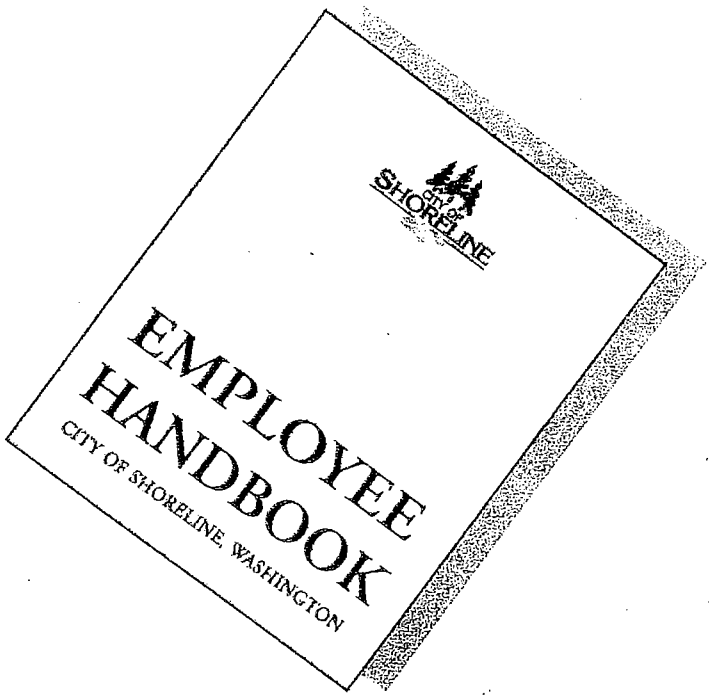
PP-99-001

Shoreline
City Clerk
Receiving
Number
3966

CITY OF
SHORELINE



EMPLOYEE HANDBOOK

CITY OF SHORELINE, WASHINGTON

REVISED JULY 1, 1999

Resolution No.

CITY OF SHORELINE, WASHINGTON

EMPLOYEE HANDBOOK

5/1/06 printed

TABLE OF CONTENTS

1.00 INTRODUCTION 1

2.00 APPLICABILITY AND AUTHORITY 1

3.00 DEFINITIONS 2

3.01 EXEMPT EMPLOYEE 2
3.02 NON-EXEMPT EMPLOYEE 2
3.03 FULL TIME REGULAR EMPLOYEE 2
3.04 PART TIME REGULAR EMPLOYEE 2
3.05 EXTRA HELP EMPLOYEE 2
3.06 IMMEDIATE FAMILY 2
3.07 WORK WEEK 2
3.08 FLEX-TIME 3
3.09 DRUGS 3
3.10 CITY 3
3.11 INTERN 3
3.12 CORE HOURS 3
3.13 ANNIVERSARY DATE 3
3.14 STEP INCREASE DATE 3
3.15 STANDBY 3
3.16 CALLBACK 3
3.17 PROMOTION 4
3.18 TRANSFER 4
3.19 DEMOTION 4
3.20 Y-RATING 4
3.21 CITY MANAGER 4
3.22 DEPARTMENT DIRECTOR 4
3.23 INSUBORDINATION 4
3.24 TELECOMMUTING 4
3.25 TELECOMMUTER 4
3.26 REGULAR OFFICE 4
3.27 ALTERNATE WORKPLACE 5

4.00 EMPLOYMENT POLICIES 5

4.01 SELECTION 5
4.02 JOB POSTING 5
4.03 REFERENCE CHECKING 5
4.04 POLITICAL ACTIVITIES 5
4.05 CONFLICT OF INTEREST AND CODE OF ETHICS 6
4.06 EMPLOYEE ORIENTATION 7
4.07 ORIENTATION PERIOD FOR INITIAL HIRE 7
4.08 ORIENTATION PERIOD FOR PROMOTOED OR TRANSFERRE EMPLOYEES 7
4.09 EQUAL EMPLOYMENT OPPORTUNITY 8
4.10 PROHIBITION OF EMPLOYEE HARASSMENT 8
4.11 DISCRIMINATION COMPLAINT PROCEDURE 8
4.12 EMPLOYMENT OF IMMEDIATE FAMILLY 9
4.13 PERSONNEL FILES 10
4.14 REPORTING IMPROPER GOVERNMENTAL ACTION/PROTECTING EMPLOYEES AGAINST RETALIATION 10
4.15 OUTSIDE EMPLOYMENT 13

5.00 GENERAL WORKING CONDITIONS AND PERSONNEL ADMINISTRATION 14

5.01 WORKING HOURS 14
5.02 LUNCH AND REST BREAKS 14
5.03 OVERTIME, STANDBY AND CALLBACK (NON-EXEMPT EMPLOYEES) 15
5.04 COMPENSATORY TIME (NON-EXEMPT EMPLOYEES) 15
5.05 INCLEMENT WEATHER 15
5.06 PERFORMANCE MANAGEMENT SYSTEM 16
5.07 CLASSIFICATION AND COMPENSATION PLAN 16
5.08 OUT OF CLASS PAY 18
5.09 GARNISHMENT 19
5.10 EMPLOYEE TRAINING AND DEVELOPMENT 19
5.11 EDUCATIONAL REIMBURSEMENT PROGRAM 19
5.12 TELECOMMUTING POLICY 20

6.00 EMPLOYEE BENEFITS AND TIME OFF 24

6.01 ANNUAL VACATION 24
6.02 MANAGEMENT LEAVE 25
6.03 HOLIDAYS 25
6.04 SICK LEAVE 26
6.05 DONATED LEAVE 28
6.06 FAMILY LEAVE 28
6.07 MEDICAL LEAVE OF ABSENCE 32
6.08 CONTINUATION OF BENEFITS 32
6.09 BEREAVEMENT LEAVE 32
6.10 COURT AND JURY DUTY LEAVE 33
6.11 MILITARY LEAVE (MILITARY TRAINING) 33
6.12 LEAVE FOR ACTIVE MILITARY SERVICE 33
6.13 LEAVE OF ABSENCE WITHOUT PAY 34

7.00 HEALTH AND WELFARE BENEFITS 34

7.01 SOCIAL SECURITY REPLACEMENT PLAN 34
7.02 GROUP INSURANCE 34
7.03 RETIREMENT 34
7.04 457 PLAN 35

8.00 STANDARDS OF EMPLOYEE CONDUCT 35

8.01 GENERAL POLICY 35
8.02 PERSONAL APPEARANCE AND DEMEANOR 35
8.03 ABSENTEEISM AND TARDINESS 35
8.04 SOLICITATIONS AND DISTRIBUTION OF LITERATURE 35
8.05 DRUG-FREE WORKPLACE 36
8.06 SAFETY 37
8.07 WEAPONS POLICY 37
8.08 WORKPLACE VIOLENCE 37
8.09 SMOKING POLICY 38
8.10 GENERAL CONDUCT 38
8.11 SEARCHES OF PROPERTY 39
8.12 E-MAIL, VOICE MAIL AND OTHER COMMUNICATION SYSTEMS AND CITY EQUIPMENT 39
8.13 CORRECTIVE ACTION PROCEDURE 39-A
8.14 PRE-DISCIPLINARY HEARING 40
8.15 COMPLAINT RESOLUTION PROCEDURE 41

9.00 SEPARATION FROM EMPLOYMENT 42

9.01 RESIGNATION 42
9.02 UNAUTHORIZED ABSENCE 42
9.03 SEPARATION PROCEDURES 42
9.04 LAYOFF (REDUCTION IN FORCE) 42

1.00 INTRODUCTION

The Handbook is prepared so that employees will better understand how the City operates and what is expected of employees. It is a summary of the City's personnel policies and practices, and is intended as a general guide to how the organization functions. We want to create a work environment that allows individuals to maximize their contribution to the organization and results in personal satisfaction. We believe that when consistent personnel policies are known and communicated to all, the chances are increased for greater job satisfaction.

While the City hopes that the employment relationship will be positive, things do not always work out as planned. Either party may decide to terminate the employment relationship. No supervisor, manager or representative of the City, other than the City Manager, has the authority to enter into any agreement with you for employment for any specified period or to make any promises or commitments contrary to the contents of this handbook. This handbook is not intended as a contract, express or implied, or as a guarantee of employment for any specific duration. As the need arises, the City may from time to time modify these policies. The City also reserves the right, at its sole discretion, to depart from the guidelines outlined in this handbook, in order to meet the business needs of the City. If you have any questions about any of our policies, please ask your supervisor or Human Resources.

We wish you success in your position and hope that your employment relationship with the City will be a personally rewarding experience.

2.00 APPLICABILITY AND AUTHORITY

A. Except as hereafter set forth, this Handbook is applicable to all employees of the City except the City Manager who serves at the discretion of the City Council.

B. The City Manager has designated, in writing, specified senior management positions whose employment is "at will" and employees in those positions shall serve at the discretion of the City Manager. No provisions of this Handbook shall change that at will status.

C. In cases where these policies are in conflict with local, state or federal law, the provisions of local, state or federal law will govern. If any provision of these policies or their application to any person or circumstance is held invalid, the remainder of the policies will not be affected.]

D. Authority to take personnel actions is vested in the City Manager. This authority shall include but not be limited to hiring, promoting, demoting, evaluating, reclassifying and terminating employees. Authority for personnel actions is frequently delegated to Department Directors and immediate supervisors; however, coordination of all such actions through Human Resources is required.

3.00 DEFINITIONS

3.01 Exempt Employee

An employee exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA) as defined by that Act or applicable state law and designated as such by the City Manager. A list of exempt positions is maintained by Human Resources.

3.02 Non-exempt Employee

An employee covered by the minimum wage and overtime provisions of the Fair Labor Standards Act.

3.03 Full Time Regular Employee

An employee hired to work a 40-hour week in a regular position established by the City budget and expected to be an ongoing position.

3.04 Part Time Regular Employee

An employee hired to work an average of at least 20 but less than 40 hours per week in a calendar year in a regular position established by the City budget and expected to be an ongoing position.

3.05 Extra Help Employee

An employee hired for a period expected to not exceed 1040 hours in a calendar year or expected to end in less than a year.

3.06 Immediate Family

Unless defined otherwise in these policies, the employee's grandparent, parent, parent-in-law, foster parent, spouse, child, step child, foster child, grandchild, sister, sister-in-law, brother or brother-in-law. In appropriate circumstances, an employee may believe that another individual should be considered a member of the immediate family for the purpose of applying these policies. The employee shall make a written request explaining to Human Resources why the employee believes that this individual should be considered a member of the immediate family. If Human Resources concurs, they shall forward a recommendation to the City Manager for approval. The City Manager shall decide to approve or deny the request. (The definition of immediate family may be different in certain benefit plans or policies; in those cases, the provisions of those plans or policies will govern.)

3.07 Work Week

A fixed and regularly recurring period of seven (7) consecutive twenty-four (24) hour periods. The standard workweek for employees consists of the period from 12:01 a.m. Sunday to 12:00 midnight the following Saturday. Where a different workweek is required, the City Manager will define an appropriate workweek and communicate that to the employees.

3.08 Flex-Time

A work schedule that permits flexible starting and quitting times or other alternative work schedules within limits set by the respective Department Director.

3.09 Drugs

Includes any substance which is controlled in its distribution by federal or state law, including but not limited to, narcotics, depressants, stimulants, hallucinogens, cocaine and cannabis. Does not include prescription and over-the-counter medication used according to prescription or consistent with standard dosage.

3.10 City

The City of Shoreline, Washington.

3.11 Intern

A position that is a form of on-the-job training that may be either voluntary or on paid status.

