

# City of North Bonneville



## Washington

### Personnel Policy Manual

**Mayor**

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*Approved by motion of the City Council on September 13, 2021*

**RECEIPT OF PERSONNEL POLICIES**

I have received a copy of the City of North Bonneville’s Personnel Policies Manual, containing any revisions made through today’s date. I have read the manual and agree to follow the policies in it.

I understand that my employment is at-will and the City and all employees are free to terminate employment at any time, with or without cause or notice, and without compensation except for the time actually worked. I further understand that nothing in this manual affects my rights, if any, under the terms of a collective bargaining agreement. I understand that exceptions to this policy must be in the form of a written employment contract signed by the Mayor.

If the City mistakenly overpays me, it may deduct the overage from my subsequent paychecks pursuant to RCW 49.48.210.

I understand that these policies do not create an employment contract or a guarantee of employment of any specific duration. These policies are general guidelines and do not constitute promises of specific treatment.

As the City grows and changes, these personnel policies may change. The City therefore reserves the right to revise, supplement, clarify or rescind any policy or portion of a policy when deemed appropriate by the City Council. I understand that I will be notified of any such changes and their effective dates.

I certify that I am not aware of any issue that would place me in a position of real or apparent conflict of interest between my responsibilities as an employee of the City and other interests. In making this certification, I have considered all financial interests and employment arrangements. In addition, I certify that I am not aware of any immediate family member with a conflict of interest in the business of the City and that I will immediately disclose any such conflict of interest upon its discovery.

I certify that I will not disclose any information or process regarding City activities now or at any subsequent time to anyone who is not authorized to the information by law or regulation.

I have been advised that if I have any questions about these or any other the City policies, I am free to ask my supervisor, Mayor, or Human Resources, however, no single person has the sole authority to enter into any employment or other agreement that modifies these policies.

I have read and understand the above statements.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Employee Printed Name

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## **100 INTRODUCTION**

Welcome to the City of North Bonneville. The City strives to provide consistently outstanding service to its citizens and customers, and to maintain a positive and productive work environment for its employees.

This manual is intended to provide you with general information about the City of North Bonneville's personnel policies, procedures, practices, and benefits. We hope that it will be a helpful resource for you in the course of your employment and ask that you take time to read it and become familiar with its contents. Of course, the manual is only a summary. This manual is not a contract of employment. It is not intended, and should not be construed, as a promise of specific treatment in any specific circumstance, or as a guarantee of employment for any particular time. Employment by the City is "at will". This means that either you or the City can terminate the employment relationship at any time for any reason, with or without notice or cause.

The policies, procedures, practices and benefits described in this manual shall apply to all employees of the City except where otherwise noted herein or unless they conflict with provisions of any collective bargaining agreement, civil service rule or law.

All policies, procedures, practices, and benefits in this manual become effective ~~March 4<sup>th</sup>, 2014~~ January 1, 2019. Of course, circumstances may occur that will require the policies, procedures, practices and benefits described in this manual to change from time to time. Except for the at-will employment relationship, which can be altered only by a written agreement signed by the Mayor, and except for employee benefits and salary ranges which can be altered only by the City Council, the Mayor reserves the right to modify, amend, supplement, or rescind any or all provisions of this manual as he/she deems appropriate at his/her sole and absolute discretion and without prior notice. Final interpretation of the policies, procedures, or practices is the authority of the Mayor. This document should not be construed or relied upon by anyone as a legal document, covenant or contract of any kind.

If you have questions about any part of this manual, please feel free to contact your manager or the Mayor at any time.

## **200 STAFFING**

The City encourages all employees seeking promotion or transfer to apply for open positions that they are qualified to fill. It is the policy of the City to offer employment to the applicant possessing the best qualifications and fit for the position available. A decision to promote or transfer from within may be based upon several factors including but not limited to past performance. The decision to hire competitively or to promote or transfer from within the organization is solely that of the City's.

### **201 Staffing Process**

When a position becomes vacant or when a new position is requested, the manager will review the position, its job description, and the need for such a position prior to any posting or advertisement of the vacancy. The manager will then make a formal request to the Mayor to fill the vacant position through competitive process or by promotion or transfer from within the organization. The position may be posted internally or externally, or an individual may receive promotion or transfer from within, only after the Mayor has approved the request.

To what extent vacant positions will be advertised internally or externally is solely the decision of the City's.

### **202 Pre-Employment Medical Examination**

After a conditional offer of employment has been made and prior to commencement of employment, the City may require persons selected for employment in some positions to pass a medical examination, which may include testing for abuse or improper use of alcohol and unlawful controlled substances. The purpose of the examination is to determine if the individual is physically able to perform the essential functions of the job, with or without reasonable accommodation, and without creating a direct threat to the health, safety or well being of other employees or the public. The city will pay for the medical examination and the offer of employment will be conditioned on its results. If a medical examination is required, all information provided to the City will be maintained in confidence in accordance with the Americans with Disabilities Act, the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), and other applicable federal, state, or local laws. All applicants required to take a medical examination will be required to sign a standard consent and release form permitting the examining physician to disclose the results of the physical examination to certain employees of the City.

If the applicant questions the results of the physical examination, he or she will be given an opportunity to comment, submit additional information including statements from other physicians, and/or request another physical examination.

A candidate may be withdrawn from consideration if found physically unable to perform the essential functions of the position (with or without reasonable accommodation), or if

the city believes the candidate would pose a direct threat, or the candidate refuses to submit to a medical examination or complete medical history forms, or if the exam reveals abuse of unlawful controlled substances.

### **203 Temporary Employees**

With the approval of the Mayor and the City Clerk, temporary employees may be hired without competitive recruitment or examination, although all hiring processes must comply with state and federal laws. Temporary employees may be utilized for jobs of limited duration, special projects and other limited circumstances.

Temporary employees are eligible for overtime pay as required by law.

Temporary employees normally do not receive retirement, vacation, sick leave, health insurance, holidays or any other benefits during their employment.

### **204 Conflicts of Interest/Nepotism**

Employees are prevented from holding positions with the City which place them in a potentially unlawful or improper conflict of interest. Examples of potential conflicts of interest include but are not limited to the following:

- A spouse/partner or other close family member who would have authority (or practical power) to supervise, appoint, remove, or discipline the other.
- A spouse/partner or other close family member who would handle confidential material that creates improper or inappropriate access to that material by the other.
- A spouse/partner or other close family member who would be responsible for auditing the work of the other.
- An employee who is the spouse/partner or other close family member of an elected official of the City.
- An employee who seeks an elected office with the City.

If circumstances exist that create a conflict or potential conflict, the City reserves the right to take action necessary to resolve the conflict, up to and including reassignment and termination.

### **205 Employees of Other Agencies**

Employees of other agencies who may be providing services to the City under inter-local or other agreements shall not be considered employees of the City even if they are supervised or assigned work by City personnel.

## **206 Re-employment of Former Employees**

Upon a former employee's submission of an application, the City may re-appoint the employee to his/her same position or a position of like duties and responsibilities. When former employees apply to be rehired, they will be evaluated on the same criteria as all other applicants. Consideration will be given to past job performance, the circumstances surrounding separation of previous employment, and the former employee's ability to meet the job requirements of the position.

## **207 Equal Employment Opportunity**

The City is an equal employment opportunity employer, which means the City employs, retains, promotes, terminates, and otherwise treats all employees and job applicants on the basis of ability, merit, qualifications, and competence. This policy shall be applied without regard to any individual's sex, race, color, religion, national origin, pregnancy, age, marital status, sexual orientation, political affiliation, medical condition, physical handicap, veteran or active military status, physical, mental or psychiatric disability, gender identity, use of a trained animal by a disabled person, results of an HIV or Hepatitis C test, use of paid time off to care for a child or family member, or any other characteristic protected by law.

## **300 EMPLOYMENT POLICIES**

### **301 Employees with Disabilities**

The City complies fully with its duty to provide reasonable accommodations to allow people with disabilities to perform the essential functions of their jobs. If an employee has a disability that limits their ability to perform their job, the employee shall inform the Mayor or their manager so that reasonable accommodations may be considered.

### **302 Workplace Anti-Harassment**

The City of North Bonneville is committed to insuring that the practices and conduct of all its employees comply with the requirements of federal law and state laws against illegal employment discrimination. To that end, the City expects all employees to work in a manner that respects the feelings and dignity of their co-workers. It is the policy of the City that all employees have the right to work in an environment free from harassment based upon their race, color, religion, gender, national origin, age, marital status, veterans' status, sexual orientation, disability, or any other protected status or characteristic. Any such harassment of employees by their co-workers or supervisors will not be tolerated by the City.

