

RESOLUTION NO. 535**A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON, ADOPTING REVISIONS TO PERSONNEL POLICIES AND PRACTICES SET FORTH IN THE EMPLOYEE HANDBOOK, ESTABLISHING AN EFFECTIVE DATE OF JANUARY 1, 2025.**

WHEREAS, the City Council has provided for benefits and working conditions in the Employee Handbook which sets forth the City's personnel policies and practices; and

WHEREAS, the Employee Handbook was last updated in February 2023, with the adoption of Resolution No. 503; and

WHEREAS, the Human Resources Department reviewed the Employee Handbook and identified portions of the Employee Handbook that needed to be updated to conform with current laws as well as certain housekeeping amendments to reflect current practices and/or provide clarity as well as to improve readability, comprehension, and consistency in policies and practices applied to represented and non-represented employees; and

WHEREAS, on November 25, 2024, the City Council discussed the proposed revisions to the Employee Handbook and have given full consideration to the proposed revisions;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:


Section 1. Employee Handbook Revision. The Employee Handbook is revised as set forth in Exhibit A to this Resolution.

Section 2. Corrections by City Clerk. Upon approval of the City Attorney, the City Clerk is authorized to make necessary corrections to this Resolution, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or resolution numbering and section/subsection numbering and references.

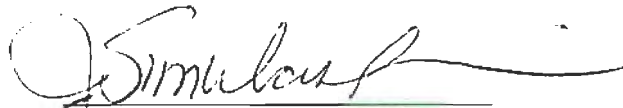
Section 3. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this Resolution or its application to any person or situation be found unconstitutional or invalid for any reason by any court of competent, such decision shall not affect the validity of the remaining portions of this Resolution or its application to any person or situation.

Section 4. Effective Date. This Resolution shall be in full force on January 1, 2025.

ADOPTED BY THE CITY COUNCIL ON DECEMBER 9, 2024.


Christopher Roberts, Mayor

ATTEST:


Jessica Simulcik Smith, City Clerk



EMPLOYEE HANDBOOK

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I. INTRODUCTION

The Employee Handbook (“Handbook”) provides the City of Shoreline’s (“City”) employee and personnel policies. It is intended to help employees understand how the City operates and what is expected of employees. The City strives to create a work environment that allows individuals to maximize their contribution to the organization and achieve personal satisfaction in working to serve the Shoreline community. We believe that when consistent personnel policies are known and communicated to all, job satisfaction increases.

While the City hopes that the employment relationship with all employees 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 an individual 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 modify the policies in this Handbook. The City also reserves the right, at its sole discretion, to depart from the guidelines outlined in this Handbook, to meet the business needs of the City.

If an employee of the City has questions about any of the City’s policies in this Handbook, they should direct those questions to their supervisor or the Human Resources Department (“Human Resources”).

II. APPLICABILITY AND AUTHORITY

A. Applicability

This Handbook is applicable to all employees except the City Manager, who serves at the discretion of the City Council, and except where specifically stated otherwise.

B. At-Will

At-will positions include: specific senior management positions designated by the City Manager; temporary, Extra Help and Limited Term positions; and Regular employees who have not yet completed the orientation period. No provisions of this Handbook will change an employee’s at-will status.

C. Local, State, Federal Law or Collective Bargaining Agreement

In cases where these policies conflict with local, state, or federal law, or a collective bargaining agreement, the provisions of local, state, or federal law, or the collective bargaining agreement 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

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

III. DEFINITIONS

A. **Accrued Leave**

Leave accruals earned but not yet taken including: sick leave, vacation leave, compensatory ("comp") time, management leave, or personal holidays.

B. **Alternative Work Schedule**

A work schedule that is different from the total of 40 authorized hours per week but sums up to 80 hours per pay period. .

C. **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 to the anniversary date will be made for unpaid time off, with the exception of unpaid time resulting from an on-the-job injury or illness.

D. **Break in Service**

The period between the date an employee separates from employment with the City and the date the employee is rehired.

E. **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, per the Standby and Callback Services administrative policy.

F. **City**

The City of Shoreline, Washington.

G. **City Manager**

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

H. **Complaint**

A formal allegation by an employee that they have not been treated according to the personnel policies included in this Handbook or other rules or regulations of the City.

I. **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. Individual departments may establish different core hours for purposes of performing their operations with City Manager approval.