3.12 Core Hours

Those hours during which City offices are open to the public and during which staffing is available to provide service to our customers. Core hours for the City are 8:00 a.m. to 5:00 p.m. Monday through Friday.

3.13 Anniversary Date

The date used for the purpose of calculating leave benefits and length of service. Usually the anniversary date is the date the employee began work for the City, but adjustments shall be made for unpaid time off or other purposes.

3.14 Step Increase Date

The date that is used for the purpose of annual performance review and step increase. Usually the step increase date is the date the employee began work in his or her current position. Adjustments shall be made for unpaid time off or other purposes.

3.15 Standby

Specific assignment of an employee during off-hours to be available to come to work if needed. Standby is not considered as time worked.

3.16 Callback

All time worked in excess of a scheduled shift, which is not an extension of that shift, and is unanticipated, unforeseen, and not a regular function of the employee's work schedule.

3.17 Promotion

Any case where a regular employee moves on a non-temporary basis to a different position in a higher range.

3.18 Transfer

Any case where a regular employee moves on a non-temporary basis to a different position in the same salary range.

3.19 Demotion

Any case where a regular employee moves on a non-temporary basis to a different position in a lower salary range.

3.20 Y-Rating

The continuation of a regular employee's salary above the highest step of a new salary range as a result of the salary range for the position being lowered due to a market survey or other factors.

3.21 City Manager

The individual appointed by the City Council to serve in this capacity or his or her designee.

3.22 Department Director

An individual appointed by the City Manager to serve as Assistant City Manager, Finance Director, Human Resources Director, Parks and Recreation Director, Planning and Development Services Director or Public Works Director or his or her designee.

3.23 Insubordination

Expressed hostility or contempt for an employee's supervisor or willful disregard of a supervisor's reasonable directive.

3.24 Telecommuting

Working arrangements in which the workplace is located at least part time at an alternate location, such as the employee's home and which are expected to last longer than one month. A telephone may be the only equipment needed; however, in some cases employees may use special telecommunications equipment such as telephone answering devices, computers, faxes and modems.

3.25 Telecommuter

An employee who has entered into a current Telecommuting Agreement.

3.26 Regular Office

The office to which an employee is generally assigned.

3.27 Alternate Workplace

The place designated for the employee to work when not working at the regular office.

4.00 EMPLOYMENT POLICIES

4.01 Selection

The City's policy is to hire the best candidate for any job vacancy. The best candidate is determined by the strongest match between the knowledge, skills and abilities of the individual and the work responsibilities of a position.

In order to provide consideration for a current City employee who applies for an open position to promote or transfer, an interview will be granted provided he or she is a good match of knowledge, skills and abilities for the open position

4.02 Job Posting

The City encourages promotion from within the organization. All openings will be posted internally via e-mail so employees may become aware of openings and apply for positions for which they are interested and qualified.

The Department Director, after consultation with the Director of Human Resources, will determine if a position will be posted internally for regular employees only, or posted both internally and externally. If posted internally only, it will be open for 5 working days; if no qualified internal candidates apply, it will then go into the regular external recruitment process.

4.03 Reference Checking

All requests for information regarding past or present employees shall be directed to the Human Resources Department. Human Resources will then release information stating job title, length of service and eligibility for rehire. If the employee has signed a statement releasing the City from liability, additional information may be given.

4.04 Political Activities

While all employees have the right to participate in political or partisan activities of their choosing, employees are stewards of the public's trust in matters of City government. Political activity may not adversely affect the responsibilities of employees in their official duties. Because of the sensitive nature of the services in which the City is engaged, the following activities are prohibited:

A. Use of City resources and property for political activity. Employees may not campaign on City time or in City uniform or while representing the City in any way. Employees may not allow others to use City facilities or funds for political activities.

B. Use of City authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office.

C. Directly or indirectly coercing, attempting to coerce, or commanding a state or local officer or employee to pay, lend, or contribute anything of

value to any party, committee, organization, agency, or person for political purposes.

D. Service as an elected official of the City, a member of a City commission, or a member of a City board while an employee of the City.

If there is a conflict of interest between an employee's elected position outside of the City and his/her position with the City, the employee must resign from one of the positions.

Violation of any part of this policy may be grounds for disciplinary action, up to and including termination.

4.05 Conflict of Interest and Code of Ethics

The following standards are established for all City employees. Employees shall emphasize friendly and courteous service to the public and seek to improve the quality and image of public service.

Employees are prohibited from:

A. Receiving proceeds or having any financial interest in any sale to the City of any service or property when such proceeds or financial interest was received with the prior knowledge that the City intended to purchase such property or obtain such service.

B. Soliciting or accepting anything of economic value as a gift, gratuity, or favor from any person, firm or corporation involved in a contract or transaction which is or may be the subject of official action of the City; provided, that the such prohibitions shall not apply to:

- Attendance at a hosted meal when it is provided in conjunction with a meeting directly related to the conduct of City business or where attendance is appropriate as a staff representative;
- An award publicly presented in recognition of public service.
- Attendance at a hosted meal where general information is being presented, but where no active consideration of a contract is being discussed.
- Advertising items of no material value which are widely distributed to others under essentially the same business relationship with the don orany other gift that is deemed by the City Manager to be of insignificant value such that it does not present a conflict of interest.

C. Disclosing confidential information (except as provided for under public disclosure regulations), participating in the making of a contract, accepting private employment or providing private services that would be in conflict or incompatible with the performance of official duties as a City employee.

Violation of this policy may be grounds for disciplinary action, up to and including termination.

4.06 Employee Orientation

Upon hire or appointment, the Department Director and Human Resources shall be responsible for the orientation of each employee. Orientation may include explanation of organization and services of the City, work and safety rules, personnel manual and procedures, departmental rules and procedures, completion of payroll forms and introduction to City personnel.

4.07 Orientation Period for Initial Hire

A. Upon hire to a regular position, each employee will go through a six-month period of orientation. Upon the recommendation of the Department Director and the Human Resources Director, the orientation period may be extended up to an additional 6 months at the discretion of the City Manager.

B. The orientation period is part of the selection process and affords the employee and the City an opportunity to evaluate whether the match between the job and the employee is appropriate.

C. An employee may be discharged without cause or notice prior to the completion of the 6 month orientation period. Successful completion of the orientation period should not be construed as creating a contract or as guaranteeing employment for any specific duration.

D. This section shall not apply to at will employees.

4.08 Orientation Period for Promoted or Transferred Employees

A. A promoted or transferred employee shall serve a 3 month orientation period in the new position. Upon the recommendation of the Department Director and the Human Resources Director, the orientation period may be extended up to an additional 3 months at the discretion of the City Manager.

B. The promoted or transferred employee may be removed from the new position at any time prior to the completion of the orientation period by the Department Director giving written notice of failure to complete the orientation period. The Department Director shall consult with Human Resources before making the decision to remove an employee.

C. If removed, the employee may return to the position from which he or she promoted or transferred by providing written notice to the Department Director for the former position. This notice must be provided within 5 days of the notice of failure to complete the orientation period.

D. During the orientation period, the promoted or transferred employee may request to voluntarily return the to former position by making a written request to the Department Director for the former position. If the position has not yet been offered to a new employee, the Department Director, after consulting with Human Resources and any other affected department, may approve the return.

E. This section shall not apply to at will positions.

4.09 Equal Employment Opportunity

It is the intent of the City to provide equal employment opportunity for all employees and applicants for employment without regard to race, color, religion, gender, national origin, marital status, age, sexual orientation or disability (as defined under state and federal law). This policy applies to all terms and conditions of employment, including, but not limited to: hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training. If an employee believes that his or her rights under this provision have been violated, he or she should follow the complaint reporting and resolution process outlined in **Section 4.11 Discrimination Complaint Procedure.**

4.10 Prohibition of Employee Harassment

The City expressly prohibits any form of unlawful employee harassment based on race, color, religion, sex, national origin, marital status, age, sexual orientation or disability (as defined under state and federal law) which includes behavior by co-workers, supervisors, vendors, citizens, or any other individual or group with whom an employee may come in contact in the course of his/her job duties. Improper interference with the ability of employees to perform their jobs will not be tolerated.

With respect to sexual harassment, the City expressly prohibits the following:

A. Unwelcome sexual advances; requests for sexual favors; and all other verbal or physical conduct of a sexual or otherwise offensive nature, especially where:

   1. Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
   2. Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
   3. Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.

B. Offensive comments, jokes, innuendoes, and other sexually oriented statements or displays.

4.11 Discrimination Complaint Procedure

Each member of management is responsible for creating and maintaining an atmosphere free of discrimination and harassment, sexual or otherwise. Further, employees are responsible for respecting the rights of all co-workers.

A. If an employee believes he or she has experienced any job related harassment based upon sex, race, color, religion, national origin, marital status, age, sexual orientation or disability, or believes he or she has been treated in an unlawful, discriminatory manner, the employee should promptly report the incident to his or her supervisor. The supervisor will immediately report the

information to the Department Director who will consult with Human Resources and together they will determine how to investigate the matter and ensure that appropriate action is taken. Human Resources shall also report the information to the City Manager.

B. If an employee believes it would be inappropriate to discuss the matter with his or her supervisor, the employee may bypass the supervisor and report the complaint directly to the Department Director or to Human Resources or to the City Manager. The person receiving the report shall consult with other appropriate parties, and together they will determine how to undertake an investigation and ensure appropriate action is taken.

C. The complaint will be kept confidential to the extent possible.

D. If the City determines that an employee is guilty of harassing or discriminating against another employee, appropriate disciplinary action will be taken against the offending employee, up to and including termination of employment.

E. The City prohibits any form of retaliation against any employee for filing a good faith complaint under this policy or for assisting in a complaint investigation.

F. Any employee who makes a complaint in bad faith, who provides false information regarding a complaint or who engages in any form of retaliation will be subject to disciplinary action, up to and including termination.

4.12 Employment of Immediate Family

A. Members of the immediate family of City elected officials will not be employed by the City in any capacity.

B. Members of the immediate family of employees will not be hired if:

1. One individual would have the authority or power to influence decisions, supervise, hire, remove or discipline the other;

2. One individual would be responsible for financially auditing the work of the other;

3. One individual would handle confidential material that creates improper or inappropriate exposure to that material by the other; or

4. The member of the immediate family (other than a spouse) would be employed in the same department as the employee. Spouses may be employed in the same department if none of the conflicts outlined in **Section 4.12, B. 1-3** exist.

If two employees marry or become related and in the judgment of the City Manager, the problems noted above exist or could exist, one of the employees

will be required to terminate employment unless some step can be taken to eliminate the problem. The decision to define and implement steps to eliminate the problem is at the sole discretion of the City Manager. A decision as to which employee will remain must be made by the two employees within 30 days of the date they marry or become related. If the parties do not make a decision within 30 days, the City Manager shall make the determination

4.13 Personnel Files

Official personnel files are maintained by Human Resources. An employee has the right to inspect his or her personnel file at reasonable times during regular business hours. An employee wishing to see his or her personnel file should contact Human Resources. An employee has the right to have a copy of any information in his or her personnel file.

Personnel files are kept confidential to the maximum extent permitted by law.

4.14 Reporting Improper Governmental Action and Protecting Employees Against Retaliation

A. It is the policy of the City to encourage reporting by City employees of improper governmental action and to protect City employees who have reported improper governmental action in accordance with City policy by providing remedies for retaliation.