For the purpose of this policy, "sexual harassment" is unwelcome behavior of a sexual nature that affects terms and conditions of employment. Sexual harassment includes (1) sexual advances and other verbal or physical conduct where submission to the advances or conduct is made a term or condition of employment or is used as the basis for employment decisions and (2) unwelcome verbal or physical conduct of a sexual nature that interferes with an employee's work or creates a hostile, intimidating, or offensive work environment.

Some examples of behavior that could constitute or contribute to sexual harassment include but are not limited to:

- Unwelcome or unwanted flirtations, propositions, or advances. This includes patting, pinching, brushing up against, hugging, cornering, kissing, fondling, putting ones arm around another, or any other similar physical contact considered offensive by the recipient.
- Requests or demands for sexual favors. This includes subtle or blatant expectations, pressures, or requests for any type of sexual favor accompanied by an implied or stated promise of preferential treatment or negative consequences concerning an individual's employment.
- Verbal abuse or kidding that is sexually oriented and considered unacceptable by another individual. This includes comments about an individual's body or appearance when such comments go beyond an isolated innocuous compliment; off-color jokes or offensive language; or any other tasteless, sexually oriented

comments, innuendoes, or offensive actions, including leering, whistling, or gesturing.

- Participation in fostering a work environment that is intimidating, hostile, or offensive because of unwelcome or unwanted sexually oriented conversation, office décor, suggestions, requests, demands, physical contacts, or attention.

For the purpose of this policy, “other harassment” (nonsexual) is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of such individual’s protected status or characteristics such as his/her race, color, religion, gender, national origin, age, marital status, sexual orientation, or disability that:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive work environment; or
2. Has the purpose or effect of unreasonably interfering with an individual’s work performance; or
3. Otherwise adversely affects an individual’s employment opportunities.

Some examples of behavior that could constitute or contribute to harassment include but are not limited to: using epithets, slurs, or negative stereotypes; threatening, intimidating, or engaging in hostile acts that relate to protected status or characteristics such as those referred to above; jokes or pranks that refer to or denigrate a protected status; or placing on walls, bulletin boards, or elsewhere on the work premises or circulating in the workplace written or graphic material that denigrates or shows hostility or aversion toward a person or group because of a protected characteristic.

### *Complaint Process*

An employee who feels harassed should immediately tell the offending individual how they feel and ask them to stop. If that is not successful or if the employee is not comfortable confronting the offending individual directly for any reason, the employee should report the harassment promptly to their manager or the Mayor. If the employee believes the Mayor is involved in the offensive conduct, or if the employee feels uncomfortable complaining to the Mayor for any other reason, the complaint should instead be made to the City Administrator or City Attorney. Managers shall immediately report any such complaints they receive to the Mayor.

Employees are encouraged to formalize complaints in writing. A harassment complaint will be handled as follows:

1. The complaint will be investigated by a qualified, neutral person. The choice of investigator, level of formality, and the procedures used in the investigation may vary, depending upon the nature of the allegations and full circumstances of the situation, including the context in which the alleged incidents occurred.

2. Confidentiality will be maintained throughout the investigatory process to the extent practical and consistent with the need to undertake a full investigation.
3. There shall be no retaliation by the City, its officers, elected officials, supervisors, or other employees toward any employee bringing a complaint in good faith or cooperating with the investigation of a harassment complaint.
4. Where the investigation confirms the allegations, the City will take prompt corrective action and, where appropriate, discipline the offending individual. Discipline may include verbal and written reprimands, professional counseling, reassignment, or other appropriate action, up to and including termination. The affected individuals will be informed of the outcome of the investigation.
5. There may be instances in which an employee reporting harassment seeks only to discuss the matter informally and does not wish the City to undertake an investigation or to take further steps. In such situations, the Mayor or designee, or the manager or designee, may arrange some informal mechanism for resolving the issues. However, an individual reporting harassment should be aware that the City may decide to take action to address the harassment beyond informal means.

All management team members and supervisors are assigned responsibility for implementing this policy, ensuring compliance with and knowledge of its terms, and for taking immediate and appropriate corrective action if they witness inappropriate behavior or receive a complaint. Supervisors must open and maintain channels of communication to permit employees to raise concerns of sexual or other workplace harassment without fear of retaliation, stop any observed harassment, and treat harassment matters with sensitivity, confidentiality and objectivity. A supervisor's failure to carry out these responsibilities may result in disciplinary action up to and including termination.

### **303 Use of City Vehicles**

It is the policy of the City of North Bonneville to provide vehicles for City business use, when practical, in order to allow employees to drive on City business, and to reimburse employees for City business use of personal vehicles according to the guidelines below.

The term "vehicle" as used in these guidelines includes, but is not limited to, cars, trucks, backhoes, heavy equipment, and any motorized watercraft.

1. Employees may not drive any vehicle for City business without prior approval of their manager or designee, or the Mayor. Employees are not permitted, under any circumstances, to operate a city vehicle, or a personal vehicle for city business without a valid, lawful license, to operate such vehicle. Periodically, the City may verify the existence of a valid driver's license and request from the driver a copy of their current driving abstract.

2. Employees approved to drive on City business are required to inform their manager or designee, or the Mayor, as soon as practical, of any changes that may affect either their legal or physical ability to drive or their continued insurability. Employees are not permitted, under any circumstances, to operate a City- or personal- vehicle for City business, when any physical or mental impairment causes the employee to be unable to drive safely. This prohibition includes, but is not limited to circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of injury, illness, or medication.
3. Employees who drive a vehicle on City business must, in addition to meeting approval requirements, exercise due diligence to drive safely and to maintain the security of the vehicle and its contents. Employees are also responsible for any infractions or fines received as a result of their vehicle use. Such infraction or fines must be reported to the manager or designee, or the Mayor, as soon as possible but no later than the next business day and may result in disciplinary action, up to and including termination. Failure to report an infraction or fine may also result in disciplinary action up to and including termination.
4. Employees shall not use City vehicles for non-business purposes such as running personal errands, driving to lunch, etc., except with the express consent of their manager or designee, or the Mayor.
5. Non-employee, non-business passengers are prohibited from riding in City vehicles without prior approval of driver's manager or designee, or the Mayor.
6. When no City vehicles are available, employees may use their own vehicles for business purposes with prior approval of their manager or designee, or the Mayor. Insurance industry practices dictate that auto liability coverage follows the auto. When driving a personal vehicle, the employee's personal auto insurance would be considered primary, and the City's coverage excess. Employees who use their personal vehicle for approved business purposes will be reimbursed for expenses pursuant to IRS standards. This allowance is to compensate for the cost of gasoline, oil, depreciation, and insurance.
7. Employees must report any collision to appropriate law enforcement officials. Employees shall also report in writing any collision, theft or damage involving a City vehicle to their manager or designee, or the Mayor, regardless of the extent of damage or lack of injuries. Such reports must be made as soon as possible but no later than the end of the next business day. Employees are expected to cooperate fully with authorities in the event of an accident. However, employees should make no voluntary statement other than in reply to questions of investigating officers. In the case of an accident employees should refer to the accident card available in all city vehicles.

8. Employees shall not operate any City vehicle or operate any personal vehicle while on City business while consuming or under the influence of alcohol, illegal drugs, prescription medications, or over the counter medications that may affect their ability to drive. The City has a zero tolerance policy prohibiting operators of vehicles from drinking alcohol, consuming illegal drugs, and taking any medications that affect their ability to drive.

### **304 Use of City Credit/Debit Cards**

Employee distribution of City credit/debit cards shall only occur with approval of the Mayor and will be in accordance with RCW 43.09.2855 and RCW 42.24.115.

City credit/debit cards shall be used for official, city-authorized business only. Any personal use by employees is prohibited.

All credit/debit cards are to be signed out from the Finance Department, and returned before the employee separates from the City. The employee is responsible for returning credit/debit cards before leaving the employment of the City.

Employees are responsible for reporting loss or known misuse of a City credit/debit card to the Mayor or their manager immediately.

### **305 Use of City Cell Phones**

The City of North Bonneville issues individual cellular phones to employees who are required to be in close contact with the City at all times. While cell phones are a necessary convenience of the City, it is required that employees follow the guidelines listed below for their own safety as well as the safety of others.

#### *Acquisition*

The purchase and/or installation of cell phones shall be approved by the Mayor. It shall be the responsibility of the manager to ensure that sufficient funds are budgeted for the purchase and monthly operational costs associated with such equipment prior to its use.

#### *Usage*

The general use of cell phones shall not be in lieu of more cost effective, practical and available means of communication.

All employees are required to be professional and conscientious at all times when using City phones and comply with state and federal laws.

It is the City's policy that employees who are issued a cellular phone understand that it is issued primarily for business use. Employees are expected to make every effort to use cell phones in a responsible and efficient manner.

Cellular phone bills will be reviewed when they arrive. The City reserves the right to require reimbursement for cell phone misuse. The City also reserves the right to limit or terminate an employee's use of a City phone in any way, at any time, and for any reason.

