

NMDA SWCD POLICY TEMPLATE

This template has been created to assist soil and water conservation districts (SWCD) in developing a policy and procedures handbook for district employees and supervisors. Please remember this is merely a template that offers the basic framework that constitutes SWCD's policies and procedures. This template should be modified to fulfill the specific needs of the SWCD.



SOIL AND WATER CONSERVATION DISTRICT POLICY HANDBOOK





**SOIL AND WATER
CONSERVATION DISTRICT
EMPLOYEES AND SUPERVISORS'
POLICY HANDBOOK**



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PREFACE

The purpose of this handbook is to inform employees and the board of supervisors of standard operating policies and procedures by which the SWCD abides. Nothing contained in this handbook is intended to create a contract of employment and may be modified at the SWCD's discretion.

Although this handbook covers many topics, there may be situations that are not covered or included. If you have any questions or concerns regarding these topics or any other situations that may arise, please contact to discuss your concerns.

Please read through the following policies and become familiar with them. Upon completion, please fill out and sign the next page. In doing so, you acknowledge you have read and understand SWCD's policy and procedure manual and will abide by it.



STATEMENT OF ACKNOWLEDGEMENT

I have received a copy of the SWCD Policy Handbook and acknowledge that it is my responsibility to read and follow the policies, practices, rules, and regulations as a condition of my employment and my obligations as an SWCD district supervisor.

Signature

Date



ACRONYMS

NMDA – New Mexico Department of Agriculture
NMACD – New Mexico Association of Conservation Districts
NMCCD – New Mexico Coalition of Conservation Districts
SWCD – Soil and Water Conservation Districts
NRCS – Natural Resource Conservation Service
USDA – United States Department of Agriculture
SWCC – Soil and Water Conservation Commission
NMSU – New Mexico State University
RC&D – Resource Conservation and Development
SWCD Act/ District Act – Soil and Water Conservation District Act
NMSA – New Mexico Statutes Annotated
FMLA – Family and Medical Leave Act
NMAC – New Mexico Administrative Code
NACD – National Association of Conservation Districts
NASCA – National Association of State Conservation Agencies
EPA – Environmental Protection Agency
NEPA – National Environmental Policy Act



HISTORY

Soil and Water Conservation Districts (SWCDs) were developed in response to the 1930s Dust Bowl. The “Dirty Thirties” was a period where dust storms filled the skies of the United States (U.S.). A decade of over plowing top soil and lack of proper soil management in the Great Plains along with severe drought conditions created the perfect habitat for extreme dust storms to exist. The lack of natural soil anchors allowed for the soil to be picked up and blown away; blackened skies were reported as far as the East Coast. The dust bowl not only caused major ecological damage but it also caused economic damage and displaced many families.

In 1933 President Franklin D. Roosevelt began to implement programs designed to conserve soil and bring ecological balance back to the U.S. The Soil Conservation Act was passed in 1935. Its purpose was to “control floods, prevent impairment of reservoirs and maintain the navigability of rivers and harbors, protect public health and public lands, and relieve unemployment.” The Soil Conservation Act allowed farmers to collect subsidies when they used ecologically friendly practices that promoted soil conservation and erosion prevention.

The development of conservation districts followed later. Conservation districts are aimed at enlisting the cooperation of landowners and land users in carrying out practices and policies listed in the act.

Specific SWCD History

The _____ SWCD was organized in _____ (year) The _____ SWCD covers (the geographic area) _____
Additional details of the SWCD’s history:

Mission Statement

The function of _____ SWCD is to take available technical, financial, and educational resources, whatever their source, and focus or coordinate them so they meet the conservation needs of the local land user.

Goals of the _____ SWCD:

- Control and prevent soil erosion
- Prevent flood water and sediment damage
- Further the conservation, development, beneficial application, and proper disposal of water
- Promote the use of impounded water
- Conserve and develop the natural resources of the state



CODE OF CONDUCT

SWCD employees and district supervisors hold office/employment for the benefit of the public. They are bound to uphold and abide by the District Act and to observe the highest standards in the exercise of the powers and duties of office or employment. Employees and district supervisors are to impartially carry out duties, to discharge faithfully the duties of the SWCD regardless of personal consideration, and to practice and teach soil and water conservation as the primary objective.