B. **Key Definitions**:

1. **Improper Governmental Action** is any action by a City officer or employee that is:

   a. undertaken in the performance of the official's or employee's official duties, whether or not the action is within the scope of the employee's employment; and

   b. in violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and a specific danger to the public health or safety, or is a gross waste of public funds. "Improper governmental action" does not include personnel actions. In addition, employees are not free to disclose matters that would affect a person's right to legally protected confidential communications.

2. **Retaliatory Action** means any adverse change in a City employee's employment status, or in the terms and conditions of employment including: denial of adequate staff to perform duties, frequent staff changes, frequent and undesirable office changes, letters of reprimand, demotion, transfer, reassignment, reductions in pay, denial of promotion, suspension, dismissal, or any other disciplinary action, not independently justified by factors unrelated to the reporting of improper government action.

3. **Emergency** means a circumstance that if not immediately changed may cause damage to persons or property.

C. **Reporting Mechanism**: An employee who becomes aware of improper governmental action shall report the action to the Department Director. If the employee reasonably believes that the improper governmental action involves the Department Director, then the employee shall report the action to the City Manager. If the employee reasonably believes that the improper governmental action involves the City Manager, then the employee shall report the action to the Mayor. The person receiving the report shall notify the City Attorney. In an emergency, the employee may report the improper governmental action directly to the government agency with responsibility for investigating the improper action.

D. **Investigation.** The person receiving the report shall confer with the City Attorney and they shall agree upon an appropriate method of investigation. The person receiving the report shall ensure that prompt action is taken to properly investigate.

E. **Confidentiality.** The investigation should be conducted as confidentially as possible. Until the investigation is final, the identity of all employees involved shall be kept confidential to the extent permitted by law. At all times, the identity of the reporting employees shall be kept confidential to the extent possible under law, unless the employee authorizes the disclosure of his or her identity in writing.

F. When the investigation is completed, the person receiving the report shall advise all employees involved in the investigation of a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.

G. If an employee fails to make a good faith attempt to follow the provided reporting mechanism, the employee shall not be entitled to receive the protection against retaliation provided by this policy. Any false or frivolous claims or reporting will be subject to disciplinary action up to and including termination.

H. **Protection Against Retaliatory Actions**. The City is prohibited from taking retaliatory action against an employee because he or she has in good faith reported an improper government action in accordance with this policy.

1. An employee who believes he or she has been retaliated against shall provide written notice of the charge of retaliatory action to the City Manager (or to the City Attorney if the charge is against the City Manager) within 30 days of the alleged retaliatory action. The notice shall specify the alleged retaliatory action and the relief requested.

2. The City Manager shall have 30 days to respond to the charge.

I. **Appeal to the State.** Upon receipt of the City Manager's response, or after the 30 day response period, the employee may request a hearing before a state administrative law judge for the purpose of establishing that a retaliatory action occurred and to obtain appropriate relief provided by law. The employee must submit the request for a hearing to the City Manager within 15 days of delivery of the City Manager's response, or within 15 days after the response period has expired. Within 5 working days of receipt of a request for hearing, the City shall apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge (ALJ).

J. Relief Granted Under The Act

1. Reinstatement, with or without pay.

2. Injunctive relief necessary to return the employee to the position he or she held before the retaliatory action and to prevent the recurrence of retaliation.

3. Costs and reasonable attorneys' fees.

4. Penalty assessed against each individual retaliator or up to $3,000 plus recommendation to City Manager that retaliator be suspended or dismissed.

5. State law does not provide for general economic damages or damages for emotional distress.

K. **List Of Agencies**: The following is a partial list of agencies responsible for enforcing federal, state and local laws and investigating other issues involving improper governmental action. Employees having questions about these agencies or the procedures for reporting improper governmental action are encouraged to contact the following:

CITY OF SHORELINE
City Attorney or City Manager
Shoreline City Hall
17544 Midvale Ave. N.
Shoreline, WA 98133
(206) 546-1700

KING COUNTY
King County Ombudsman
213 King County Court House
Seattle, WA 98104
(206) 296-3452

King County Prosecuting Attorney
King County Court House
Seattle, WA
Criminal Division (206) 296-9000
Fraud Division (206) 296-9010
Civil Division (206) 296-9015

STATE OF WASHINGTON
State Auditor's Office
PO Box 40021
Olympia, WA 98504-0021
(360) 753-5280

State Human Rights Commission
402 Evergreen Plaza Bldg. FJ-41
711 South Capitol Way
Olympia, WA 98504-2490

State Dept. of Ecology
3190 - 160th SE
Bellevue, WA 98008-5852
(206) 649-7000

State Dept. of Labor and Industries
300 West Harrison, Room 201
Seattle, WA
(206) 281-5400

UNITED STATES GOVERNMENT

Equal Employment Opportunity Commission	Department of Labor
2815 Second Avenue, Suite 500	1111 Third Ave., Suite 715
Seattle, WA	Seattle, WA
(206) 553-8306	(206) 553-5930

A complete listing of agencies to which complaints of improper governmental action may be made is available from Human Resources.

4.15 Outside Employment

The City expects that it shall be the primary employer for all regular employees. Therefore, employees shall not engage in employment or render services for pay for any public or private interest (including self-employment) when such activity may:

A. Occur during working hours;
B. Detract from the efficiency of the employee while performing City duties;
C. Constitute a conflict of interest or create an appearance of impropriety as determined by the City Manager;
D. Utilize confidential information or contacts made during City employment which would give an unfair insider advantage or would otherwise be an inappropriate use or disclosure of such information or contacts;
E. Take preference over extra duty required by City employment;
F. Interfere with emergency callout duty;
G. Tend to impair independence of judgment or action in performance of official duties;
H. Involve the use of any City resources such as copiers, telephones, supplies, other equipment, or time; or
I. Interfere in any other manner with the employee's provision of quality customer service.

This page revised 10/00

In order to protect the interests of both the City and the employee, it is important that an employee and his or her Department Director have an opportunity to discuss any outside employment with the goal of avoiding any possible conflicts between the City and the other employment. Prior to engaging in any outside employment, an employee shall provide his or her Department Director with written notice of his or her intent to engage in the outside work. If an employee is unsure as to these criteria or the effect of his or her outside employment, he/she should consult with his or her Department Director or the Human Resources Director for clarification. After receiving the employee's request, the Department Director shall consult Human Resources and if the request complies with this policy, the Director may approve the outside employment.

If the Department Director, in consultation with the Human Resources Director, determines that the outside employment interferes with or reduces the efficiency of City employment, then the Director shall recommend to the City Manager that the request to engage in the employment shall be denied. After considering the employee's written request and the recommendation of the Department Director and Human Resources, the City Manager shall make a decision approving or denying the request.

Failure to comply with these provisions concerning outside employment may be grounds for disciplinary action, up to and including termination.

5.00 GENERAL WORKING CONDITIONS AND PERSONNEL ADMINISTRATION

5.01 Working Hours

The workweek for regular, full-time employees is 40 hours. The daily hours of work shall be set by the Department Director with respect to each department as necessary for the efficient operation of the City. Employees may be requested to work different schedules, including varying shifts, weekends, holidays and overtime to meet the needs of the City or of specific departments. Varying schedules or overtime may also be required in emergency situations as defined by the City Manager.

Employees may request to work flex time or to job share. Flex time and job share arrangements may not interfere with efficient City operation and must provide for effective service delivery. Flex time and job share must be approved by the Department Director, after consultation with Human Resources.

5.02 Lunch and Rest Breaks

All employees working an 8 hour day shall be entitled to at least a one half hour unpaid meal period within five hours of the beginning of his/her shift, and scheduled as close to the mid point of the day as possible. In addition, employees are entitled to a paid ten minute rest break for each four hours of working time. Employees who are able to take a break as needed do not have to take a formally scheduled break. Breaks shall be arranged so as not to interfere with normal business operations. All breaks should be taken away from the employee's immediate work area. Breaks cannot be combined or saved until the end of the day in order to arrive at work late or to leave work early.

This page revised 10/00

5.03 Overtime, Standby and Callback (non-exempt employees)

Overtime: All non-exempt employees will receive compensation for approved time in paid status in excess of 40 hours in a work week. Employees receiving overtime will be paid at one and one-half the regular hourly rate of pay. All overtime must be authorized in advance by the supervisor.

Standby: A department may assign an employee who may be needed to work during off-hours to be on standby. Standby assignment normally will be rotated among similarly situated employees. An employee placed on standby shall be provided with a paging device to enable the employee to conduct his or her personal business within range of the paging device. Each employee on standby will receive compensation at the currently established rate for those hours on standby, and this allowance will be suspended when callback commences. Standby is not to be counted as hours worked for purposes of computing overtime or eligibility to receive benefits. Employees on standby will be expected to report for work within an hour of a request. If an employee on standby status fails to respond to a call to return to work, he or she may be subject to disciplinary action.

Callback: Employees called back to work shall be paid a minimum of two hours at a rate of time and one-half. Hours worked on callback beyond the 2 hour minimum shall be paid at the overtime rate of pay, unless such time is part of the employee's regularly scheduled work shift.

5.04 Compensatory Time (Non-Exempt Employees)

Limited amounts of compensatory time may be granted. A non-exempt employee who is in paid status more than 40 hours in a work week may earn compensatory time at one and one-half times the straight time, instead of paid overtime, when requested by the employee and approved by the employee's supervisor. Compensatory time may not accumulate beyond 40 hours, and must be used within six months of award. Compensatory time not used within six months will be paid.

5.05 Inclement Weather

The City is in the business of providing vital public services and therefore does not cease operations during times of inclement weather or natural disasters. The City may be the only organization providing essential services to citizens. Therefore, all employees are asked to make every reasonable effort to report to work during such times even if it is inconvenient.

A non-exempt employee who is unable to get to work or who leaves work early because of weather or natural disaster conditions may either charge the time missed against accrued vacation leave, compensatory time, or take leave without pay for the time missed. Tardiness due to an employee's inability to report for scheduled work because of severe weather conditions may be allowed up to one hour at the beginning of the work day or at the discretion of the City Manager. Inclement weather or natural disaster tardiness in excess of that allowed by the City Manager shall be charged as provided above.

In the event that the City Manager advises employees not to report to work or to leave early due to inclement weather or natural disaster, such time off will be paid time off and not charged to accrued vacation leave or compensatory time. Non-exempt employees who are available and report to work or continue to work in this situation, if requested by the City Manager, shall either be paid time and one-half for the actual hours worked or be given compensatory time off, at another time mutually agreed upon by the employee and the supervisor.

5.06 Performance Management System

Each regular employee's performance will be evaluated by his or her supervisor on an ongoing basis. The City's Performance Management System involves annual evaluations and quarterly reviews. An employee must receive passing scores on both the essential knowledge, skills and abilities and the City values on diversity and ethics in order to receive the annual merit step increase. The System also includes performance development planning. Detailed information concerning the System is contained on the System's forms.

Employees who disagree with their performance evaluations may provide comments on the evaluation form itself and may also submit a rebuttal in writing that will be attached to a copy of their performance evaluation and kept in their official personnel file. Employees may also appeal pursuant to **Section 8.15 Complaint Resolution Procedure**.

5.07 Classification and Compensation Plan

The City has a strong interest in attracting and retaining excellent employees. It is the policy of the City to maintain a comprehensive classification and compensation program. Within budget limitations, the City endeavors to pay salaries competitive with those paid within comparable jurisdictions and within the applicable labor market.

The City Manager shall be responsible for the administration of the classification and compensation plan. All changes in classifications and changes in assignment of classifications to salary ranges must be approved by the City Manager.