The City has a zero tolerance policy regarding using a cell phone while driving without a proper hands free device in accordance with state law. Employees must follow all laws regarding the use of cell phones while driving a vehicle.

Cellular phone users, upon leaving City employment, will be removed from the City's plan. All cell phones must be returned by the employee upon separation.

### **306 Talking with the News Media**

The Mayor or designee shall be responsible for all official contacts with the news media, including answering of questions from the media. When presented with questions from the media regarding City business, employees should immediately refer the person to their Manager or the Mayor. If that is not possible, the employee should politely request that the person seeking the information call City Hall and ask for the Mayor.

### **307 Reporting Improper Governmental Action**

The City recognizes and supports the right of every employee to report, and to be protected from retaliation for reporting alleged improper governmental action. Improper governmental action is action or inaction by a City official or employee that is undertaken in the performance of their duties that violates law, abuses their authority, creates a danger to the public health or safety, or is a gross waste of public funds. It generally does not include personnel actions.

#### *Employee Responsibility*

If an employee suspects improper governmental action, they should report it immediately, preferably in writing, to their Manager or designee, or the Mayor or designee. The City encourages employees to exhaust internal procedures before seeking assistance through outside agencies. Employees can also report directly to outside agencies responsible for investigation and enforcement of the law they believe has been violated.

#### *City Responsibility*

The recipient of the report will either investigate the report or refer the report to a qualified neutral person for investigation. The employee's identity will be kept confidential to the extent practicable and allowed by law.

### *Non-retaliation*

State law protects employees from retaliation or disciplinary action for reporting improper governmental action in good faith. State law requires that employees come forward with allegations of retaliation within thirty (30) days of an occurrence of retaliation. If the employee is dissatisfied with the City's internal procedure for investigating or resolving a claim of retaliation, the employee may seek relief pursuant to the provisions of state law.

### **308 Code of Conduct**

All City employees are expected to represent the City to the public in a professional manner, which is courteous, efficient and helpful. Employees must maintain a clean and neat appearance appropriate to their work assignment, as determined by their Manager or the Mayor.

It shall be the responsibility of all employees to represent the City in a manner which shall be courteous, efficient and helpful. Off duty misconduct may result in discipline when it renders an employee less capable of performing his or her duty and responsibility or when it reflects unfavorably on an employee's continuing qualifications for employment.

The City's success in providing excellent service to its citizens and maintaining good relationships with the community depends on its employees. Certain conduct is considered detrimental to the City's goals and objectives and may lead to disciplinary action up to and including termination. Such conduct includes but is not limited to the following:

1. Misrepresentation or withholding of pertinent facts in securing employment;
2. Theft, and/or unauthorized use or possession of the City's facilities and/or property of the City or that of any individual or other group;
3. Unauthorized use of position with the City for personal gain or advantage;
4. Accepting gratuities or bribes;
5. Lying or dishonesty;
6. Smoking in any unauthorized area or in violation of any federal or state law or regulation, as well as creating fire hazards in any area;
7. Failure to properly secure City facilities or property as determined by City or Department procedures or work rules;

8. Disrupting the City's business or the work effort of other employees at any time;
9. Unauthorized operation or using machines, tools, or equipment to which the employee has not been specifically assigned;
10. Lateness for work without sufficient notice or reason;
11. Absence without proper notification to the manager or designee, or the Mayor;
12. Absenteeism without sufficient notice or reason;
13. Disorderly conduct, including fighting on the premises;
14. Spreading rumors or innuendo;
15. Rudeness, discrimination, intimidation, coercion, use of obscene language, gesture or lack of courtesy to the public or fellow employees;
16. Intentional falsification of records/paperwork required in the transaction of City business;
17. Inability, inefficiency, negligence, or insubordination, including a refusal or failure to perform assigned work;
18. Failure to observe safety practices, rules, regulations, and instructions;
19. Negligence or conducting unsafe practices that result or could reasonably be expected to result in injury to others;
20. Failure to promptly report to the Manager or designee, or the Mayor, an on-the-job injury or accident causing damage to or involving an employee, customer, visitor, City equipment or City property;
21. Unauthorized possession of explosives, firearms, or other dangerous weapons on City-owned property or while on work time;
22. Conviction of certain misdemeanors, or conviction of any gross misdemeanor or felony;
23. Using city equipment, facilities, time, or supplies to engage in political activities, in accordance with all state and federal laws;
24. Use of work time for personal activities;

25. Unauthorized release of confidential information to other employees, agencies, organizations or other individuals; or

26. Violation of City policies and procedures whether written or verbally communicated.

### **309 Job Descriptions**

Since the proper working relationship between employees and the City depends on each employee's on-going job performance, professional conduct and behavior, employees will be required to meet at least the minimum expectations, standards, and requirements outlined in their job descriptions. Job descriptions are not contracts, but should be used and thought of as guidance.

The City is a relatively small organization. To function as efficiently as possible, employees may be asked to perform duties, meet expectations, and fulfill requirements outside of their job description or job assignments given to them by their supervisor.

To make the most efficient use of personnel, the City also reserves the right to change work conditions and the duties of employees at any time.

### **310 Outside Employment**

This policy is intended to set forth guidelines to ensure that employees are not involved in any outside employment or activity that will affect the quality or quantity of their work at the City, create a conflict of interest, or create an appearance of impropriety. The purpose of this policy is to outline a process for approval of outside employment. The decision to approve or deny a request to engage in outside employment is the City's alone.

City employees shall not engage in any employment, enterprise, or outside activity which is in conflict with the duties, functions, responsibilities, of the employee's position as an employee of the City. Nor shall the employee engage in any compensatory outside activity which will directly, or indirectly, contribute to the lessening of the employee's effectiveness as an employee of the City. The employee's position with the City is of priority consideration in making a determination as to outside activities. Examples of outside employment that may not be permissible include, but are not limited to, outside employment which:

- Prevents the employee from being available for work beyond normal working hours, such as emergencies or peak work periods, when such availability is a regular part of the employee's job.
- Is conducted during the employee's work hours.
- Utilizes the City telephones, computers, supplies, or any other resources, facilities or equipment.
- Is employment with a firm that has contracts with or does business with the City.

- May reasonably be perceived by members of the public as a conflict of interest or otherwise discredits public service.

### *Process*

1. A written request to engage in outside employment must be completed and submitted to the Manager.
2. The Manager shall notify the City employee in writing of the final decision.
3. The Manager may make any restrictions on outside employment consistent with the operation of the department.
4. A copy of the request and response shall be filed in the employee's personnel file.
5. The decision to approve or deny requests is the City's alone.
6. Outside employment shall cease when, in the opinion of the City, the outside work is interfering with performance of the employee's City job, or if the employment appears to generate a conflict of interest.
7. Any violation of this policy may result in disciplinary action up to and including termination.

### **311 Political Activities**

1. Employees shall not collect any funds, contributions or services for any political purpose from any employee, tenant, customer or member of the public on City property during business hours.
2. Employees shall not solicit any money or any other thing of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public officer while on the job during working hours.
3. Employees shall not utilize City property or resources in furtherance of their own political activities.
4. Employees shall not wear or display political slogans or political paraphernalia on City property during business hours.

This policy does not restrict the right of a City employee to otherwise express his or her own personal political views on his or her own time.

## **312 Email, Voicemail and Computer Network System Privacy**

### *No Expectation of Privacy*

At work employees have email, voice mail, and individual computers which are networked. All these belong to the City and employees should not consider any information they have or any personal business they may conduct on any to be private.

### *City's Right to Access*

Although employees may have individual access codes to voice mail, email and computers, including the network, these systems are accessible at all times to the City and may be subject to periodic unannounced inspections by the City. All system pass codes must be available to the City and employees may not use pass codes that are kept secret from the City. Copies of email, messages or other documents (including personal items) originating from or sent to city systems may be inspected and maintained by the City.

### *Systems Use Restricted to City Business*

Employees are expected to use the telephone, facsimile, email, voice mail, computers, network and internet for City business or very limited personal purposes. Personal calls, personal texts and personal emails should be restricted to lunches and breaks. The following personal purposes are examples of what are not considered to be reasonable: using the internet to download, view or play music, pornography, videos or personal software; soliciting or proselytizing for non City related ventures, religious or political causes, outside organizations, or other non-job-related solicitations.

### *On-line messaging*

Instant messaging is very disruptive to work flow and is not allowed. If you have a particular extraordinary circumstance that requires you to need to use instant messaging, discuss the particular circumstances with the Manager. Being long-distance from the recipient party is not an extraordinary circumstance.

### *Forbidden Content*

Employees are prohibited from using the City's information systems in any way that may be disruptive or offensive to others, including but not limited to, the transmission of sexually explicit messages, cartoons, ethnic or racial slurs or anything that may be construed as harassment or disparagement of others.

### *Unauthorized Computer Programs*

Employees are prohibited from loading computer software on City computers or disks without the Manager's approval.