J. **Demotion**

Any case where a Regular employee moves to an ongoing Regular position in a classification in a lower salary range, except for such movement resulting from a compensation study or salary survey.

K. De Facto Parent

A person who has had their parental rights and responsibilities determined by a court as to a child for whom they are not the legal parent, whether biological, adoptive or otherwise.

L. Department Director

An individual appointed by the City Manager to serve as Assistant City Manager, Administrative Services Director, City Attorney, Human Resources and Organizational Development Director, Recreation, Cultural and Community Services Director, Planning and Community Development Director, Public Works Director, or their designee.

M. Domestic Partner

The individual named in a current, valid Affidavit of Marriage/Domestic Partnership on file with Human Resources. The Partnership may be of the same or opposite sex and must satisfy the following criteria:

- Partners must not be part of another Domestic Partnership or marriage.
- Partners must be mentally competent, 18 years of age or older, and not related by blood closer than permitted for marriage under RCW 26.04.020.1a and .2.
- Partners must share a regular and permanent residence and living expenses.

N. 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. This does not include prescription and over-the-counter medication used according to prescription or consistent with standard dosage.

O. Employment Status**1. Regular Full-Time**

A Regular position established by the City budget that is expected to be ongoing and to work a 40-hour week.

2. Regular Part-Time

A Regular position established by the City budget that is expected to be ongoing and to work at least 20 but fewer than 40 hours per week.

3. Limited Term

A position that has a specific end date, works 20 or more hours a week, and is not Extra Help. The maximum duration for Limited Term positions is 3 years.

4. Extra Help

A position that is employed in activities related to seasonal programs, variable intermittent workloads, short duration, or ongoing work of less than 20 hours a week, further defined below.

a. Seasonal

Work that is seasonal beginning approximately the same season of each calendar year, customarily less than 6 months in duration.

- i. **Maximum Hours:**
 - 1,040 hours a year with no limit on weekly hours if all work is seasonal.
 - If some of the work is not seasonal then all hours worked count toward a maximum average of 29 hours per week in the first 3 months of employment and during 12 months of employment.
 - ii. **Break in Service Requirement before rehire:**
 - 13 weeks, or
 - Longer than the employee was employed, or
 - With approval from Human Resources based on an evaluation of employment status including measurement period implications.
 - b. **Variable-hour**
Work that is not seasonal but is intermittent and/or hours that are unpredictable from week to week.
 - i. **Maximum Hours:**
 - 1,040 hours a year, and
 - An average of 29 hours per week during the first 3 months of employment and during 12 months of employment.
 - ii. **Break in Service Requirement before rehire:**
 - 13 weeks, or
 - Longer than the employee was employed, or
 - With approval from Human Resources based on an evaluation of employment status including measurement period implications.
 - c. **Fewer than 20 Hours Ongoing**
Work that is ongoing and consistent with few hours but regularly scheduled each week.
 - i. **Maximum Hours:**
 - 1,040 a year, and
 - An average of fewer than 20 hours per week during the first 3 months of employment and during 12 months of employment.
 - ii. **Break in Service Requirement before Rehire:**
 - 13 weeks, or
 - Longer than the employee was employed, or
 - With approval from Human Resources based on an evaluation of employment status including measurement period implications.
- P. **ESD**
Washington State Employment Security Department.
- Q. **Exempt Employee**
An employee who is 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. Exempt positions are indicated on the salary table adopted by the City Council.

R. Fit for Duty

Physically and mentally capable of safely performing the essential functions of the job, including not being under the influence of nor impaired by alcohol, Drugs, certain prescription medications, illegal substances, or other medications that impact one's physical or mental capacity.

S. Flex Schedule

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

T. Flex Time

Adjusting one's workday schedule on a specific occasion but making up that time either by coming into work early or staying late the same day or on another day during that same workweek. Flex Time applies to non-exempt employees only.

U. FMLA (Family and Medical Leave Act)

Family and Medical Leave Act enacted by the U.S. Federal Government.

V. FTE (Full-Time Equivalent)

A measurement used to calculate an equivalent of a position's authorized hours against a standard 40 hours per week. For example, a 30-hour authorized position is 0.75 FTE.

W. Immediate Family

Unless defined otherwise in these policies, immediate family is:

- A spouse or domestic partner,
- A child, parent or sibling of the employee, or
- A child, parent or sibling of the employee's spouse or domestic partner.