A. **Classifications.** A classification description consisting of an appropriate title, description of duties, statement of minimum education, experience and training is prepared and maintained for all regular positions within the City. Each classification is assigned a salary grade and corresponding salary range by the Human Resources Director and the City Manager, with input from the appropriate Department Director. Periodically, the City may revise its classification descriptions and re-evaluate individual jobs.

B. **Classification Review.** An employee who does not believe that his or her classification accurately reflects the current duties of the position may request a review of his/her classification r by the Department Director. . After review by the Department Director and the Human Resources Director, any changes shall be recommended to the City Manager for reclassification as appropriate. The City Manager retains the final authority to approve or disapprove changes in classifications, within budgetary guidelines, and/or assignment of duties to employees. Any changes in classification that would increase an employee's pay rate will be retroactive to the date of submittal of the request for review.

C. **Steps.** (Paragraph C does not apply to employees who are members of the City's Leadership Team). The compensation plan consists of minimum and maximum salaries and six salary steps for each class of positions. The steps are set at 4% increments. Each step is an annual step. Once the top step is reached, the employee remains in the top step as long as the employee remains in the position.

D. **Starting Rates of Pay.** New employees generally will begin their employment at step 1 of the range for the classification. At the request of a Department Director, the Human Resources Director may recommend to the City Manager that a new employee start at a higher step. The City Manager must give approval prior to offering a salary above step 1. Offers will be extended by either the Human Resources Department or the Department Director.

Circumstances that support hiring above Step 1 include

1. Additional and directly applicable education or experience above the minimum requirements
2. Market conditions, including the applicant's current salary, that support a higher starting salary
3. The proposed higher salary will not create inequities with existing internal salaries

The starting rate of pay for new employees hired into Leadership Team positions shall be determined by the City Manager

E. **Step Increase.** (Paragraph E does not apply to employees who are members of the City's Leadership Team). Regular employees not at the top step will be considered annually for advancement to the next step. The employee will receive the step increase if approved by the Department Director as part of the employee's annual performance evaluation. The step increase will be effective on the step increase date.

F. **Promotion**. A regular employee receiving a promotion shall be placed in the first step in the new range that provides for at least a 5% increase or the top step of the new range if there is not step that allows at least a 5% increase. The employee's promotion date becomes the employee's step increase date. A Leadership Team member receiving a promotion or an individual being promoted to a position on the Leadership Team shall have their salary established at the discretion of the City Manager.

If the Department Director believes that circumstances warrant an exception to

the 5% placement rule, and if the Human Resources Director concurs, they may recommend to the City Manager a higher placement. Circumstances that support a placement greater than a 5% increase are:

1. Additional and directly applicable education or experience above the minimum requirements
2. Market conditions that support a higher starting salary
3. The proposed higher salary will not create inequities with existing internal salaries

G. **Transfer.** A regular employee receiving a transfer shall remain in the same step and retain the same step increase date.

H. **Demotion.**

1. **Disciplinary Demotion.** If the demotion is a result of a disciplinary action, the employee shall be placed in the highest step in the new range that provides for a decrease. The demotion date will become the employee's new step increase date.
2. **Any Other Demotion.** If the demotion is a result of any reason other than discipline and the employee's current salary is within the new pay range, the employee shall remain at the same rate of pay until the employee's next step increase date. On the step increase date, the employee shall move to the next step in the new range that provides for an increase. The employee shall retain the same step increase date.

   If the employee's current salary is higher than the top step of the new salary range, the employee shall be placed in the top step of the new range.
3. If a Leadership Team member is demoted, his or her salary shall be determined by the City Manager.
4. If a classification is removed from the Leadership Team, the City Manager shall determine the appropriate salary range and assign the classification to the City's step/range system. The employee's salary placement shall be determined by the step/range system rules as outlined in sub-section G.

I. **Y-Rating.** When a regular employee's position has been y-rated, the employee will remain at the same rate of pay until the pay range increases enough to include that rate. At that time, the employee shall be placed in the first step that does not provide for a decrease. No COLA or step increase will be awarded during this period.

J. **Special Salary Rules for Employee's on the City's Leadership Team.** Membership on the City's Leadership Team shall be in the discretion of the City Manager. Leadership Team classifications will be placed in a salary range that reflects the market as established in the City's compensation policy, but which has no steps.

   In December of each year the City Manager shall make a determination as to where within the appropriate salary range the individual will be placed for the following calendar year. In making this determination, the City Manager will apply the following criteria:

   - Length of employment in the position;
   - Performance and work plan achievement;

- Results of the employees annual performance evaluation; and
- The City's annual market adjustment.

5.08 Out of Class Pay

When a Department Director or the City Manager assigns a regular employee substantially higher paid responsibilities outside the scope of his or her job classification and the assignment exceeds ten working days, the employee shall be paid an additional 5% for the entire period of the out of class work. The assignment and the out of class pay must be in writing and approved by Human Resources prior to the Department Director making the assignment.

If the Department Director believes that circumstances warrant an exception to the
5% placement rule, and if the Human Resources Director concurs, they may recommend to the City Manager a higher placement. Circumstances that support a placement greater that a 5% increase are:

1. Additional and directly applicable education or experience above the minimum requirements
2. Market conditions that support a higher starting salary
3. The proposed higher salary will not create inequities with existing internal salaries
4. The proposed higher salary is not higher than would be awarded if the employee were promoted into the position.

5.09 Garnishment

The City will honor and process any legally served writ of garnishment against any employee without prejudice towards the employee.

5.10 Employee Training and Development

It is the intent of the City to provide training opportunities to employees for building of skills directly related to the job. These opportunities may include in-house workshops, or workshops and seminars sponsored by other agencies or institutions.

5.11 Educational Reimbursement Program

The City has established an educational reimbursement program to help eligible regular employees develop their skills and upgrade their performance. All full time regular employees who have completed a minimum of one year of service are eligible to participate in the program.

Under the program, educational reimbursement is provided for courses offered by approved institutions of learning, such as accredited colleges, universities and secretarial and trade schools. Courses must be, in the City's opinion, directly or reasonably related to the employee's present job or consistent with the employee's performance development plan. Courses must not interfere with job responsibilities and must be taken on the employee's own time.

Reimbursement covers actual costs of tuition and registration fees only and is limited to a maximum of six credits per semester or nine credits per quarter for

approved courses. The employee must pass the course in order to receive reimbursement.

Employees eligible for reimbursement from any other source (e.g., a government sponsored program or a scholarship) may seek assistance from this program but will be reimbursed only for the difference between the amount received from the other funding source and the actual course cost up to the maximum reimbursement allowable under this policy.

To be eligible for reimbursement, the employee must submit a tuition reimbursement form to his or her supervisor prior to the scheduled commencement of the course(s), receive written approval from the Department Director and Human Resources in advance, be actively employed by the City at the time of course completion and pass the course. The employee should also have raised the issue of pursuing this education as part of the performance development planning discussions of the Performance Management System.

On completion of the course, the employee must submit to the Human Resources Department an official transcript from the school, indicating grade received and a receipt or other official proof of payment.

5.12 Telecommuting Policy

A. **General Policy**. Telecommuting is a management program that may be used to reduce employee commute trips, to accommodate special needs of employees, to increase employee motivation and/or productivity. The City encourages the use of telecommuting as a work option in situations where it will work to the mutual benefit of the employee, the City and the City's customers.

B. **Purpose.** The purpose of this Policy is to define the telecommuting program and the guidelines and rules under which it will operate. Situations may arise where an employee may work at home on a temporary, short term basis to accomplish a particular assignment or project. A temporary arrangement planned for less than one month duration is within management's discretion and does not require compliance with this Policy. All managers, supervisors and telecommuters should be familiar with the contents of this Policy.

C. **Terms of Employment**. Telecommuting does not change salaries, benefits, job responsibilities, sick leave, vacation leave policies or any other basic terms of employment.

D. **Selection**. Telecommuting is only feasible for those tasks within a job which are amenable to being performed away from the regular office. Selection of employees shall not be arbitrary, but shall be based on specific, written work related criteria established by management. Selection may be based upon reasonable accommodation provisions for employees with disabilities. Employee participation in telecommuting is voluntary. Final selection decisions shall be within the sole discretion of the City.

E. **Criteria.** In deciding whether to approve telecommuting arrangements for an employee, managers must consider:

1. the nature of the employee's job and
2. the employee's demonstrated performance.

a. ***Job Characteristics*** A job that is appropriate for telecommuting typically has the following characteristics:

- Face-to-face interactions can be scheduled.
- Internal and external customer needs can be satisfied from the alternate workplace
- Use of resources that must stay at the regular office can be scheduled (such as reference materials or special equipment)
- Clear objectives can be set and tasks can be clearly defined
- Work flow can be scheduled
- Certain tasks can best be completed during quiet, uninterrupted time.
- Telecommuting can occur without negatively impacting customer service or other employees' work.

b. ***Performance Characteristics*** Before allowing an employee to work at an alternate workplace, the manager should determine that the employee has demonstrated the following kinds of performance characteristics:

- Completes assignments independently and on time, meeting the manager's standards for quality
- Asks for assistance when it is needed
- Communicates effectively with supervisor, co-workers, support staff and customers
- Sets appropriate priorities, changes priorities as needed and maintains a suitable alternate workplace
- Demonstrates dependability and responsibility
- Operates, adjusts and/or repairs computer or other equipment independently, to the degree required at the alternate workplace

F. **Scheduling.** Telecommuters need regular contact with supervisors and co-workers and access to specialized files and/or equipment. In addition, the supervisor must take actions to prevent the telecommuter from becoming isolated from the regular office staff. Therefore, telecommuters should spend the majority of their work time in the regular office, except under unusual conditions.

Office needs take precedence over telecommute days. A telecommuter must forgo telecommuting if needed in the office on the regularly scheduled telecommute day.

G. **Hours of Work and Overtime.** All work schedules are discretionary and require management approval. Any work schedule may be approved for an individual telecommuter as long as the work schedule is consistent with the requirements of the employee's position and agreed to by the Department

Director. A telecommuter may telecommute for part of a day to avoid peak commute periods.

Overtime and call back must be authorized by management in accordance with these personnel policies. Compensatory time off will be authorized by management in accordance with these personnel policies.

As with any work schedule, changes in work schedules may be made to meet management needs or to accommodate an employee's request and shall be at the discretion of the City.

Normal leave policies apply to any instance where the telecommuter does not perform work at the alternative workplace as scheduled.

H. Equipment and Software

1. **Voucher**. At the start of telecommuting, the City will provide the telecommuter with a one time voucher to be used to purchase or to modify necessary equipment and software. The voucher is paid as reimbursement to the telecommuter for actual purchases and shall be supported by appropriate receipts. The maximum amount of the voucher shall be $750. In order to be eligible for the voucher, the telecommuter must receive prior written approval of the purchases/modifications and the amount by the manager.

2. **Owner.** The equipment and software purchased by the telecommuter shall become the property of the telecommuter. Any expenses beyond the amount of the voucher shall be the responsibility of the telecommuter.

3. **Reimbursement.** If the telecommuting relationship ends prior to the completion of one year, the employee shall reimburse the City the full amount of the voucher. If the telecommuting relationship ends after one year, but prior to the completion of two years, the employee shall reimburse the City one-half the amount of the voucher. After more than two years of telecommuting, the employee shall not owe the City any reimbursement upon termination of telecommuting.

4. **Network Connections.** Telecommuters connecting their own personal computer equipment to City equipment must obtain advance approval and must follow instructions provided by the City. If the telecommuter makes changes to the computer that result in an incompatible or unsupported PC configuration, the telecommuting agreement may be terminated. The telecommuter must take adequate measures to protect against computer viruses, including scanning any disks for viruses prior to using.