### *City Stationery*

Employees shall exercise care so that no personal correspondence appears to be an official communication of the City. City stationery and business cards may only be utilized for City business. Employees may not use the City's address or postage for sending or receiving personal mail.

### **313 Discipline**

In the event that discipline is necessary because of a violation of the City's Code of Conduct, any policy within this manual, or for any other reason as determined by the City, the following types of disciplinary action may be used, depending on the particular situation:

1. Oral Warning.
2. Written Reprimand.
3. Suspension.
4. Demotion.
5. Termination.

The choice of what discipline to apply in any particular case is solely the City's, and the city need not follow any particular disciplinary progression. The use of discipline less than termination in any particular case does not change, or should not be construed to change, the at-will nature of the employment relationship.

## **400 HEALTH AND SAFETY**

### **401 Workplace Violence**

The City is committed to providing a safe workplace for its employees, guests, contractors, vendors and the public.

#### *Workplace Violence Procedure*

The City strictly prohibits threatened or actual workplace violence. This includes, but is not limited to any of the following conduct associated in or around the workplace, or otherwise related to employment:

1. Threatening injury or damage against a person or property.
2. Fighting or threatening to fight with another person.
3. Threatening to use or having possession, custody, storage, or control of a weapon (an instrument or device of any kind which may be used to inflict bodily harm or injury or to establish fear simply due to its presence on the scene) on City premises unless the person is engaged in official law enforcement business.
4. Abusing or injuring another person.
5. Abusing or damaging property.
6. Using obscene or abusive language or gestures in a threatening manner.
7. Raising voices in a threatening manner.

**Because of the potential for misunderstanding, joking about any of the above misconduct is also prohibited.**

"Premises" Definition: The term "premises" means all areas within the ownership and/or control of the City, including, but not limited to buildings, offices, work areas, lounges, parking lots, parks, open space, desks, cabinets, lockers, storage areas, and any other City owned property on which employees may work. The City reserves the right to search all facility premises when it is determined that such a search is a reasonable and necessary precaution for workplace safety.

Reporting Violent Conduct: Any workplace violence incidents or incidents indicating a potential for violence are to be reported by an employee to their Manager or designee, and/or the Mayor or designee, as soon as possible, verbally or in writing.

If the City determines that an employee has violated this policy, the employee will be subject to immediate disciplinary action, up to and including termination.

Employees are strongly encouraged to report the existence of restraining orders and protection orders, particularly if the employee fears that the person restrained may attempt to visit him or her at work. Such notice may be essential to protect the safety of all employees at the City.

#### *Imminent Danger/Violence Incident Procedure*

Any employee who believes that a situation (e.g., a person uses obscene or abusive language or gestures, makes threats or acts in a violent or threatening manner) may become violent, thereby putting the employee or others in imminent danger, should promptly leave the work area and report to their Manager or designee, or the Mayor. In certain circumstances, an immediate call to 9-1-1 will be warranted. No disciplinary action shall be taken against any employee who leaves a work area when the employee has a belief that an emerging situation with an aggressive person is likely to become violent. The Manager or designee should take immediate action and/or contact the Mayor as soon as possible. The timing and circumstances of possible return by the employee to the area should be coordinated by the employee with the Manager or designee, or the Mayor or designee. The employee, Manager or designee, or the Mayor, will follow the City's procedures in response to such events, including incident reporting and the appropriate action deemed necessary.

## **402 Drugs and Alcohol**

The City is committed to maintaining high standards of employee safety, productivity and reliability. The purpose of this drug and alcohol policy is to promote a safe and productive working environment and to prevent accidents, injuries and property damage which may result from drug and alcohol abuse. To satisfy these objectives, the City must require a work environment free from the effects of drugs, alcohol, or other performance-impairing substances.

The City has a responsibility pursuant to the Drug Free Work Place Act of 1988. Employees shall not report to the City to work under the influence of intoxicating liquor or illegal drugs. All employees understand that the use, sale, possession, manufacture, distribution and/or dispensing by an employee of an intoxicating liquor, controlled, or illegal substance, or a drug not medically authorized, or any other substances which impair job performance or pose a hazard to the safety and welfare of the employee, other employees or the public, is strictly prohibited, except for alcohol or medically prescribed controlled substances off-duty or the consumption of medically prescribed controlled substances on-duty which are deemed by a physician to be safe to consume while on-duty. An employee is regulated by this policy while in "on-call" status and is considered on-duty. Conduct in violation of this policy may result in disciplinary action up to and including termination.

## *Prohibited Conduct*

The following conduct is strictly prohibited:

1. The buying, selling, transportation, possession, manufacture, use or consumption of alcoholic beverages or any controlled substances, as defined by law, including marijuana or "mood altering substances" (but excluding any substance lawfully prescribed for the employee's use, which is deemed by a physician to safe to consume by an employee while the employee is "on duty") while on City property, while operating City equipment and vehicles or at any time during working hours, including rest and meal periods.
2. Reporting for work under the influence of alcoholic intoxicants. An employee is automatically considered to be "under the influence" of alcohol when the employee's blood alcohol content reaches or exceeds 0.04%.
3. Reporting for work with any controlled substance, including marijuana or "mood altering substance" (but excluding any substance lawfully prescribed for the employee's use and which is deemed by a physician to safe to consume while the employee is "on duty") "present in the body." An employee is considered to have a controlled or mood altering substance "present in the body" when the employee tests "positive" in any blood or urine test administered. An employee shall be deemed to test "positive" to cannabinoids (marijuana or hashish) if his/her urine test indicates 30 or more nanograms/ml or the blood/serum contains 20 or more nanograms THC metabolites/ml.
4. Failing to promptly and fully disclose all felony convictions, plea bargains and parole/probation terms which involve buying, selling, transporting, manufacturing, cultivating, possessing or consuming any controlled substance, including alcohol. Disclosure must be made directly to the Mayor or his/her authorized designee. This disclosure requirement will apply to all convictions and plea bargains which occur after the effective date of this policy and all parole/probationary terms which are finalized after the effective date of this policy, and the disclosure must occur within two (2) work days following the incident which requires disclosure.
5. Failing to fully cooperate with any aspect of the City's enforcement of this Drug and Alcohol Policy, including but not limited to refusing to submit to required testing, searches, professional evaluation for drug and alcohol dependency, or failing to comply with rehabilitation conditions imposed by the City or rehabilitation counselors.

## *Reasonable Cause Testing*

Where the Mayor or his/her designee has reasonable grounds to believe that an employee is under the influence of any alcoholic intoxicants or has a controlled substance present in his/her body, the Mayor or his/her designee may require that the

employee immediately submit to a blood test, a urine test, and/or an intoxilyzer test. This testing, based upon reasonable suspicion, may be required at the sole discretion of the Mayor or his/her designee.

Employees who are required to submit to reasonable cause testing are prohibited from transporting themselves to the collection site. A supervisor or management employee will provide transportation to and from the collection site designated by the City.

### *Testing Procedure*

When the employee is notified that he or she is required to consent and to submit to such tests, he or she may request the presence of a representative to witness the test. The test may not be delayed unreasonably in order to wait for a representative.

Before a supervisor, acting on behalf of the City under this policy, may require an employee to consent and submit to any test, the supervisor must first obtain concurrence from the Mayor or his/her designee that the information available to the City about the subject employee is sufficient to determine reasonable suspicion that prohibited conduct will be established as a result of the test.

The Mayor or his/her designee or the supervisor shall arrange transportation for the employee for testing, and the employee will be sent off duty following testing. The Mayor or his/her designee or the supervisor will also arrange transportation home for the employee following completion of the testing. The employee will not provide his or her own transportation.

The employee shall give consent to a blood, urine or intoxilyzer test, or any combination, upon request, by signing a consent form.

### *Consequence of a Positive Test*

An employee who is found to be under the influence of or impaired by alcohol or illegal drugs as a result of a test requested by the City based upon reasonable suspicion will be subject to disciplinary action including suspension or termination. Unless otherwise required by law, sick leave benefits will not apply if the employee seeks drug treatment, even if treatment is imposed as a condition of return to work or continued employment.

### *Consequence of Refusal to Submit to Testing*

An employee who refuses to submit to discovery testing for alcohol and drugs will be subject to suspension or discharge, or both.

### *Post Accident Testing*

All employees who are involved in reportable accidents will be required to immediately submit to urine testing for the detection of drugs, unless the Mayor concludes that the

employee's action or in-action was clearly not a factor causing the accident. Likewise, whenever the Mayor believes that there is "reasonable cause" for believing that an employee involved in a reportable accident had alcohol in his/her system at the time of the accident, the employee will be required to immediately submit a blood sample for the detection of alcohol under the "reasonable cause" testing rule set forth below.

A "reportable accident" is one which results in a death or bodily injury requiring the injured person to receive immediate medical treatment away from the site of the accident or property damage which the Mayor believes is significant or is estimated to be significant.