Employees and district supervisors are to maintain high levels of honesty, integrity, and impartiality and conduct themselves in an overall professional manner. It is the employee's or the district supervisor's duty to help fulfill the mission of SWCD. The best way to achieve the goals is through cooperation with other SWCD employees, district supervisors, and other organizations.

SWCD promotes a safe environment where all employees and district supervisors can engage and participate in meetings, events, and projects without compromising health, safety, or wellness. It is the SWCD's policy and duty to prohibit acts that constitute bullying, threatening, or other hostile misconduct, as well as retaliation against persons who report such actions. In the event an incident is reported, it will be investigated. If such an incident or action is substantiated, appropriate corrective or disciplinary action will be taken.

Employees and district supervisors of the SWCD serve the public by educating and assisting with soil and water conservation needs or other relevant ideas.

Rules that promote ethical actions:

- Think before you act
- Consider all reasonable options
- Consider consequences of your actions
- Maintain honesty
- Be considerate of the environment
- Maintain professional behavior and conduct
- Do not cheat, steal, or partake in compromising activities



POLICIES AND PROCEDURES

Attendance/Absence Request

Employees are to arrive to work on time. *If you know you will be arriving later than scheduled, please call _____ to let someone know of your tardiness. This action is always appropriate and lets us know you are safe in your transit to the work place.

Office Hours of Operation

Open _____ Close _____
A monthly board meeting will be held on _____ day of week) _____ am/pm or at a time set by the board, located at _____.
All time-off requests must be submitted and approved _____ (supervisor or district manager). Please submit your requests as early as possible; approval will be at the discretion of the SWCD board.

Disciplinary Procedures – Employees

The SWCD will review infractions and determine appropriate disciplinary action on a case-by-case basis. The severity of the infraction will determine the severity of the disciplinary action. The board of supervisors may impose termination, suspension, or a written reprimand. Termination of employment requires approval by _____ SWCD board (A special meeting may be called, if necessary, in accordance with the SWCD Act [73-20-25 through 73-20-48 NMSA 1978]).

Disciplinary Procedures – District Supervisors

A district supervisor may be removed from office by the commission if it appears to the commission, after reasonable notice and impartial hearing, that the supervisor is guilty of misfeasance or malfeasance in office [73-20-42 NMSA 1978].

Discrimination/Sexual Harassment

SWCD provides equal employment opportunities to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, disability, genetic information, marital status, amnesty, or status as a covered veteran in accordance with applicable federal, state, and local laws. This policy applies to all terms and conditions of employment, including but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.

SWCD expressly prohibits any form of unlawful employee or district supervisor harassment based on race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, genetic information, disability, or veteran status.

*Individuals reporting complaints, providing information, or cooperating with an investigation on any incident in good faith will not be retaliated against for their participation.



Dress Code

Employees should present themselves in a clean, neat, and professional manner. Employees should come dressed to work in appropriate attire for the nature of the work to be done.

Drug Free Workplace

The unlawful use, possession, or distribution of illicit drugs or alcohol on SWCD property or while acting as an agent of the company is strictly prohibited. Employees or district supervisors violating this policy will be subject to disciplinary action up to and including termination.

Equipment Policy

All district equipment will be used, maintained, and serviced properly. Destructive use is prohibited. Personal use of district equipment (vehicles, implements, 4-wheelers, etc.) is not allowed. Rental equipment may be used by employees and district supervisors only by following the same contractual agreements as required by the district for the general public. Personal use of district office equipment (computers, printers, etc.) is not allowed unless approved by the SWCD board.

Evaluations

If an employee shows deficiencies or is performing at an unacceptable level, expectations will be set and discussed with the employee and the probationary period will be extended for three to six months. Probationary employees do not have an expectation to continue employment and may be terminated without cause. If a regular employee does not agree with their evaluation, they may submit an appeal or addendum for review by the board. Nonprobationary employees will be evaluated annually.

Family and Medical Leave Act (FMLA):

FMLA entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. Eligible employees are entitled to:

Twelve workweeks of leave in a 12-month period for:

- the birth of a child and to care for the newborn child within one year of birth
- the placement of a child for adoption or foster care and to care for the newly placed child within one year of placement
- caring for the employee's spouse, child, or parent who has a serious health condition
- a serious health condition that makes the employee unable to perform the essential functions of his or her job
- any qualifying necessity arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty"

For complete details of FLMA coverage, please go to: <http://www.dol.gov/whd/fmla/>

Health Insurance

"Supervisors may purchase group health insurance benefits for themselves and their dependents pursuant to the Group Benefits Act [10-7B-1 NMSA 1978] and pursuant to the rules and procedures set forth by that act and the risk management division of the general services department" [73-20-40 NMSA 1978].