5. **Maintenance, Repair and Replacement.** In the event of equipment malfunction, the telecommuter must notify his/her supervisor immediately. The City will not provide onsite assistance at the alternative workplace, but may be able to provide troubleshooting assistance over the telephone. If repairs will take some time, the

telecommuter may be asked to report to the regular office until the equipment is usable.

Repairs to telecommuter owned equipment will be the responsibility of the telecommuter. If necessary equipment is stolen or malfunctions and the telecommuter determines not to replace or repair the equipment, the telecommuting agreement shall be terminated.

I. **Confidential and Sensitive Information.** As with all employees, telecommuters are expected to adhere to all laws, policies, regulations and procedures regarding security and confidentiality for the computer, its data and information and any other information handled in the course of work. Telecommuters must protect confidential information and irreplaceable documents.

J. **The Alternate Workplace Environment.** Alternate workplaces must be clean and free of safety hazards. The alternate workplace must be in compliance with all building codes. The facility must be free of hazardous materials. The telecommuter is responsible for ensuring his or her alternate workplace complies with these health and safety requirements. Management may deny an employee the opportunity to telecommute or may rescind a telecommuting agreement based on safety of the alternate workplace. Management may also have the alternate workplace inspected for compliance with health and safety requirements. Inspections will be by appointment only.

If a telecommuter incurs a work-related injury while telecommuting, worker's compensation law and policies apply. Telecommuters must notify their supervisors immediately and complete all necessary and/or management requested documents regarding the injury.

The opportunity to participate in the telecommuting program is offered with the understanding that it is the telecommuter's responsibility to ensure a proper work environment is maintained. Telecommuting is not a substitute for dependent care and the telecommuter must make regular dependent care arrangements. Personal disruptions such as non-business telephone calls and visitors must be kept to a minimum. Failure to maintain a proper work environment, as determined by management, provides cause for an employee's immediate termination from the telecommute program.

K. **Termination**

1. **Termination of Telecommuting Program.** Management may terminate the City's Telecommuting Program for any reason, at any time, with advance written notice to the employees.

2. **Termination of Individual Telecommuter's Participation in Program.** Because participation in telecommuting is a bilateral voluntary agreement, management may terminate an individual telecommuter's participation in the program, without cause, at any time, with advance written notice. Termination of a telecommuter's participation for cause may be immediate and does not require advance written notice. The telecommuter may also request to terminate participation, without cause, at any time. Management

will make arrangements for the employee to begin working at the regular office as quickly as possible

Telecommuting opportunities are based upon program requirements as determined by management. Therefore, employees previously participating in a telecommuting assignment are not assured of a telecommuting assignment when returning from a leave of absence or after a job transfer.

6.00 EMPLOYEE BENEFITS AND TIME OFF

6.01 Annual Vacation

Regular employees shall be given annual vacation. Regular part-time employees shall accrue vacation based on the ratio of their normally scheduled workweek to a forty-hour week. Extra help employees are not eligible for these benefits. Vacation shall be accrued monthly as follows:

Time	Days	Hours/month
Zero to 12 months	12 days of vacation	8.0 hours
After 1 year employment	13 days of vacation	8.6 hours
After 2 years employment	14 days of vacation	9.3 hours
After 3 years employment	15 days of vacation	10.0 hours
After 4 years employment	16 days of vacation	10.6 hours
After 5 years employment	17 days of vacation	11.3 hours
After 8 years employment	18 days of vacation	12.0 hours
After 10 years employment	19 days of vacation	12.6 hours
After 12 years employment	20 days of vacation	13.3 hours
After 15 years employment	23 days of vacation	15.3 hours

A. The maximum number of vacation hours that may be carried over from December 31 of one year to January 1 of the next year is equal to two years' accumulation. In cases where City operations have prevented an employee from using vacation time, the Department Director with the approval of the City Manager may allow unused accrual in excess of the amount specified above to be carried over. Vacation leave not used shall be forfeited unless in conformance with the above.

B. In requesting vacation, employees should consider the City's needs to conduct the public business and to have time to plan for vacation coverage. Managers should respect employees' needs to take vacation. An employee's reasonable request for vacation should be approved unless the granting of the vacation would negatively compromise the business needs of the City. In case of conflict in scheduling vacation leave, normally the earliest request shall be given the preferred vacation choice.

C. An exempt employee shall not have deductions taken for vacation absences of less than a full day.

D. In the event of separation from service for any reason other than retirement, the employee shall be paid for any accrued vacation earned and not taken. In the case of retirement as defined by the rules and regulations of the Washington State Public Employees Retirement System, the maximum cash out shall be 240 hours.

E. Vacation for a new employee shall accrue at the above rates but shall not be used until after six months unless special authorization has been granted by the City Manager. The City Manager is authorized to negotiate higher accrual levels and/or starting balances of vacation with individual staff members.

F. An employee may cash out accrued vacation one time each calendar year. To be eligible for the cash out, an employee must have used at least 40 hours of vacation since the first of the year and the maximum cash out shall be 40 hours. The amount of the cash out shall be based upon the employee's hourly rate/salary at the time of the written request. If approved by the department director, the 40 hour minimum threshold may include vacation approved for the current calendar year, but not yet taken. In this case, the employee may receive the cash out just prior to leaving on the approved vacation. Cash out requirements for part time regular employees shall be prorated based upon the employee's authorized FTE.

6.02 Management Leave.

On January 1st of each year, each exempt employee shall receive 3 days of management leave. A new exempt employee hired before July 1 shall receive all 3 days. A new exempt employee hired between July 1 and October 1 shall receive 1 day; a new exempt employee hired after October 1 shall not receive any days of management leave until the next calendar year. The leave is to be used each year; any management leave not used during the calendar year shall not be carried into the next year.

6.03 Holidays

The following holidays are granted to regular employees as the normal workday off with full pay:

New Years Day	January 1st
Martin Luther King's Birthday	3rd Monday in January
President's Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	1st Monday in September
Veteran's Day	November 11th
Thanksgiving	4th Thursday in November
Day after Thanksgiving	Day after Thanksgiving
Christmas	December 25th
Personal Day	Two (2) days

Extra help employees are not eligible for these benefits.

A. A personal day needs to be scheduled by mutual agreement of the employee and the supervisor and may be used for any reason, or as an extension of vacation or sick leave. Non-exempt staff may use these days as a full normal workday or as 16 hours in increments of one or more hours. Exempt staff must utilize a full day at a time.
B. Personal Days will be awarded effective January 1 of each year. An employee hired July 1 or later will receive only one personal day in that calendar year. Any personal days not used by the end of the calendar year will be forfeited.
C. If a designated holiday falls on a Saturday, the preceding Friday shall be observed and if the holiday falls on a Sunday, the following Monday shall be observed. If a designated holiday falls on any other regularly scheduled day off, the holiday shall be observed on either the immediately preceding or immediately following work day, as determined by the City Manager.
D. Employees must be in a pay status on the workday prior to and the workday following a holiday to be eligible for holiday pay.
E. Regular part-time employees shall observe the established holidays and be compensated for same on a pro rata basis.
F. If an employee's religious beliefs include observance of a holiday that is not a City holiday, the employee may, with approval of the Department Director, take the day off using a personal day, vacation, compensatory time, or leave without pay.
G. Nonexempt regular employees working on a holiday (either the actual holiday or the City recognized holiday) shall be paid at time and a half for all hours worked. In the case that an employee works both the actual holiday and the corresponding City recognized holiday, the employee shall only receive the holiday pay for one of the days. The pay shall be for the hours worked on actual holiday, unless the employee makes a written request for pay for the City recognized holiday instead of the actual day. **Example:** Independence Day falls on Sunday, July 4th; the City recognized holiday is Monday, July 5th. Employee A works Sunday and receives time and a half for all hours worked. Employee B works Monday and receives time and a half for all hours worked. Employee C works **both** Sunday and Monday and will be paid time and a half **only** for the hours worked on Sunday, unless he or she makes a written request to be paid time and a half for the hours worked Monday, instead of Sunday.

6.04 Sick Leave

Policy: The purpose of sick leave is to provide an "insurance policy" of a bank of paid leave to be used in the event that an employee or immediate family member experiences an illness or disability that requires an employee to be absent from work. Employees who are ill or disabled are expected to use sick leave to recover and to not report to work when they could expose co-workers to illness. Sick leave is earned and to be used under the following conditions:

A. Full-time regular employees shall accrue sick leave at the rate of eight hours for each month worked. Regular part-time employees shall accrue sick leave based on a pro-rata amount to reflect their normally scheduled workweek as compared to a full-time workweek of 40 hours. Extra help employees are not eligible for these benefits.
B. Sick leave may be taken when an employee is ill, injured, disabled (including a disability due to pregnancy or childbirth) or has been exposed to a contagious disease where there is a risk to the health of others, or for medical or dental examinations or treatment when such appointments cannot be scheduled outside of working hours. Sick leave may also be used to care for a member of the immediate family under these conditions.
C. A regular employee may use sick leave for family leave as provided in **Section 6.06, Family Leave**.
D. A regular employee may use sick leave when the use of a prescription drug impairs job performance or safety.
E. After three days of sick leave an employee may be asked to provide a doctor's note or other evidence of inability to work at the discretion of your supervisor or Department Director.
F. Each employee, or someone on his/her behalf, should inform his/her supervisor if unable to come to work. This notification should be done each day prior to the scheduled starting time unless on long-term leave, so arrangements can be made to cover the absence.
G. If an employee on approved vacation is hospitalized or experiences a similar extraordinary sick leave event, the employee may make a written request to the City Manager to convert the sick leave connected time from vacation leave to sick leave. The City Manager shall consider the facts involved and shall approve or deny the request.
H. Sick leave accrual is capped at 1040 hours or a pro-rata share for part-time employees.
I. Upon retirement as defined by the rules and regulations of the Washington State Public Employees Retirement System, an employee shall be paid for 10% of their accrued but unused sick leave.
J. An employee who has an on-the-job injury and receives time loss payments from the Washington Department of Labor and Industries (L & I) may not use sick leave for the same hours for which the employee receives the time loss payment. An employee may use sick leave to supplement the time loss payment for the purpose of continuing to receive his or her normal salary. If sick leave is exhausted, the City will use other available leave to supplement the time loss, unless the employee otherwise notifies Payroll in writing. If an employee is awarded time loss payments for a period that the employee has already used sick leave or other available leave, the employee shall submit the L & I check to Finance and "buy back" the equivalent amount of leave used. While on time loss, the employee's salary may not exceed the employee's normal salary.

6.05 Donated Leave

A. **Criteria.** A Department Director, after consulting with Human Resources, may recommend that the City Manager allow a regular employee to receive donated sick leave from another regular employee. The City Manager may approve the donated leave if he or she finds that the employee meets all of the following criteria:

1. The employee needs leave that qualifies for sick leave, which is of an extraordinary or severe nature and that has caused, or is likely to cause, the employee to either go on leave without pay or to terminate employment; and
2. The employee has depleted all of his or her available leave time; and
3. The employee has abided by all applicable policies regarding sick leave use; and
4. The employee has been found ineligible for benefits under Chapter 51.32 RCW (Worker's Compensation).

B. **Donation.** An employee may donate up to 25 hours annually of his/her sick leave balance. An employee is not eligible to donate sick leave hours unless a balance of 80 hours will be maintained. An employee may also choose to donate accrued vacation leave. The donating employee in either case shall submit a written request to Human Resources.

C. **Value of Leave.** Donated hours will be used on an hour for hour basis with no consideration given to the dollar value of the leave donated.