### *Prescribed Medication*

Employees utilizing any prescribed medication or controlled substance, or any other substances which the employee knows or should know can impair job performance, as part of a medical treatment program must immediately report this treatment to their supervisor or to the Mayor or his or her designee. Although the use of medications or controlled substances as part of a prescribed medical treatment program is not grounds for disciplinary action, failure to report the use of a prescribed medication, use which is inconsistent with a prescription, or failure to provide medical authorization when requested to do so will subject an employee to disciplinary action. In the event there is a question regarding an employee's ability to safely perform assigned duties, clearance from a physician will be required. It is the employees' responsibility to determine from the physician whether or not the prescribed drug would impair job performance.

As with all its policies, the City may revise this policy from time to time as it deems appropriate. In the event of such a change, the employees will be notified. The City's effort to maintain a drug and alcohol free workplace is not, however, intended to be limited exclusively to what is written in this policy. The City may take other steps which it considers to be necessary to detect and eliminate drug and alcohol abuse among its workforce.

## **403 Safety**

The City strives to provide a work environment as free as practicable from recognized hazards. Employees are expected to comply with all safety and health requirements whether established by City, federal, state, or local law.

Employees are responsible for ensuring that they understand and comply with all City safety rules, regulations, and procedures.

Employees are responsible for:

1. Being familiar with all safety and health procedures relevant to their areas of operation;

2. Inspecting their work areas periodically;
3. Identifying conditions that are recognized as being unsafe, and;
4. Reporting accidents and injuries to the Manager or designee in writing.

Employees should report to their Manager or designee, or the Mayor, all observed safety and health violations and potentially unsafe conditions.

Violations of City safety rules, regulations, or procedures may result in disciplinary action, up to and including termination.

#### **404 Fitness for Duty**

If a Manager or designee, or the Mayor, has reason to believe an employee is not fit for duty or that the employee may be impaired, they may send that employee for an immediate fitness for duty evaluation. The City may designate the health care provider or site of the evaluation. The expenses of such an evaluation will be covered by the City.

When an employee has been absent from work due to impairment, injury or illness, caused on or off the job, the Manager may require that the employee provide a written release from their medical provider to full unrestricted work status before the employee is allowed to return to work without limitations. Should the treating health care provider determine that the employee has temporary limitations which may prohibit an unrestricted return to full duty; the City may elect to return the employee to any temporary limited duties which the Manager determines the employee can safely perform. The City may determine that the employee's limitations do not permit a return to work, even if the employee desires to return to work prior to full recovery. Should the treating health care provider determine that the employee has permanent or prolonged limitations which may prohibit an unrestricted return to full duty; the City may consider reasonable accommodations to the employee's limitations in compliance with the requirements of the Americans with Disabilities Act and applicable federal, state and local law.

## **500 HOURS AND ATTENDANCE**

### **501 Hours of Work**

A working schedule for regular, full-time employees consists of forty hours each workweek. For payroll purposes, the workweek is Monday to Sunday. Different work schedules may be established by an employee's Manager or designee to meet job assignments and provide necessary City services. The Manager is responsible for advising the employee of their specific working hours.

Part-time and temporary employees will work hours as specified by their Manager or designee, or the Mayor.

All employees are responsible for accurately reporting all hours worked on forms supplied by the City. Employees failing to accurately record time worked are subject to discipline.

Exempt employees must submit leave slips in accordance with all of the City's leave policies, practices, and procedures. Exempt employees must work at least two hours in order to qualify as having worked a full day, otherwise they must take that day as a vacation day.

### **502 Alternative Work Schedules**

The City provides options for flexible and alternative work scheduling including 4 day/40 hours per week schedules and job-sharing. Alternative work scheduling is used to accommodate special scheduling needs. While these opportunities are available, implementing or continuing a flexible scheduling option is within the sole discretion of the City. Adopting alternative work schedules enables employees to integrate personal and professional lives, reduces or eliminates travel in compliance with the Washington Clean Air Act and may enhance the ability of the City to recruit and retain qualified individuals.

#### *Eligibility*

All regular full-time employees are eligible to request alternative work scheduling options. Final decision for participation will be made by the Manager or designee. The Mayor will determine the participation of Managers.

An employee with a documented performance problem may be denied their request for an alternative work schedule, depending on the nature of the performance problem.

An alternative work schedule may be implemented for any eligible employee where the proposed schedule will not materially interfere with business operations of the department, or compromise the City's ability to provide service to the public.

## *Application Process*

1. An employee interested in establishing an alternative work schedule will complete a request in writing, which will include the proposed alternative work schedule, the employee circumstances leading up to the request, potential problems identified and recommended solutions. Additional information may be requested.
2. The Manager or designee, or the Mayor, will approve or disapprove the application and respond back to the employee.

The Manager or designee, or the Mayor, may discontinue the alternative work schedule at any time or for any reason. If the alternative work schedule is discontinued, the employee may submit a new application should circumstances of the employee, the department, or position significantly change.

### **503 Attendance**

Punctual and consistent attendance is a condition of employment and an essential function of each job. Each Manager or designee is responsible for maintaining an accurate attendance record of their employees.

An employee unable to work or unable to report to work should notify their Manager or designee, or the Mayor, as soon as possible, ordinarily before the work day begins or within thirty (30) minutes of the employee's usual starting time.

If an absence continues beyond one day, the employee is responsible for reporting in each day or as requested by the Manager or designee, or the Mayor. If that person is unavailable, the employee may leave a message at city hall stating the reason for being unable to report for work and providing a number where they can be reached. An employee who is absent from work without authorization or notification is subject to disciplinary action up to and including termination.

An employee being late for shift more than twice in a six month period or having excessive absences, or otherwise violating the City's attendance policy may be subject to disciplinary action up to and including termination. Total attendance may also be considered relative to disciplinary action. Failure to call in for three consecutive days will be treated as job abandonment.

### **504 Meal and Rest Periods**

Employees will receive all meal and rest periods in accordance with federal and state laws and regulations and as scheduled by their manager. All meal and rest periods shall be arranged so that they do not interfere with City business or service to the public. The scheduling of meal periods may vary depending on department workload. Meal periods are unpaid.

## **505 On Call and Callback**

Public Works employees are required to be on call one week per month to meet the needs of the City during off hours, including weekends and holidays. On call status requires that the employee will be available for all emergencies by means of telephone, cell phone, pager, radio, etc. The employee must be able to respond to a call within 15 minutes. If the scheduled employee cannot fulfill their on-call obligation, it is their responsibility to find an employee to take their place.

If a non-exempt employee on call is called to duty they shall be compensated for their time worked, at a rate of one and one-half times their normal hourly rate.

All employees are subject to callback in emergencies or as needed by the City to provide necessary services to the public. Non-Exempt employees called back to duty shall be paid at one and one-half times their normal hourly rate. An unjustified refusal to respond to a callback may be grounds for immediate disciplinary action up to and including termination.

## **506 Overtime**

The City overtime pay policy conforms to overtime provisions of the Fair Labor Standards Act (FLSA) and Washington Minimum Wage Act (WMWA). Exemption from these provisions will be claimed for an employee only when it can clearly be established that the position, duties, and responsibilities meet the requirements for such exemption. Therefore, all City positions are designated as either "exempt" or "non-exempt."

### *Non-exempt Employees*

Non-exempt employees are entitled to additional compensation, either in wages or overtime pay when they work more than the maximum number of hours during a regular work week as recognized by the FLSA. All overtime must be authorized in advance by the employee's Manager or designee. Overtime pay is calculated at one and one-half (1.5) times the employee's regular rate of pay for all time worked beyond the established regular work week.

### *Exempt Employees*

Exempt employees are not covered by the FLSA or WMWA overtime provisions and do not receive overtime pay. An exempt employee is paid to perform a job which may not necessarily be completed in a regular work week.

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## **600 WAGE AND SALARY ADMINISTRATION**

### **601 Appointive Officer**

An appointive officer shall be those provided for by state law and/or city ordinance and shall include, but not be limited to: an Administrator / Clerk / Treasurer, City Clerk / Treasurer, Chief Law Enforcement Officer, Municipal Judge and City Attorney. Appointive officers shall be appointed to their positions by the Mayor. Mayoral appointments shall be subject to confirmation by a majority of the full City Council.

### **602 Salary Ranges and Levels for Non-represented Employees**

Each non-represented position within the City shall be assigned a salary range after it has been approved by the City Council.

Salary ranges will be reviewed on an annual basis. Several factors can be considered when adjusting salary ranges, including but not limited to: level of responsibility, working conditions, skill required, potential hazard, amount of supervision given or received, market conditions, and the ability of the City to pay.