Eligible SWCD employees may enroll in health insurance benefits as designated by the state health insurance program. The premium split between employee and employer will be determined by the SWCD board and based on the state’s annual insurance premiums. Employees may have the opportunity to enroll as new employees, during open enrollment, after a qualifying event, or as determined by the State Health Insurance program.

Health and Safety

It is the employee’s responsibility to perform assigned duties in a safe and cautious manner. It is the responsibility of SWCD to follow federal and state health and safety guidelines. Employees should report any and all incidents to their supervisor immediately.

Holidays

Paid/Unpaid holidays offered to	SWCD full-time/part-time employees may include:
New Year’s Day	Martin Luther King Day
Presidents’ Day	Memorial Day
Independence Day	Labor Day
Columbus Day	Veterans Day
Thanksgiving	Christmas

Inclement Weather Conditions

In the event of extreme or inclement weather, SWCD employees may be directed to come in at a later time or, in severe cases, not at all. Inclement weather conditions include dense fog, heavy snowfall, severe wind storms, or conditions that are determined to be unsafe.

SWCD district supervisors will notify employees in the case of late openings or closures due to severe conditions, or the local closures and delays may be followed.

In the case of business closure, the SWCD board may authorize administrative leave. Administrative leave will not deduct from an employee’s paid time off.

Jury Duty

If an employee is summoned for jury duty, he or she shall bring in a copy of the summons and submit it along with an absence request to the supervisor. A salaried employee may be granted paid administrative leave for this time if the district chooses. However, if the employee receives regular salary while serving on the jury, the employee must relinquish any income above per diem and mileage back to the district.

The district may choose to allow unpaid leave for hourly or salaried employees reporting for jury duty in order to prevent the potential for “double-dipping.”

If the court does not go into session on a work day, employees are required to report to their regular work.

Pay Periods

Employees will be paid (weekly/biweekly/monthly) on (date(s) paid).

Travel - Per Diem and Mileage Act

Employees and district supervisors are reimbursed in accordance with the New Mexico Per Diem and Mileage Act [10-8-1 NMSA 1978].



Travel

All travel must be approved prior to travel date. Fill out and complete the travel approval form and submit to the SWCD board.

Place of Work

The official service office for SWCD employees is located at _____ .

Public Trust

District supervisors and employees of _____ SWCD shall act in accordance with the highest principles to ensure the _____ SWCD is worthy of public respect, trust, and support.

District supervisors and employees should not engage in conduct that creates the appearance of impropriety or that is otherwise unbecoming of a public official.

District supervisors and employees shall not engage in conduct that violates the rights of others to be treated fairly with dignity and respect.

District supervisors and employees shall refrain from engaging in conduct, even if lawful, where personal gain or advantage is involved in a way that creates a reasonable inference that such a position has been used for private benefit.

Retirement Benefits

Full-time employee retirement consists of:

- Federal Social Security
- Public Retirement Service Association

Both the employee and the employer contribute to the required share of social security, Medicare, Public Employees Retirement Association, and any other withholding tax.

Sick Leave

Sick leave hours are accumulated by full-time employees and are earned on a basis of _____ hours worked or allowed _____ days per calendar or fiscal year.

A maximum of _____ hours can be accrued after which point additional hours will not be posted until some hours have been used.

Timesheets

All nonsalaried SWCD employees are required to keep track of their worked hours with a detailed time sheet. All timesheets shall be filled out completely and turned in to the SWCD board as instructed:

Timesheets will be authorized and signed by _____ .

Overtime Conditions

Overtime may be available to SWCD employees, if necessary, and must be approved by the SWCD board prior to the overtime worked.



Training Opportunities

Employees may be required to attend specific trainings, conferences, and meetings at the direction of the SWCD board. Such informative events may be offered by:

NMDA	NMCCD
NACD	State Auditor
NCRS	Attorney General's Office
NMACD	New Mexico Cattle Growers' Association
NASCA	Other organizations

Vacations

Vacation hours are available to (full-time/part-time) employees and are earned on a basis of hours worked/ or allowed days per calendar or fiscal year.