D. **Treatment of Leave Remaining.** If more leave is donated than is used, the hours of leave that remain shall be returned to the employee(s) donating the leave on a pro rata basis. Sick leave hours so transferred shall not be utilized for the purposes authorized in **Section 6.04 I.**

6.06 Family Leave

A. The City complies with the Federal Family and Medical Leave Act of 1993 (the FMLA - 29 U.S.C.A., 2611) and all applicable state laws (RCW 49.78) related to family and medical leave. This policy provides detailed information concerning the terms of FMLA.

B. **Length of Family Leave and Eligibility**: Eligible employees may take up to 12 weeks of unpaid, family leave every 12 months for certain family and medical reasons. To be eligible, an employee must have worked for the City for at least 12 months and for at least 1,250 hours over the previous 12 months.

C. **Reasons for Taking Leave**: Family leave is provided for any of the following reasons:

1. To care for an employee's child after birth or placement for adoption or foster care.
2. To care for an employee's spouse child or parent who has a serious health condition.
3. If a serious health condition makes an employee unable to perform the functions of his or her job.

Leave to care for a child after birth or placement for adoption or foster care must be concluded within 12 months of the birth or placement.

D. Definitions. For the purposes of this policy, the following definitions apply:

1. **Child:** a) A biological, adopted or foster child, a stepchild, a legal ward or a child of a person standing in loco parentis (in place of the parent) if the child is younger than 18; or

   b) A biological, adopted or foster child, a stepchild, a legal ward or a child of a person standing in loco parentis if the child is 18 or older and incapable of self care because of a mental or physical disability
2. **Parent:** A biological parent of an employee or an individual who stood in loco parentis to that employee when the employee was a child.
3. **Serious Health Condition:** An injury, illness, impairment or physical or mental condition that involves:
   a) **hospital care**: any period of incapacity or subsequent treatment connected with or consequent to inpatient care (an overnight stay) in a hospital, hospice or residential medical care facility; or
   b) **absences plus treatment:** any period of incapacity of more than three consecutive calendar days including any subsequent treatment or period of incapacity relating to the same condition that also involves 1) treatment 2 or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider; or 2) treatment by a health care provider on at least 1 occasion which results in a regimen of continuing treatment under the supervision of a health care provider;
   c) **pregnancy:** any period of incapacity due to pregnancy or for prenatal care; or
   d) **chronic conditions requiring treatments:** a chronic condition which 1) requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under the direct supervision of a health care provider; 2) continues over an extended period of time; and 3) may cause episodic rather than a continuing period of incapacity;
   e) **permanent/long term conditions requiring supervision:** a period of incapacity which is permanent or long term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider;
   f) **multiple treatment (non-chronic conditions)**: any period of absence to receive multiple treatments

(including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of or on referral by, a health care provider, whether for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment.

4. **Incapacity**: inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefore or recovery therefrom.

E. **Intermittent Leave:** Under some circumstances, family leave may be taken in separate blocks of time or by reducing a normal weekly or daily work schedule. Family leave may be taken intermittently if medically necessary because of a serious health condition (the employee's, or that of a spouse, child or parent). If family leave is for birth or placement for adoption or foster care, use of intermittent leave is subject to Department Director approval.

F. **Substitution of Paid Leave**: Certain kinds of paid leave must be substituted for unpaid family leave. Accrued vacation, personal days and comp time must be substituted for any type of family leave. Accrued sick leave must be substituted in the circumstances where City policies allow employees to use sick leave. When paid leave is available and allowed that paid leave must be exhausted before unpaid leave is allowed as family leave.

Both paid and unpaid leave count against the 12- week allowance. The employee is required to notify the City if any leave is used for a reason covered by the family leave.

G. **Advance Notice:** An employee shall provide advance notice of the need for family leave along with the requested dates for the leave. Taking leave, or reinstatement after leave, may be denied if these requirements are not met.

Notice must be provided at least 30 days in advance of the leave if the reason for the leave is birth, placement for adoption or foster care. If 30 days notice is not possible due to the employee taking physical custody of the child at an unanticipated time, notice must be given as soon as possible and at least within 5 working days of the placement. The employee shall adhere to the dates of leave requested unless the birth is premature, the mother is incapacitated by the birth and is unable to care for the child, the employee takes physical custody at an unanticipated time or the employee and Department Director agree to alter the dates. If there is a premature birth, incapacity or unanticipated placement, the employee must give notice of revised dates as soon as possible and at least within 5 working days.

Notice must be provided at least 14 days in advance of the leave if the reason for the leave is a serious health condition and the leave is foreseeable. The employee should make reasonable efforts to schedule the leave to not unduly

disrupt the City's operations. If the leave is not foreseeable, the employee or the employee's representative shall provide notice within 1 or 2 working days, except in extraordinary circumstances.

H. **Medical Certification.** The City requires the provision of a medical certification to support a request for leave because of a serious health condition (the employee's, or that of a child, spouse or parent) whenever the leave is expected to extend beyond five consecutive working days or will involve intermittent or part-time leave. The City may require second or third opinions, at its option, at City expense.

   The City requires all employees on family leave due to the employee's serious health condition or due to the birth of a child to provide a medical certification of fitness for duty prior to return to work after a medical leave that extends beyond 10 consecutive working days.

I. **Periodic Reporting**: If an employee takes leave for more than two weeks, the City may require the employee to periodically report on his or her status and intent to return to work.

J. **Health Insurance**: Employees covered by the City's group health plan (medical, dental or vision) will continue to receive paid health insurance during family leave on the same basis as during regular employment. Employees that do not return to work after the leave will be required to pay back the portion of the insurance premiums paid by the City unless failure to return to work was beyond the employee's control.

K. **Other Insurance**: For employees covered by other insurance plans through the City, those coverages will continue during paid leave on the same basis as during regular employment. For any period of unpaid leave, the employee wishing the insurance to continue must pay for the coverage on a monthly basis prior to the month of coverage. Check with Human Resources for current information and costs for coverages.

L. **Couples Employed by The City**: If employees married to each other request leave for the birth, adoption or foster care placement of a child, the total family leave available to the couple is 12 weeks. The City may grant leave to only one parent at time. If the leave requested is due to a serious health condition (the employee's or that of the child, spouse or parent), each employee is independently entitled to 12 weeks.

M. **Determining Leave Availability**: Family leave is available for up to 12 weeks during a 12-month period. For purposes of calculating leave availability, the 12-month period is a rolling 12-months measured from the first date any family leave is used. All leave qualifying for family leave shall be designated and tracked as family leave.

N. **Special Rule for Leave Related to Pregnancy**. Leave taken for the disability phase of pregnancy or childbirth when physically unable to work, is counted against the 12-week FMLA family leave allowance. In some cases, state law may entitle the disabled employee to leave beyond the standard 12-

week period. Human Resources can provide information concerning the state law and its applicability.

O. **Return Rights After Family Leave:** When an employee returns to work after family leave:

1. the City shall place the employee in the same position employee held when the leave began or in another City position with equivalent benefits and pay;

2. the return is subject to bona fide changes in compensation or work duties;

3. the employee does not have return rights if:

    a) the City eliminates the employee's position by a bona fide restructuring or reduction-in-force; or

    b) the employee takes another job; or

    c) the employee fails to provide the required timely notice of family leave or fails to return on the established ending date of the leave.

6.07 Medical Leave of Absence

In addition to family leave, an unpaid leave of absence of up to six months may be granted in the case of an employee's disability when approved by the City Manager and when the leave will not adversely impact City operations. The request must be supported by a physician's certificate of necessity and reasonable expectation of a timely return to duty. Prior to application for a medical leave of absence, an employee's accrued sick leave, vacation leave, compensatory time and personal days must be exhausted.

6.08 Continuation of Benefits

Employees on any paid leave shall continue to receive all benefits including the accrual of vacation, sick leave, holiday pay, pension, and all insurance benefits. Employees in unpaid status shall not be entitled to and shall not accrue any of the benefits of the City, except as provided under family leave.

6.09 Bereavement Leave

Full-time regular employees may be granted up to three days of paid leave to make arrangements for or to attend the funeral of, or memorial service for, a member of their immediate family. If more than three days leave is necessary, earned vacation, sick leave or compensatory time may also be used.

If while on approved vacation an employee has a death in his or her immediate family requiring the employee to engage in activities typically covered by bereavement leave, the employee may make a written request to the City Manager to convert the bereavement leave connected time from vacation leave to bereavement leave. The City Manager shall consider the facts involved and shall approve or deny the request.

Part-time regular employees shall be entitled to a pro-rata share of bereavement leave, based upon their regular scheduled work hours.

6.10 Court and Jury Duty Leave

Employees called to jury duty are strongly encouraged to fulfill their legal and civic responsibility. A regular employee will be granted leave at his/her regular rate of pay. Days during the period of summons when reporting to the court is not required are not covered by this leave.

During the regular work shift, an employee must report to work when not required to be in court. If the court pays the employee for the jury service, that payment must be turned in to the City. An employee is permitted to retain any mileage reimbursement received from the court.

An employee must inform his/her supervisor as soon as a summons is received, and on a daily basis as to court schedule.

Employees who have been subpoenaed for a job related matter shall be compensated as for any other working time.

6.11 Military Leave (Military Training)

Any regular employee may take up to fifteen work days per year for active duty training if he/she is a member of the Washington National Guard, the Army, Navy, Air Force, Coast Guard or Marine Corps Reserves of the United States. This leave is in addition to regular vacation leave.

An employee will continue to receive his or her normal pay during such active duty training, provided a written copy of the orders is submitted to the supervisor prior to leave and a written copy of the release is submitted upon return. If the active duty exceeds fifteen working days, the employee will be required to take the excess time first as compensatory time, vacation, and then leave without pay.

6.12 Leave for Active Duty Military Service

Regular employees who are called to, or volunteer for active duty military service will be placed on an indefinite unpaid leave of absence for the entire time the employee is in an active duty status with any branch of the United States Armed Forces or state militia. The employee may, at his or her option, use any or all accrued vacation leave or comp time prior to moving to the unpaid status. Any unused leave accruals remaining at the time the unpaid leave begins will be held until return to active employment with the City. Vacation and sick leave will not accrue during the time of the unpaid leave. The employee may choose to have the City continue to pay for the cost of dependent medical coverage; an employee choosing to do so needs to contact Human Resources to arrange the coverage prior to leaving for active duty.

Reinstatement following active duty will be in compliance with state and federal laws at the time of the return to work.

6.13 Leave of Absence Without Pay

The City Manager may grant regular employees a leave of absence without pay for an absence not covered by family leave or medical leave of absence and if all leave balances are exhausted. Examples of situations for which leave without pay may be granted include personal reasons not covered by family leave, such as parenting or caring for an ill relative; other reasons in the best interest of the City and not solely for the employee's personal gain or profit; or fulfilling a lengthy military obligation.

To request a leave of absence without pay, the employee shall submit a written request to the City Manager. The request shall state the reason for and the proposed length of the leave. If the leave is approved, the employee and City Manager will enter into an agreement detailing the terms and conditions of the leave.

7.00 HEALTH AND WELFARE BENEFITS

A number of benefits are provided to regular employees that contribute to total compensation. Complete descriptions of these benefits are available from Human Resources. The benefits that you may receive are as follows:

7.01 Social Security Replacement Plan

All regular employees must participate in a Social Security Replacement Plan (401 a) and Medicare. Extra help employees and interns are also covered by this program.

7.02 Group Insurance

Regular employees and their dependents are generally eligible for medical, dental, vision, long term disability and life insurance as defined by the City and as authorized by the carrier. The City makes contributions to the cost of these benefits. Part-time regular employees and their dependents, if eligible, receive City contributions for such insurance on a pro-rata basis. Extra help employees and interns are not eligible for these benefits.