No employee shall be paid above the high point of their salary range without authorization from the City Council. When warranted, new employees will start their employment at the minimum wage rate for their salary range. However, a new employee may be employed at a higher rate, after approval from the Mayor, when the employee's experience, training or proven capability warrant, or when prevailing market conditions require a starting rate greater than the minimum.

### **603 Pay for Performance**

To achieve the City's goal to train, promote and retain the best qualified employee for every job, the City will conduct employee performance appraisals. The appraisal may be a factor in determining employee development, training needs, validating selection procedures, determining wage increases or decreases, promotions, demotions, and/or transfers.

Employees should be evaluated by their Manager or designee six months after their hire date and then at least once every twelve months. The Mayor will evaluate and assess the performance of Managers.

Upward or downward movement within an employee's salary range is contingent on their performance and the City's ability to pay, as determined by their Manager or designee and approved by the Mayor.

#### **604 Cost of Living Adjustment**

The Mayor may propose a pay adjustment based on cost of living indicators no more than once per year, raising the salaries of all non-represented positions by a specified amount. Such adjustments, if any, will not change an employee's pay anniversary date. All cost of living increases must be approved by the City Council.

#### **605 Paydays**

City employees are paid monthly on the 2nd day of each month for the prior month's work. If a regularly scheduled payday falls on Saturday or Sunday or on a holiday, paychecks will be distributed on the previous scheduled working day.

Employees may also elect to receive a draw of up to 50% of their monthly pay on or about the 15<sup>th</sup> of each month.

#### **606 Deductions from Pay**

The City will withhold from the employee's paycheck those deductions required by law and any City approved voluntary deductions authorized by the employee, applicable union contract, or statute.

#### **607 Payroll Records**

The official payroll records are kept by the City as required by state law. Each Manager shall turn in on a monthly basis a signed work record for each employee within their department, noting hours worked, compensatory time or leave used, as well as overtime worked.

#### **608 Pay upon Separation**

Upon separation of employment for any reason, the employee will be paid all wages owed. Payment shall be made by no later than the end of the established pay period pursuant to RCW 49.48.010.

#### **609 Volunteer Firefighter Stipends**

Volunteer Fire Fighters shall receive a \$10 stipend for each sanctioned drill or meeting they attend. They shall also receive a \$20 stipend for each emergency call they respond to.

## **700 EXPENSE REIMBURSEMENT**

City employees will be reimbursed for reasonable and customary expenses actually incurred while performing official City business. The City will not reimburse for expenses that have already been paid by another program or organization, or if reimbursement is available through another program or organization.

### **701 Reimbursable Expenses**

Expenses such as meals, conference or training fees, lodging, mileage, parking, bridge tolls, and ferries may be reimbursed with proper approval and receipts pursuant to RCW 42.24.090.

The Mayor may approve reimbursement for the actual cost of a meal when the employee is required to attend a meeting that is being held or sponsored by another organization and the meal cost, as evidenced by a receipt, exceeds the per meal allowance.

Alcoholic beverages, traffic and parking tickets, and similar expenses are non-reimbursable.

### **702 Meal and Travel Reimbursement**

Meal and travel reimbursement shall be paid at the Federal Domestic Per Diem Rate as posted by the U.S. General Services Administration.

Receipts do not need to be provided for meals while on travel for official city business unless the employee is requesting the full cost of the meal over the allowed per diem rate. Meal reimbursement should be made based upon three meals per day times the number of days the employee was gone on travel. If another organization is providing a meal while on travel, at no extra cost to the employee, it shall be noted on the expense report form and deducted from any per diem payment due.

The travel destination/lodging site must be outside a 50 mile travel-radius of the City of North Bonneville to be considered for meal reimbursement, unless otherwise approved by the Mayor. Mileage reimbursements shall be made for any required travel.

The start and/or end time of any conference or training, as well as travel departure and return times, are to be considered when calculating expense per diem reimbursement.

### **703 Requesting Reimbursement**

Employees are responsible for the submittal of their own requests for reimbursement. Requests for reimbursement are to be submitted on an expense report form, provided by the Finance Department, signed by the employee and the employee's Manager with applicable receipts and/or per diem requests attached.

All expense reports must be submitted within 90 days of the employee's return from travel. Any expense report that cannot be submitted within 90 days should be brought to the attention of the Mayor and/or the Finance Department.

All expense reports must be reviewed and approved by the Finance Department, to ensure compliance with this policy, before final payment is made.

#### **704 Use of a City Credit/Debit Card to Pay for Expenses**

The use of a City Credit/Debit Card to pay for reimbursable expenses directly related to City business is allowed. However, all expenses charged on a City Credit/Debit Card must comply with this policy. If meal, travel, lodging, and other expenses are paid for by a City Credit/Debit and are found to not comply with this policy, the owner of that City Credit/Debit Card will be responsible for the cost and may lose credit card privileges.

## **800 EMPLOYEE BENEFITS**

### **801 Retirement Benefits**

The City makes contributions on behalf of all eligible employees to the Social Security System, in accordance with all appropriate laws and regulations, in addition to those contributions made by the employee through FICA payroll deductions.

All regular full-time and eligible part-time employees are covered under the Public Employees Retirement System (PERS) or the Law Enforcement and Fire Fighters Plan 2 (LEOFF 2). Benefit levels and contribution rates are set by the State of Washington. Employees intending to retire should notify their Manager, or the Mayor, of their intent to retire at least three months prior to the date of retirement.

The City offers a Deferred Compensation Plan for eligible employees. The City does not and cannot represent or guarantee that any particular federal or state income, payroll or other tax consequence will occur by reason of an employee's participation in this plan. A participant should consult with their own attorney or other representative regarding all tax or other consequences of participation in this plan. The City reserves the right to end this program or make changes in the carriers and provisions when deemed necessary or advisable, with prior notice to affected employees.

### **802 Worker's Compensation**

All employees except those covered by LEOFF 2 are covered by the State Worker's Compensation Program. This insurance covers employees in case of on the job injuries or job-related illness. For qualifying cases, State Industrial Insurance will pay the employee for work lost and medical costs due to job-related injuries or illness. All job-related accidents should be reported immediately to the employee's Manager or designee, or the Mayor. After all job-related accidents or near misses a written report should be made by the employee and an accident investigation report should be made by the Manager or designee, or the City's Safety Officer.

When an employee is absent for one or more days or receives medical attention due to an on-the-job accident, they are required to file a claim for Worker's Compensation. If the employee files a claim, the City will continue to pay (by use of the employee's unused sick leave) the employee's regular salary pending receipt of Worker's Compensation benefits.

When the employee receives Worker's Compensation benefits, they are required to repay the City the amount covered by Worker's Compensation and previously advanced by the City. This policy is to ensure that employees will receive prompt and regular payment during periods of injury or disability so long as accrued sick leave is available, while ensuring that no employee receives more than they would have received had the injury not occurred. Upon the repayment of funds advanced, the appropriate amount of sick leave shall be restored to the employee's account.

At the Mayor's discretion and with written approval from the employee's doctor, an employee may be returned to work on light duty and kept on salary or on regular working wages in order to minimize Labor and Industry Insurance exposure and to encourage the return to normal work.

### **803 Health Insurance Benefits**

Regular full-time employees and their dependents are eligible to participate in the City's health insurance programs. The programs and criteria for eligibility will be explained upon hire. The City contributes toward the cost of premiums in the amounts authorized by the City Council. The remainder of the premiums, if any, shall be paid by the employee through payroll deduction. The City reserves the right to make changes in the carriers and provisions of these programs when deemed necessary or advisable, with prior notice to affected employees.

### **804 Life Insurance**

The City currently participates in a life insurance program. The program and criteria for eligibility will be explained upon hire. The City contributes toward the cost of life insurance at a level authorized by the City Council. If available, employees may at their own cost purchase a higher level of life insurance through the City's program. The City reserves the right to end the life insurance program or make changes in the carriers and provisions when deemed necessary or advisable, with prior notice to affected employees.

### **805 Long Term Disability**

The City currently participates in a Long Term Disability Program. The program and criteria for eligibility will be explained upon hire. The City contributes toward the cost of long term disability at a level authorized by the City Council. The City reserves the right to end this program or make changes in the carriers and provisions when deemed necessary or advisable, with prior notice to affected employees.

### **806 Employee Assistance Program**

The City currently participates in an Employee Assistance Program (EAP). The program and criteria for eligibility will be explained upon hire. The City contributes toward the cost of the EAP at a level authorized by the City Council. The City reserves the right to end the program or make changes in the carriers and provisions when deemed necessary or advisable, with prior notice to affected employees.

The City recognizes that personal difficulties can adversely affect job performance. Accordingly, employees experiencing personal problems are encouraged to seek assistance from the EAP. Any individual seeking information about the EAP can contact their Manager or designee, or the Mayor or designee. Employees will not be

required to explain nor be asked about the reasons EAP is being sought. Furthermore, any request for information about the EAP will be kept strictly confidential.