All paid time off and vacation requests must be submitted to the board or designated supervisor for approval.

Upon termination of employment, employees will be paid for accrued vacation time.

Violence in the Workplace

SWCD is committed to providing a safe and violence-free work place. Employees and district supervisors should immediately report any acts of violence as well as potential threats from coworkers, members of the public, district supervisors, or any other person to their supervisor or other district supervisor. Employees or district supervisors who engage in any act of violence or make any type of threat (verbal, physical, or other) will be subject to disciplinary action up to and including termination. See [73-20-42 NMSA 1978].

Examples of bullying, violence, and other hostile misconduct include, but are not limited to:

- Name calling or graphic statements, which may be transmitted via e-mail, cell phone, or written statements
- Threats of harm, both physical and emotional, or actual harm or humiliation
- Physical abuse: hitting, shoving, slapping, etc.
- Yelling, screaming, or use of demeaning or derogatory names or terms
- Threats aimed at family or other closely related persons

Although situations will arise where there is disagreement, it is expected that individuals will conduct themselves in a professional manner.

Worker's Compensation

An accident or illness that occurs while on the job must be reported immediately to the supervisor. Employees are protected under the provisions of the Worker's Compensation Law of the state of New Mexico. On-the-job accidents and occupational illness or diseases incurred while working for the SWCD are eligible for coverage. Benefits may include paid medical, surgical, and drug expenses and weekly compensation after the first seven days of disability. Follow the link listed for additional information: <http://www.dol.gov/dol/topic/workcomp/>.



UNEMPLOYMENT

Former employees of SWCDs may contact the New Mexico Department of Workforce Solutions if they wish to file for unemployment insurance benefits. Contact www.dws.state.nm.us/ or telephone (505) 841-4000.



SUPPLEMENTAL INFORMATION

Brief overview: Open Meetings Act [Chapter 10, Article 15, NMSA 1978]

Open Meetings Act - State law provides the statutory guidelines, which are to be followed and enforced at public meetings (covered by the act).

Recommended Notice Times for Meetings:

Regular Meeting – 10 days

Special Meeting – 3 days

Emergency Meeting – 24 hours

*Meeting notices shall include an agenda (or information on how to obtain an agenda) listing specific business items. The agenda must be available to the public 72 hours prior to the meeting; items added later can be discussed but not voted on.

Closed/Executive Sessions:

- Require a roll call vote to close the session
- Motion must state the exception to the Open Meetings Act that allows the closed session
- Only the subjects announced in the motion may be discussed
- Subjects that may be discussed during a closed/executive session are limited to:
 1. Section 10-15-1 (H) (2) for limited personnel matters pertaining to the (Executive Director) position
 2. Section 10-15- 1(H) (6) for the Board to discuss the contents of competitive sealed proposals solicited pursuant to the Procurement Code (state the RFP)
 3. Section 10-15-1 (H) (7) for the District supervisors to discuss pending litigation (state the purpose of the litigation) (This motion can only be made if an attorney is present)
 4. Section 10-15-1 (H) (8) for the Board to discuss the purchase, acquisition, or disposal of real property or water right by the board (Then state name of the topic to be discussed)
- Minutes are not taken in closed session
- A vote can't be taken in closed session. Actions must be made during open session

Quorum: majority of the members (committee as a whole)

- No quorum = no action can be taken

Procurement Code [Chapter 13 NMSA 1978, and Title 1, Chapter 4 NMAC]

Purchasing Tangible Items:

- Less than \$10,000 Obtain the best price
- \$10,001 - \$20,000 Three written quotes
- More than \$20,000 Formal sealed proposals



Request for proposals:

- Professional services
 - Less than \$50,000 Three written quotes
 - \$50,001 or more Formal sealed proposals
- Regular services
 - Less than \$20,000 Best price
 - \$20,001 or more Sealed proposals
- Landscape or surveying services
 - Less than \$10,000 Three written quotes
 - \$10,000 or more Formal sealed proposals

In addition, there are rules to prevent fraud on how property owned by an SWCD may be sold or otherwise disposed of.



SAMPLE

SWCD Employee Job Description

Position: SWCD Employee/District Manager

Type: Full-time/Part-time

Job Description: The SWCD employee/manager provides managerial, administrative, supervisory, educational, and technical support to the SWCD board in carrying out the district's goals in accordance with the SWCD Act [NMSA 1978]. This person reports to the SWCD Board of Supervisors comprised of elected and appointed officials.