The City provides an employee assistance program (EAP) for its employees. The program is provided as part of the group medical coverage.

The City reserves the right to make changes in the carriers and provisions of these programs when deemed necessary or advisable, and will make reasonable attempts to give prior notice to employees of any changes.

7.03 Retirement

The City contributes to the Washington State Public Employees Retirement System (PERS) as prescribed by law. State law determines employee eligibility.

7.04 457 Plan

The City provides a 457 Deferred Compensation program for eligible regular employees. Employees must defer funds into this plan which have been allocated for benefits by the City but are not used by the employee. In addition, an employee may make personal contributions to this plan through payroll deduction, up to the limits set by law. Extra help employees and interns are not eligible for this benefit.

8.00 STANDARDS OF EMPLOYEE CONDUCT

8.01 General Policy

The City expects all employees to strive for excellence, to exhibit the City Values in their work, to accomplish organizational and individual performance goals and to provide superior customer service.

8.02 Personal Appearance and Demeanor

Employees are expected to dress in attire appropriate to their job tasks and to behave in a professional, businesslike manner at all times.

Employees failing to adhere to City standards with respect to appearance and demeanor are subject to disciplinary action, up to and including termination.

8.03 Absenteeism and Tardiness

Employees are expected to report for work promptly and maintain good attendance. The supervisor must be advised of absence or late arrival prior to the beginning of the shift. Absenteeism or tardiness that is unexcused may be grounds for disciplinary action, up to and including termination.

8.04 Solicitations and Distribution of Literature

In the interest of maintaining a proper business environment and preventing interference with work and inconvenience to others, employees may not distribute literature or post materials, sell merchandise, solicit financial contributions or otherwise solicit for any cause during working hours. Employees who are not on working time (for example on lunchtime or break) may not solicit employees who are on working time. An employee (including any employee with management responsibility) shall not directly solicit any employee he or she supervises or otherwise exercises some element of control over. All employees shall recognize that any employee has the right to say "no" to any solicitation.

E-mail shall not be used to solicit employees for any purpose.

Employees may utilize the employee newsletter or the employee lunch room bulletin board if approved by the City Manager's Office for personal messages of this nature. Violation of this policy may be grounds for disciplinary action, up to and including termination.

Non employees are prohibited from distributing material or soliciting employees on City premises at any time.

8.05 Drug-Free Workplace

A. It is the policy of the City to maintain a drug-free workplace in keeping with the spirit and intent of the Drug-Free Workplace Act of 1988, other state and federal regulations and in keeping with the City's own standards. Actions in violation of this policy are inconsistent with the behavior expected of employees, subject all employees and visitors to our facilities to unacceptable safety risks and undermine the City's ability to operate effectively and efficiently.

B. The unlawful manufacture, distribution, dispensation, possession, sale, or use of a controlled substance, alcohol or other intoxicant in the workplace or while engaged in City business on or off the premises or in a City vehicle is strictly prohibited. Such conduct is also prohibited to the extent that in the opinion of the City, it impairs an employee's ability to perform on the job or threatens the reputation or integrity of the City. Therefore:

1. When employees are on the job, they are expected to be physically free from any impairment or substance that could contribute to an injury, property damage, or interfere with productivity. An employee shall not consume any alcohol during lunch or any other break occurring prior to the end of that employee's work day. Workday in this context includes any evening meeting or other similar activity on behalf of the City. Employees are to be free of illegal drugs or potentially impairing levels of legal substances. In short, all City employees are expected to be "fit for work".

2. Use or possession of prescription or non-prescription medication is not prohibited when taken in accord with prescription or standard dosage recommendations. However, employees shall notify their supervisors when they are taking over-the-counter or prescription drugs that could prevent the employee from performing his or her job safely and effectively. The employee and supervisor shall work together to determine the employee's fitness for duty or to establish a light duty assignment if available and appropriate. If no agreement is reached, the fitness for duty determination shall be made by the Department Director, after consulting Human Resources.

3. An employee convicted of a controlled substance-related violation must inform the City within five days of such conviction.

4. Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination. The City may require employees who violate this policy to successfully complete a drug abuse rehabilitation program as a condition of continued employment.

5. Employees may be required to submit to alcohol, drug or controlled substance testing when: an employee's work performance causes reasonable suspicion that the employee is impaired due to current intoxication, drug or controlled substance use; testing is required prior to appointment to a position; as a result of a job related accident; or in cases where employment has been conditioned, in a return to work agreement, upon remaining alcohol, drug or controlled substance free following treatment. Refusal to submit to testing when requested may result in immediate disciplinary action up to and including termination. Testing information shall be confidential unless used in an employer action with regard to the employee.
6. Employees who voluntarily enter treatment programs for drug or alcohol addiction shall not be subject to discrimination or retaliation. Such occurrences will be regarded as medical conditions with regard to City provided benefits and rights. However, the City may condition continued employment on the employee's successful completion of treatment or counseling programs and future avoidance of alcohol, drugs or other controlled substances. The City has an employee assistance referral center to assist employees in dealing with personal problems. Details are available from the Human Resources Department.

8.06 Safety

The City is committed to providing a safe and healthful working environment. The City makes every effort to comply with applicable federal and state occupational health and safety laws and to develop the best feasible operations, procedures, technologies and programs conducive to such an environment. Safety policy is contained in the Accident Prevention and Safety Manual.

8.07 Weapons Policy

No employee is authorized to carry a weapon, concealed or not, on City premises, in City vehicles, or while representing the City. An employee carrying a weapon in violation of this policy is subject to disciplinary action, up to and including termination.

8.08 Workplace Violence

The City is concerned about the increased violence in society, which has filtered into many workplaces throughout the United States. It is the policy of the City to have zero tolerance of any acts or threats of violence by any employee in or about City facilities or elsewhere at any time. The City will not condone any acts or threats of violence against employees, customers or visitors in or about City premises at any time or while they are engaged in business with or on behalf of the City off City premises.

In keeping with the spirit and intent of this policy and to ensure City objectives in this regard are attained, the City is committed to the following:

A. To provide a safe and healthful work environment, in accordance with the City safety policy.

B. To take prompt remedial action up to and including immediate termination against any employee who engages in any threatening behavior or acts of violence or who uses any obscene, abusive or threatening language or gestures.

C. To take appropriate action when dealing with customers or other visitors to City facilities who engage in such behavior. Such action may include notifying the police or other law enforcement personnel and prosecuting violators of this policy to the maximum extent of the law.

D. To prohibit employees from bringing unauthorized firearms or other weapons onto City premises.

In furtherance of this policy, employees have a "duty to warn" their supervisors, managers or Human Resources of any suspicious workplace activity or situations or incidents that they observe or that they are aware of that involve themselves or other employees, customers or visitors and that appear problematic. This includes, for example, threats or acts of violence, aggressive behavior, offensive acts, threatening or offensive comments or remarks and the like. Employee reports made pursuant to this policy will be held in confidence to the maximum possible extent. The City will not condone any form of retaliation against any employee for making a report under this policy.

Violation of this policy may be grounds for disciplinary action, up to and including termination.

8.09 Smoking Policy

In order to maintain a safe and comfortable working environment and to ensure compliance with applicable laws, smoking in City offices and work places, including City owned vehicles, is prohibited. Employees should avoid smoking near building entrances and any open windows. Violation of this policy may be grounds for disciplinary action, up to and including termination.

8.10 General Conduct

Employees are expected to conduct themselves in an appropriate, professional manner. Examples of behavior that are inappropriate include, but are not limited to:

A. Insubordination (as defined in **Section 3.23**);

B. Theft or other criminal activity;

C. General dishonesty including falsifying employment or other City records;

D. Failing to maintain confidentiality of City information;

E. Unwillingness or inability to maintain an acceptable level of work performance.

Violation of this policy may be grounds for disciplinary action, up to and including termination.

8.11 Searches of Property

Employees should be aware that all offices, desks, files, lockers and vehicles are the property of City and are issued for the use of employees only during their employment with the City. It may be necessary to conduct searches of employee personal property in City facilities or vehicles. In addition, the City reserves the right to search any employee's office, desk, files, locker or any other area or article on City premises. Searches may be conducted at any time without advance notice. Searches must be conducted by and authorized by the City Manager. Where reasonable, the search will conducted by more than one person.

Employees may not use a personal lock on City property or lockers, unless authorized and only if a copy of the key or combination is retained by the City.

Violation of this policy may be grounds for disciplinary action, up to and including termination.

8.12 Telephone, E-Mail, Voice Mail and Other Communication Systems and City Equipment

Computers, electronic mail, telephones, voice mail, facsimile machines, copy machines and other information-related City equipment are provided to employees to be used for City business purposes and may be accessed by other City staff. No message or file monitoring by the City will occur without prior permission of the City Manager, however employees should keep in mind that supervisors are responsible for regular monitoring of phone call identification logs to enforce this policy.

As a public agency, most City records are public and can be protected from disclosure only as provided by law. As a result, employees must be aware that e-mail, along with most other written documents, may be subject to public disclosure.

Employees are not to attempt to gain access to another employee's computer file, e-mail messages or voice mail messages without that employee's permission.

The City's e-mail, voice mail and other information systems may not be used in a way that could be disruptive or offensive to others. Employees shall not negligently or willfully damage City equipment nor engage in unauthorized use.

The personal use of equipment should be minimized. It is permissible to place or receive occasional personal calls or e-mail for the convenience of the employee. The City also recognizes that it is unrealistic to expect employees assigned cellular phones for certain positions to maintain separate equipment for personal use. Long distance calls and cellular calls must be accounted for on a regular basis, with reimbursement provided to the City for personal use outside the following exceptions:

- De minimus incidental activity not to exceed $2.00 per billing cycle
- Placing calls to notify family of emergencies or unexpected changes in a work schedule.

Employees shall not use information equipment or systems in any way that supports any profit-making business or outside employment, solicits contributions for any cause, or advocates for or against any ballot measure.

Violation of this policy may be grounds for disciplinary action, up to and including termination.

This page revised 10/00

8.13 Corrective Action Procedure

In taking disciplinary action, managers and supervisors may use a variety of measures. Where appropriate, managers and supervisors will follow a program of progressive discipline designed to give the employee the opportunity to correct behavior before it becomes a serious problem. Supervisors and managers also have the responsibility to provide behaviorally-specific feedback, either orally or in writing as appropriate, to employees who make improvements in their performance or correct the behavior that was a problem.

This page revised 10/00

(This page is renumbered 39 – A)

Please note that any or all of the steps outlined below or other appropriate measures may be utilized, depending upon individual circumstances and the nature of the offense. Serious discipline, including immediate termination may occur even on the first offense, in some circumstances, depending on the severity of the situation.

The degree of corrective action depends on the severity of the situation. It is the responsibility of the supervisor to objectively evaluate the circumstances and facts involved and to consult with the Human Resources Director before beginning such action.

The City may use administrative leave with pay while conducting an investigation into an alleged wrongdoing. This leave may be used when it is necessary to remove the employee from the work place pending the outcome of the investigation.

The following are examples of a pattern of progressive discipline

Step One: Verbal Warning: This step is used for relatively minor offenses and problems. The supervisor verbally discusses the concerns with the employee and lets the employee know the nature of the problem. Written documentation of the verbal warning shall be placed in the employee's personnel file.

Step Two: Written Warning: This step is used for a repeated offense where the discipline in Step 1 has failed to correct the problem or behavior, or for more serious problems that initially require stronger action. Under this step, a written warning is given to the employee and put in the employee's personnel file documenting the problem.