## **807 Continuation of Health Insurance Coverage**

### *Workers Compensation Leave*

The City will continue to pay for the employer's portion of health insurance premiums, provided that the employee continues to pay their share of premiums, if any, while the employee is not working and receiving worker's compensation. After six (6) months, the employee's benefits shall cease unless the Mayor and/or the benefit provider approves an extension. The employee may continue health care benefits by self-paying insurance premiums for the remainder of the time they receive Worker's Compensation benefits, up to the maximum allowed by law.

### *COBRA Rights*

Upon an employee's separation from City employment, an unpaid leave of absence, or other qualifying event, at the employee's option and expense, the employee may be eligible to continue City health insurance benefits to the extent provided under federal COBRA regulations. An administrative handling fee over and above the cost of the insurance premium may be charged the employee or their dependents that elect to exercise their COBRA continuation rights.

## **808 Benefits for Part-time Employees**

Part-time employees scheduled and working less than 26 hours per week, are not eligible for medical coverage.

## **809 Benefits for Temporary Employees**

Temporary employees usually are not eligible to receive benefits, unless otherwise authorized by the Mayor and/or benefit providers, including leaves, holidays and insurance with the exception of any position that is required to enroll in the Public Employee Retirement System, per state law.

## **810 Training and Development**

The City recognizes the mutual benefits derived from personal growth and increased work competence and thereby encourages staff to pursue applicable training opportunities. Training decisions will be based upon availability, need, time taken away from work, and funding. Whether training time is paid or unpaid depends on the nature of the training and will be determined in accordance with state law.

## **811 Firefighter Pensions**

The City will pay the premium for volunteer pensions.

## **900 LEAVES AND HOLIDAYS**

### **901 Vacation Leave**

Annual vacations are provided each year on the basis of years of service from the last date of hire. Vacation will be accrued each month and be awarded by no later than the last day of the month.

Regular full-time employees are eligible for vacation leave accrual as outlined below:

0 – 3 years (1-36 months)	8 hours per calendar month
4 – 6 years (37-72 months)	10 hours per calendar month
7 – 10 years (73-120 months)	12 hours per calendar month
11 – 15 years (121-180 months)	13.3 hours per calendar month
16 years (181 months) or greater	16.7 hours per calendar month

For the purpose of recruiting the highest qualified candidates for vacant positions, the City, with approval from the Mayor, may allow a new employee to use all or a portion of their years of service with a previous employer in order to receive an accrual rate higher than the first year, but no higher than the 10<sup>th</sup> year. Previous years of service with another employer can only count for the purposes of accruing vacation and for no other reason. The new employee shall then receive their next accrual increase per the above table.

Regular part-time employees are eligible for vacation leave accrual on a pro-rated basis. Pro-rated means the ratio between the number of hours in the employee's normal work schedule and 40 hours per week. Temporary employees are not eligible for vacation benefits. Employees do not accrue vacation benefits during a leave without pay.

#### *Accrual Limits*

Maximum accrual is 300 hours at the end of every pay period. Vacation leave balances in excess of 300 hours at the end of any pay period will be forfeited without pay. In cases where City operations have made it impractical for an employee to use vacation time, the Mayor may authorize additional leave above the 300 hour limit.

#### *Scheduling of Vacation Time*

Leave requests must be completed and submitted in advance, preferably at least 10 business days prior to the desired vacation date(s). Each Manager or designee is responsible for scheduling its employee's vacation without undue disruption to City

operations. Employees may be denied permission to take vacation if it unduly disrupts operations. No vacation leave will be granted in excess of amount accrued.

Utilization of vacation time by exempt employees is allowed only in daily increments. Utilizations of vacation time by non-exempt employees are allowed in hourly increments.

## **. 901**

### *Cash-out of Vacation Leave upon Separation of Employment*

An employee will receive a cash payment of accrued vacation leave up to a maximum of 300 hours upon separation of employment, by no later than the last day of the established pay period pursuant to RCW 49.48.010.

### *Vacation Leave Purchase.*

An employee may, once each calendar year, request and receive payment in exchange for accrued vacation leave at their current rate of pay. In requesting these payments, the employee is also agreeing to indemnify and hold the Employer harmless from any taxes, penalties, or damages assessed by IRS. The maximum number of vacation hours that may be purchased is equal to the number accrued by the employee in one (1) calendar year, but the employee is required to take at least two (2) weeks of actual vacation time each calendar year.

Maximum purchase based on years of service:

- 0 - 3 years may purchase up to 96 hours
- 4 - 6 years may purchase up to 120 hours
- 7 - 10 years may purchase up to 144 hours
- 11 - 15 years may purchase up to 159.6 hours
- 16 - years or greater may purchase up to 200.4 hours

Regular full-time employees are eligible to earn and accumulate vacation leave as follows:

#### Years of Service

- 0-3 years (1-36 months)
- 4-6 years (37-72 months)
- 7-10 years (73-120 months)
- 11-15 years (121-180 months)
- 16 years (181 months)

## **902 Sick Leave**

All full-time regular employees accrue sick leave benefits at the rate of one workday for each calendar month of continuous employment. Regular part-time employees may accrue sick leave benefits on a pro-rata basis according to hours worked. Temporary employees do not earn sick leave benefits. Employees do not accrue sick leave benefits during a leave without pay. Sick leave shall not be accrued above a 640 hour (80 day) maximum.

#### *Allowable Uses of Sick Leave*

Sick leave covers those situations in which an employee is absent from work due to:

1. Employee's own health condition (illness, injury, physical or mental disability, including disability due to pregnancy or childbirth).
2. The need to care for a dependent child whose condition requires treatment or supervision.
3. The need to care for a spouse, parent, parent-in-law, or grandparent with a serious medical condition or an emergency condition.
4. Medical or dental appointments for the employee or dependent child provided that the employee must make a reasonable effort to schedule such appointments at times which have the least interference with the work day.
5. Exposure to a contagious disease where on the job presence of the employee would jeopardize the health of others.
6. Use of a prescription drug which impairs job performance or safety.

A doctor's certificate may be required when an employee requests sick leave or returns to work.

Employees may be sent home and be required to use sick leave if a Manager or designee, or the Mayor, determines that an employee's performance is negatively affected by their health conditions.

Employees will be paid for thirty-three percent (33%) of unused sick leave only upon their retirement from the City, or death.

### **903 Executive Leave**

Because exempt employees are not eligible for overtime or compensatory time, Managers can be granted up to ten (10) days of executive leave each calendar year as determined by the Mayor. Executive leave may be used for any reason. The Manager must schedule and receive approval for the use of executive leave from the Mayor. Executive leave must be used in the calendar year granted and shall not be carried into the next calendar year. Executive leave must be taken in full-day increments. The number of days of executive leave that an employee will earn shall be approved by the Mayor. The City reserves the right to reduce or eliminate executive leave at any time.

### **904 Leave without Pay**

Leave without pay may be granted for absence from work not covered by any other type of leave or if other leave balances are exhausted.

The following requirements apply:

1. Leave without pay may be granted to an employee for a period of up to three calendar months, upon the approval of the Mayor. Leave without pay requests may be denied for any reason at the sole discretion of the City with exception to requirements provided by state or federal law.
2. Accrued compensatory time and vacation leave must be exhausted prior to taking any leave without pay. Sick leave must be exhausted if the leave is for reasons to which sick leave is applicable. Time spent utilizing accrued paid leave or compensatory time is included in the three month maximum leave.
3. An employee's benefits are suspended during the period of leave without pay until the employee returns to work. In certain circumstances, self-payment of medical benefits may apply.
4. Vacation, sick leave and/or any other leaves do not accrue while an employee is on leave without pay
5. An employee who fails to report promptly at the end of the leave without pay is presumed to have voluntarily resigned. An employee returning from leave without pay may, at the City's option, return to the same position or similar position at a comparable rate of pay.
6. If the leave without pay is due to an illness, the City may require a doctor's certificate stating that the employee is capable of returning to work and performing the work, duties and responsibilities of the employee's position, with or without reasonable accommodation.

## 905 Family and Medical Leave Act

The Family and Medical Leave Act (FMLA) entitles an employee who has been employed with the City for fifty-two weeks and has worked at least 1,250 hours during the twelve -month period immediately preceding the commencement of the FMLA leave, up to twelve work weeks of FMLA leave during the twelve-month period following the date the employee's first FMLA leave begins for the following reasons:

- For the birth of a son or daughter, and to care for a newborn child.
- For the placement with the employee of a son or daughter for adoption or foster care.
- To care for the employee's spouse, son, daughter or parent with a serious health condition.
- Because of a serious health condition that prevents the employee from performing the essential functions of the employer's job.
- Veteran's Leave and Exigency Leave.

FMLA leave may be paid or unpaid; however, all accrued paid leaves must be exhausted before unpaid leave commences, with the exception of workers on State Paid Family and Medical Leave or Workers' Compensation (L&I) leaves that run concurrently with FMLA.