Duties and Responsibilities:

- Meetings: Prepare meeting agenda, deliver notices and correspondence, and prepare meeting minutes and distribute for approval
- Projects: Compose grant proposals, manage projects, research funding options, manage project finances, and manage project schedules
- Finance: Maintain district finances and prepare budgets, quarterly reports, and transaction reports, and prepare bookkeeping
- Other: Prepare district's annual/quarterly newsletter; assist in preparing and composing district's annual plan, action plan, and policies and procedures; and relay important information to supervisors between monthly meetings

Requirements:

- Ability to multitask
- Knowledge of QuickBooks, Excel, and Word
- Ability to communicate effectively, written and orally
- Ability to develop and maintain relationships in a professional manner with persons from other various state organizations



Employee Evaluation

Date: Employee Name: Position/Title:

Evaluated by: Position/Title:

Evaluation covers the period of to

Strengths-

Weaknesses-

Improvement/ Growth Plan for (next year)

Employee Signature

Evaluator Signature



Employee Evaluation

Date:

Employee Name:

Position/Title:

Evaluated By:

Position/Title:

Evaluation covers the period of _____ to _____

Performance Ranking

Unsatisfactory	1	Above Average	5
Improvement Required	2	Very Good	6
Below Average	3	Exceptional	7
Average	4	Distinguished	8

Category	Description	Rank	Comment
Job Knowledge	Exhibits the required level of job knowledge for the position.		
Productivity	Amount of work generated and completed is sufficient and meets expectations.		
Quality	Correctness, completeness, accuracy, and thoroughness of overall work.		
Initiative	Self-driven, constantly looking for opportunities to improve skill set and techniques.		
Time Management	Uses available time in an efficient manner. Is conscious in controlling the amount of time spent on different priorities.		
Human Relations	Establishes and maintains a positive work environment. Accommodates other's needs. Tactful and diplomatic.		
Communication	Communicates verbal and written thoughts clearly. Is professional and patient.		
Compliance	Follows standard work place rules, policies, and procedures.		



Time Sheet

Week of: [Start date – End date]
 SWCD

Name:	Title:
Department:	Supervisor:

Date	Start Time	End Time	Regular Hours	Overtime Hours	Total Hours
Monday					
Tuesday					
Wednesday					
Thursday					
Friday					
Week Totals					

Finalization

Employee Signature:	Date:
Supervisor Signature:	Date:

***Please submit this form no later than the Monday following the prior work week**



Employee Disciplinary Assessment

Name: _____ Date: _____

Supervisor Issuing Assessment: _____

Violation Incurred:

Attendance

Conduct

Safety

Insubordination

Performance

Tardiness

Other

Detailed Description of Infraction:

Recommendations for Improvement

I, _____ have read and understand the disciplinary assessment, which has been issued. I will reflect and work on the issues addressed by my supervisor.

Employee Signature: _____

Date:

Supervisor Signature: _____

Date:



District Supervisor Disciplinary Assessment

Name: _____ Date: _____

Supervisor Reporting Incident: _____

Violation Incurred:

Attendance Conduct Malfeasance Misfeasance

Detailed Description of Infraction: _____

Witness 1 Supervisor Signature: _____ Date: _____

Witness 2 Supervisor Signature: _____ Date: _____

Witness 3 Supervisor Signature: _____ Date: _____

Send to Soil and Water Conservation Commission



Absence Request

Employee Name:

Department:

Supervisor:

Type of Absence Requested:

- Sick Leave Annual Leave Jury Duty Maternity Leave
 Military Bereavement Unpaid Leave Other

Dates Requested:

Start: End:

Reason for Absence/Additional Comments

*Please submit this request for absence at least days prior to requested start date.

Employee Signature: _____ **Date:**

Supervisor's Approval

- Approved Denied

Comments

Supervisor Signature: _____ **Date:**



Travel Request

Name: _____ Date _____

<u>Purpose for Travel</u>	<u>Location</u>	<u>Start Date</u>	<u>End Date</u>	<u>Point of Contact</u>

Requesting Per Diem: Yes No
Requesting District Car: Yes No
Requesting Personal Vehicle: Yes No

Other personnel traveling with you: _____

Approval: _____
Supervisor Signature

Date