Step Three: Suspension: This step is used for repeated offenses where Steps 1 and 2 have failed to correct the problem or behavior, or for more serious problems that initially require stronger corrective action than the above steps. An employee is sent home without pay for a specified period of time. For an exempt employee, unpaid suspensions shall be in increments of workweeks. An exempt employee may also be given a period of time off with pay to make a personal decision as to whether to change behavior and continue employment with the City.

Step Four: Termination: This step is to be used for instances where an employee has failed to correct his/her behavior after previous discipline or if there is a serious violation of City standards of conduct where immediate termination is warranted.

Other examples of disciplinary methods that may be used include withholding a scheduled pay increase, pay reduction and demotion.

8.14 Pre-Disciplinary Hearing.

A. This section does not apply to at will employees or to employees who have not completed their initial orientation period.
B. When considering termination or other discipline that would deprive an employee of pay, the City will conduct a pre-disciplinary hearing. The hearing serves as a check against a mistaken decision and as an opportunity for an employee to furnish reasons why he or she should not be disciplined before the decision is finalized.

C. The employee shall be provided with a notice of the pre-disciplinary hearing. The notice shall include an explanation of the charges on which the potential discipline is based, and the time and date for the hearing.
D. The hearing will be presided over by the Department Director or a designated representative. The hearings are intended to be informal. The employee will be given an opportunity to explain why the serious discipline should not be taken. The employee may bring one person to the hearing as a representative. If the employee fails or refuses to appear, the Department Director shall determine the discipline without the employee's input.
E. After the hearing, the Department Director will consider the information provided and will consult with the Human Resources Director. As soon as possible, the director will issue the decision. A longer review period may be required in more complex situations, and the employee will be so informed.

8.15 Complaint Resolution Procedure

It is natural to have misunderstandings and conflict in organizations. The purpose of this procedure is to provide a method for the resolution of such matters in a positive and constructive manner and to give employees a means of airing complaints regarding their employment. Employees and supervisors are encouraged to resolve the causes of conflict or disputes between themselves informally whenever possible.

If such efforts fail, an employee may file a complaint in a more formal manner following the procedure outlined below. No retaliation, disciplinary action or discrimination shall occur because of the filing of a bona fide complaint under this procedure. The procedure should not, however, be construed as preventing, limiting, or delaying the City from taking disciplinary action against any employee up to and including termination where disciplinary action is deemed appropriate.

An employee who has been involuntarily separated from employment with the City has the right to participate in this process pursuant to the terms outlined below. Any complaint by a terminated employee must begin with step 3.

A. **Complaint Defined:** A complaint is a written allegation by an employee or former employee who has been involuntarily terminated that he or she has not been treated according to the personnel policies, or other rules or regulations. Complaints must be initiated within 30 days of the alleged act and a copy of the complaint provided to Human Resources.

B. **Step 1** - An employee should present the complaint to the supervisor and request time to meet and discuss the complaint. In consultation with Human Resources, the supervisor shall consider the complaint and all relevant information and respond to the employee in a timely manner.

C. **Step 2** - If the problem is not resolved at Step 1, the employee shall next request a meeting with the Department Director. In consultation with Human Resources, the Department Director will conduct an investigation and review the matter with appropriate persons. The Department Director shall respond to the employee within 10 working days, unless the response will take longer, in which case the director will keep the employee informed when the response will be available.

D. **Step 3** - If the problem is not resolved at Step 2 and the employee wishes to pursue the complaint, he or she shall request a meeting with the City Manager. The City Manager shall meet with the employee. The City Manager shall also conduct an investigation or otherwise consider information relevant to the complaint.

E. The City Manager shall issue a decision within 15 working days unless more time is needed, in which case the City Manager shall keep the employee informed of when the response will be available. The City Manager's decision shall be final and binding on the parties.

9.00 SEPARATION FROM EMPLOYMENT

9.01 Resignation

The City expects a resigning employee to give written notice to his/her supervisor at least 14 days in advance of the final working day.

9.02 Unauthorized Absence

Unauthorized absence from work for a period of three consecutive days will be considered as a voluntary resignation, unless the employee can provide a reasonable explanation to the Department Director.

9.03 Separation Procedures

The Human Resources Department will verify an employee's separation date and notify payroll. A final paycheck will be issued to the employee on the next regular payday after completion of the following: exit interview, return of City keys, car, ID card, credit cards, bus pass, tools and equipment, uniforms, printed materials, and any other property or resources which had been made available to the employee. In addition, Human Resources will resolve the status of retirement plans, insurance conversions, and deferred compensation programs, and will conduct an exit interview.

9.04 Layoff (Reduction in Force)

The City may lay off employees where there are changes in duties, reorganization of work or positions, a position or service is abolished, there is a lack of work, shortage of funding or for other legitimate business reasons.

A. Whenever a layoff is anticipated, employees whose jobs may be affected will be notified of the situation and options available as soon as possible to allow time to make necessary arrangements.
B. Extra help employees performing similar work will be laid off first.
C. Regular employees will be retained on the basis of their ability to perform the remaining work, and on the basis of the City's ability to meet program needs. Length of service will be taken into consideration when the ability to perform and qualifications of the employees are equal.
D. Options such as part-time work schedules, job sharing and voluntary time and/or pay reductions may also be explored, at the discretion of the City Manager.
E. **Rehire List.** Any regular employee who is laid off shall be placed on a City rehire list for a period of one year from the date of layoff. The City will honor an employee's written request to not be placed on or to be removed from the list. When hiring for any vacancy, the Department Director shall first consult Human Resources to determine if any employee on the rehire list is qualified for the vacancy. If there is a qualified employee on the rehire list, the employee shall be offered the position. In the case of more than one qualified employee on the rehire list, the position shall first be offered to the employee with the longest term of service with the City. An employee shall be removed from the list upon rehire by the City, refusal of a City job offer or the expiration of one year, whichever comes first.

CLOSING STATEMENT

We wish you successful employment with the City. If you have any questions about this handbook, please direct your questions to your supervisor or to Human Resources.

RESOLUTION NO. 170

A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON, ADOPTING REVISIONS TO PERSONNEL POLICIES AND CODE OF ETHICS FOR THE CITY OF SHORELINE TO CORRECT AND CLARIFY POLICY RELATED TO FINANCIAL CONFLICTS

WHEREAS, the City of Shoreline has been operating under Personnel Policies last revised on June 28, 1999 by Resolution No. 154; and

WHEREAS, the City of Shoreline has adopted a Code of Ethics governing conduct of all employees and officials on August 14, 1995 by Resolution No. 30; and

WHEREAS, the City Council wishes to revise its Personnel Policies and Code of Ethics to clarify personal and financial conflicts of employees;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON AS FOLLOWS:

Section 1. Revision. The City Manager is authorized to implement a revised *Personnel Policies*, filed with the City Clerk under receiving number **1301**; and to apply these policies to employees of the City of Shoreline until modified by future action of the Council.

Section 2. Revision. The revised *City of Shoreline Code of Ethics* attached hereto as Exhibit B is adopted.

Section 3 Effective Date. The revised *Personnel Policies* and *Code of Ethics* shall take effect immediately.

ADOPTED BY THE CITY COUNCIL ON OCTOBER 23, 2000.

_____
Mayor Scott Jepsen

ATTEST:

_____
Sharon Mattioli, CMC
City Clerk

CITY OF SHORELINE
CODE OF ETHICS

The purpose of the City of Shoreline Code of Ethics is to strengthen the quality of government through ethical principles which shall govern the conduct of the City's elected and appointed officials, and employees, who shall:

1. Be dedicated to the concepts of effective and democratic local government.

Guidelines

Democratic Leadership. Officials and staff shall honor and respect the principles and spirit of representative democracy and set a positive example of good citizenship by scrupulously observing the letter and spirit of laws, rules and regulations.

2. Affirm the dignity and worth of the services rendered by government and maintain a deep sense of social responsibility as a trusted public servant.

3. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships.

Guidelines

Public Confidence. Officials and staff shall conduct themselves so as to maintain public confidence in city government and in the performance of the public trust.

Impression of Influence. Officials and staff shall conduct their official and personal affairs in such a manner as to give the clear impression that they cannot be improperly influenced in the performance of their official duties.

4. Recognize that the chief function of local government at all times is to serve the best interests of all the people.

Guidelines

Public Interest. Officials and staff shall treat their office as a public trust, only using the power and resources of public office to advance public interests, and not to attain personal benefit or pursue any other private interest incompatible with the public good.

5. Keep the community informed on municipal affairs; encourage communication between the citizens and all municipal officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

Guidelines

Accountability. Officials and staff shall assure that government is conducted openly, efficiently, equitably and honorably in a manner that permits the citizenry to make informed judgments and hold city officials accountable.

Respectability. Officials and staff shall safeguard public confidence in the integrity of city government by being honest, fair, caring and respectful and by avoiding conduct creating the appearance of impropriety or which is otherwise unbefitting a public official.

6. Seek no favor; believe that personal benefit or profit secured by confidential information or by misuse of public time is dishonest.

Guidelines

Business Interests. Officials and staff shall have no beneficial interest in any contract which may be made by, through or under his or her supervision, or for the benefit of his or her office, or accept directly or indirectly, any compensation, gratuity or reward in connection with such contract unless allowed under State law. ~~disclose and limit any business or contract relationship with the city to less than $9,000 per year as provided in the State law.~~

Private Employment. Officials and staff shall not engage in, solicit, negotiate for, or promise to accept private employment or render services for private interests or conduct a private business when such employment, service or business

creates a conflict with or impairs the proper discharge of their official duties.

Confidential Information. Officials and staff shall not disclose to others, or use to further their personal interest, confidential information acquired by them in the course of their official duties.

Gifts. Officials and employees shall not directly or indirectly solicit any gift or accept or receive any gift whether it be money, services, loan, travel, entertainment, hospitality, promise, or any other form - under the following circumstances: (a) it could be reasonably inferred or expected that the gift was intended to influence the performance of official duties; or (b) the gift was intended to serve as a reward for any official action on the official's or employee's part.

Investments in Conflict with Official Duties. Officials and employees shall not invest or hold any investment, directly or indirectly, in any financial business, commercial or other private transaction that creates a conflict with their official duties.

Personal Relationships. Personal relationships shall be disclosed in any instance where there could be the appearance of a conflict of interest.

Business Relationships. Officials and staff shall not use staff time, equipment, or facilities for marketing or soliciting for private business activities.

Reference Checking. Reference checking and responding to agency requests are a normal function of municipal business and is not prohibited if it does not adversely effect the operation of the City.

7. Conduct business of the city in a manner which is not only fair in fact, but also in appearance.

Guidelines

Personal Relationships. In a quasi-judicial proceedings elected officials shall abide by the directives of RCW 42.36 which requires full disclosure of contacts by proponents and opponents of land use projects which are before the City Council. Boards and Commissions are also subject to these fairness rules when they conduct quasi-judicial hearings.

8. Not knowingly violate any Washington statutes, City ordinance or regulation in the course of performing their duties.

SHORELINE

CITY OF SHORELINE EMPLOYEE HANDBOOK

ACKNOWLEDGMENT

I understand that the information contained in the Employee Handbook represents guidelines only and that the City reserves the right to modify, amend or terminate these policies at any time.

I understand that these policies are not a contract of employment, express or implied, or a guarantee of employment for any specific duration between me and the City and I should not view it as such.

I acknowledge receipt of these policies and have read and understand their contents.

Employee's Signature _____ Date _____