The Washington Family Care Act (WFCA), under this act, employees with accrued vacation or general leave, floating holidays, or sick leave or may use their leave to take care of a sick family member. Employee's have to comply with all notice and document requirements under the applicable policy type of leave used.

Domestic Violence Act, pursuant to chapter 49.76RCW, employees who are victims of domestic violence, sexual assault, and stalking are guaranteed "reasonable leave." The law protects victims of domestic violence, as well as their family members. Family members include children, spouses, registered domestic partners, parents, parents-in-law, grandparents, and individuals, with whom the employee has a "dating relationship." Employees are entitled to leave in order to participate in legal proceedings, receive medical treatment and mental health counseling, or obtain support from social services programs. Family members can take leave assist victims in their endeavors to obtain help or secure safety.

- Employees in need of leave under this law may use vacation or general leave or may take unpaid leave. Employees are required to provide advance of the of the need for leave to the Chief Administrative Officer when predictable. Where advance notice is not possible, notice must be given no later than the end of the first day that the employee needs the leave. The City of North Bonneville may request that the employee provide timely verification that the employee or the employee's family member is a victim of domestic violence, sexual assault or stalking. This verification may be in the form of a police report, a court document, or a statement from an advocate for victims of domestic violence, an attorney, a member of the clergy, a medical professional, or statement from employee. Except where disclosure is authorized or required by law, The City of North

Bonneville will maintain confidentiality of all information provided by the employee in conjunction with this leave.

Washington Paid Family Leave Program is a family leave and medical leave statewide insurance program that offers employees the opportunity to receive partial wage replacement while on leave to care for themselves and their family members. It may be used while on leave to recover from an illness or injury, bond with a new child, to care for a sick or injured family member, and certain military-related events. Eligibility and compensation are determined by the Washington State Security department. For more information, visit [www.esd.wa.gov](http://www.esd.wa.gov).

### **906 Jury Duty**

The City provides all employees leave for jury duty service. Regular full-time and regular part-time employees receive paid jury duty leave of up to ten (10) business days each time they are called for jury service. In general, if jury duty extends beyond ten business days in any one instance the additional leave will be unpaid. If an employee is summoned during a critical work period, the City may ask the employee to request a waiver from duty.

Exempt salaried employees who are asked to serve longer than two weeks should contact the Mayor or designee to discuss whether future paid leave will be provided. Payments provided by the courts during period of paid jury duty leave must be turned over to the City, excluding expense reimbursements, such as mileage. The employee must provide the City with a copy of the jury duty summons as soon as possible after receiving it. Upon completion of jury duty, the employee is required to provide the City with proof of jury service.

### **907 Witness Duty**

All employees summoned to testify in court are allowed time off for the period they serve as a witness. In general, witness duty leave is unpaid unless the employee is a witness in a case involving the City.

### **908 Administrative Leave**

On a case-by-case basis, the City may place an employee on administrative leave with or without pay for an indefinite period of time, to be used in the best interest of the City as determined by the Mayor.

### **909 Military Leave**

The City provides all employees leave while performing military service in accordance with federal and state law. Regular full-time and part-time employees receive paid military leave of up to twenty-one (21) business days per year for military service. In general, if military service extends beyond twenty-one (21) business days, the additional leave will be unpaid. All employees who are not eligible for paid military leave are provided unpaid leave for a period of their military service. Military service may include active military duty and Reserve or National Guard training. An employee is required to

provide the City with copies of their military orders as soon as possible after they are received. Reinstatement upon return from military service will be determined in accordance with applicable federal and state law.

### **910 Military Leave for Spouses**

Military leave for spouses is allowed pursuant to RCW 49.77.

### **911 Religious Holidays**

If an employee's religious beliefs require observance of a holiday not included in the basic holiday schedule, the employee may, with their Manager's approval or the approval of the Mayor, take the day off using vacation leave or compensatory time.

### **912 Bereavement Leave**

All employees may receive up to five working days off with pay for bereavement as the result of the death of a member of the employee's immediate family or household.

The City may require documentation proving the appropriate use of bereavement leave.

### **913 Leave for Domestic Violence, Sexual Abuse, or Stalking**

An employee who is a victim of domestic violence, sexual assault, or stalking, or whose family member is a victim of domestic violence, sexual assault, or stalking, shall be eligible for leave pursuant to RCW 49.76.

### **914 Holidays**

The following days are recognized as paid holidays for regular full-time and part time employees:

Holiday	Day Observed
New Year's Day	January 1st
Martin Luther King's Birthday	Third Monday in January
Presidents Day	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19th
Independence Day	July 4th
Labor Day	First Monday in September
Veteran's Day	November 11th
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Day Immediately following Thanksgiving
Christmas Day	December 25th
1 Floating Holiday	

With the exception of those employees normally scheduled to work on a weekend day, City-paid holidays which fall on a Saturday will be observed on the preceding Friday; paid holidays falling on a Sunday will be observed on the following Monday. Employees who are off work on an unpaid leave of absence will not receive Holiday pay.

Holiday pay is for each employee's standard workday. Part-time employees and employees on flex schedules are paid the same amount on holidays as they are for their regularly scheduled workdays.

### *Floating Holidays*

On January 1<sup>st</sup> of each year all regular full time employees will be credited with 8 hours (1 day) of floating holiday leave and all regular part time employees will be credited with a pro rata amount of floating holiday leave. An eligible employee may then select when to take their floating holiday hours subject to approval from their Manager or designee, or the Mayor.

Floating holidays can be scheduled and taken in the same manner as vacation time.

Only employees who are employed as of July 1<sup>st</sup> will receive the floating holiday for that year.

### *Work on Holidays*

In the event that a non-exempt employee is required to work a holiday, they will be paid a rate of twice their regular rate of pay for all hours worked on the holiday. Such time must be pre-authorized by the Manager or designee, or the Mayor.

## **915 Inclement Weather**

### *Purpose*

The citizens of North Bonneville expect the City to offer continued public service and emergency services during periods of inclement weather. This policy covers conditions that limit transportation or mobility such as snowstorms, ice storms, wind storms, earthquakes, floods or any other event as defined by the City which may cause unsafe driving conditions for both public and private transportation.

### *Attendance*

During periods of inclement weather, employees are expected to report to work unless told otherwise by the Mayor or their Manager. If an employee is directed not to come to work they will not be paid for the time they are not at work and will be required to use

vacation time, compensatory time, a floating holiday, or leave hours in order to be paid for those hours missed. Use of sick leave is not allowed for absences due to inclement weather.

Because of the public safety nature of those positions in the Fire, Police, and Public Works Departments, employees in those departments should assume that City business will proceed as normal even when the City is closed and other employees are not required to come to work. However, if employees within these departments decide that weather conditions prohibit them from coming to work safely, they may contact their Manager or designee, or the Mayor, and request leave per the provisions of this policy.

Managers may permit employees to make up short periods of absence due to inclement weather within the pay period the absence occurs, provided such activity does not conflict with City policy or labor agreements, and that such adjusted work time does not result in additional overtime payments.

#### *Notification*

On days when poor weather conditions exist, the Mayor may place the City under the inclement weather policy, close the city, or limit hours the city is open for business. To be notified about these decisions, employees are responsible for calling City Hall to hear updated postings after 7:30 AM. If no message has been issued, employees shall assume that City business will proceed under normal policies and procedures.

### **916 Shared Medical Leave Program**

The City of North Bonneville recognizes that certain circumstances may exist where employees may need additional leave to assist them during a period of time when they are off from work for medical purposes, but do not have enough accumulated leave. These additional leave days may be voluntarily donated by other City employees. Donated leave days, for medical purposes, may also be used by an employee because of immediate family illness.

#### *Eligibility*

To be eligible to donate either vacation or sick leave an employee must have over 100 hours of accrued vacation leave and 200 hours of accrued sick leave. In no event shall a leave donation result in the donor reducing their vacation leave balance to less than 100 hours or sick leave balance to less than 200 hours. Transfer of leave will be in increments of eight hours (1 day). Leave is donated on a prorated basis based on the hourly wages of both the donor and the recipient to ensure the City does not incur any additional payroll costs.

For an employee to receive donated leave, the employee must first exhaust all of the employee's own accumulated compensatory time, sick leave, and vacation leave. In

the case of work related injury, the employee must diligently pursue and be found ineligible for worker's compensation benefits, prior to receiving donated leave.

### *Process*

All donations of leave are strictly voluntary and confidential, and will occur on a "per event" basis. If employees have a need to use the Shared Medical Leave Program they should contact their Manager or designee, or the Mayor or designee. When an employee is in need of donated leave, and so requests, the City will inform other employees in writing that donated leave has been requested.

An employee using shared leave will continue to receive the same salary and benefits as an employee using vacation or sick leave.