law.

33.0 HARASSMENT

33.1 _____ Conservation District prohibits retaliation against any employee who reports or participates in an investigation of a possible violation of our policies or the law. The _____ Conservation District provides a workplace free of harassment and discriminatory practices. Harassment includes intimidating, hostile, or offensive behavior in the workplace. It also includes sexual harassment which is a form of discrimination. It is a violation of the 1964 Civil Rights Act. Sexual harassment is defined as "deliberate or repeated unsolicited verbal comments, posters, gestures, or physical contact of a sexual nature which are unwelcome." Employees and supervisors must be sensitive to overtones of harassment and deal with these situations firmly and without delay.

Examples of harassment based on race, national origin, religion, age, or disability can include but is not limited to:

- Memos, e-mails, cartoons or other visual displays of objects, pictures or posters that depict such groups or individuals in a derogatory way; or
- Verbal conduct, including making or using derogatory comments, epithets, slurs and jokes towards individuals or such groups.

Sexual harassment can include, but is not limited to the following types of behavior:

- Unwelcome sexual advances, requests for sexual favors, or other visual, verbal, written, or physical conduct of a sexual nature;
- Submission to such conduct is made either explicitly or implicitly as offering condition of employment, such as a raise, a promotion or special job assignment in exchange for sexual favors;
- Making or threatening reprisal or changing performance expectations after an employee turned down a sexual advance; or
- Fire, deny a job or deny some other employment benefit because the employee refused to grant sexual favors, complained about harassment, or assisted in an investigation of harassment.

Employees should not tolerate inappropriate behavior and should make their feelings known to the offending person by telling the offender that the conduct is not appropriate and asking them to stop. If the employee is uncomfortable doing so, the employee must report the offending behavior to their immediate supervisor.

- 33.2 If an employee feels harassed in the workplace, it is important to report it to an immediate supervisor so it can be dealt with without delay.

Annotation: Adoption required.

34.0 PUBLIC INFORMATION

- 34.1 Conservation district records are open to the public. Certain personal, confidential information, such as social security numbers, banking or financial numbers, passwords, and certain personnel actions are not public information and must be protected. Employees with access to the protected information must take steps to protect it from public view, such as a locked file cabinet and shredding upon disposal.
- 34.2 Public information requests will be provided as requested in a reasonable time and if the conservation district public information policy requires it, charge the requester for copies and time required to produce it.
- 34.3 Conservation districts with access to USDA producer files protected by federal law, will not provide information to the public information without written approval from USDA.

Unauthorized access to, or unauthorized release of confidential information violates this policy.

Annotation: Adoption recommended but modify to fit district policies. USDA requires confidentially of producer files.

35.0 LAWSUITS

- 35.1 Only the conservation district supervisors and the county attorney are authorized to accept any legal process served on the district.
- 35.2 If an employee is approached by a process server, the employee shall direct the server to the board chair, the county attorney, or conservation district legal counsel without accepting or signing the process.
- 35.3 No employee shall discuss any aspect of any matter subject to a lawsuit involving the conservation district without prior authorization from the conservation district's legal counsel.

Annotation: While rare, legal documents are sometimes served. Adoption recommended.

36.0 POLITICAL ACTIVITY

- 36.1 The conservation district complies with the "Hatch Act," 5 USC 1502(a).
- 36.2 Employees whose principal employment is in connection with an activity financed in whole or in part by loans or grants made by the United States or a federal agency may not:
- a. uses his/her official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
 - b. directly or indirectly coerces, attempt to coerce, command, or advise a conservation district officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes;
 - c. be a candidate for partisan political office.
- 36.3 Employees maintain their right to express his/her opinions on political subjects and candidates in off duty hours.

If approved by the board, the employee may provide information regarding how certain legislation impacts conservation district operations or respond to legislative requests for information. This requires board approval.

Annotation: The Hatch Act is required by law, but it does not prevent providing information about how legislation affects conservation district operations. Use care to not use federal or state funds to "lobby," which is different from providing information. Adoption required.