Note: Child includes adopted, biological, foster, grand, step, child of a legal guardian or a person standing in loco parentis or a de facto parent, regardless of age or dependency status. Parent includes adoptive, biological, foster, grand, step and a person who was a legal guardian or stood in loco parentis or was a de facto parent. Sibling includes adopted, biological, foster, or step.

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 must 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 will forward a recommendation to the City Manager for approval. The City Manager will decide to approve or deny the request. If the definition of immediate family is different in certain approved benefit plans or policies, the provisions of those plans or policies will govern.

X. Insubordination

Expressed hostility or contempt for an employee's supervisor, defiance of authority or intentional refusal to obey or willful disregard of a supervisor's reasonable directive.

- Y. Intern**
A position that is a form of on-the-job training that may be either voluntary or on paid status.
- Z. In Loco Parentis**
A person who acts in the place of a parent with legal responsibility to take on some of the functions and responsibilities of a parent.
- AA. Non-Exempt Employee**
An employee covered by the minimum wage and overtime provisions of the Fair Labor Standards Act and applicable state law.
- BB. Base Pay Rate**
Pay for scheduled hours of work at 1.0 times the hourly rate of pay.
- CC. PFML (Paid Family and Medical Leave)**
Paid Family and Medical Leave enacted by and administered through the State of Washington.
- DD. Promotion**
Any case where a Regular employee moves to a different classification on an ongoing basis in a higher salary range, with the exception of such movement resulting from a compensation study or salary survey.
- EE. Remote Work**
A discretionary, management approved alternative work arrangement in which an employee spends some portion of their regular work schedule working from an alternative work location, per the Employees Working Remotely administrative policy.
- FF. Separation from Service**
Any case where employment ends through death, retirement, resignation, layoff or other reason that results in a termination of employment.
- GG. Standby**
Specific assignment of an employee during off-hours to be available to come to work if needed, per the Standby and Callback Services administrative policy. Standby is not considered as time worked.
- HH. Step Increase Date**
The date that is used for the purpose of step increase. Usually, the step increase date is the date the employee began work in their current position, but adjustments will be made proportionate to any unpaid time off, with the exception of unpaid time resulting from an on-the-job injury or illness.
- II. Time in Paid Status**
The period of hours during a pay cycle for which an employee receives compensation including for hours worked, the use of compensatory time or the use of vacation, sick, holiday, management, personal or other paid leaves.
- JJ. Transfer**
Any case where a Regular employee moves to a different classification on an ongoing basis in the same salary range as the classification they are moving from.

KK. Vacation Accrual Increase Date

The date that is used for the purpose of vacation accrual increases. The vacation accrual increase date is the date the employee began work in their first regular position, but adjustments will be made proportionate to unpaid time off as provided in Section VI.O. Leave of Absence Without Pay. Unless adjusted for unpaid time, it is the same date as the anniversary date.

LL. Work Location

Work locations are the places employees work, including alternative work locations. The locations include city-owned buildings, adjacent structures and parking lots, and grounds. Current, non-alternative work locations include:

City Hall: 17500 Midvale Avenue N

Hamlin Maintenance Facility: 16006 15th Avenue NE

Linden Maintenance Facility: 17505 Linden Avenue N

North Maintenance Facility: 19547 25th Avenue NE

Richmond Highlands Recreation Center: 16544 Fremont Avenue N

Spartan Recreation Center: 202 NE 185th Street

MM. Workweek

A fixed and regularly recurring period of 7 consecutive 24-hour periods. The standard workweek for employees consists of the period from 12:00 a.m. Sunday to 11:59 p.m. the following Saturday. Other regular work-weeks may be established, as for employees with alternative schedules, but where a different workweek is required, the City Manager or their designee, will define an appropriate workweek and communicate that to the employees.

IV. EMPLOYMENT POLICIES**A. Recruitment and Selection****1. External and Internal Recruitment**

Job Posting and Application: Open positions will be posted on the City's website with links to the application process. The opening will be posted for a minimum of 5 working days. To ensure internal employees are aware of an open position, Human Resources will announce openings through email. Hiring managers may use an existing applicant pool from a recruitment that occurred no more than 6 months prior, unless otherwise approved by the City Manager, to identify and interview candidates to fill a vacant position in a same job classification where there would not be a substantive change to the job posting.

Selecting Candidates for an Interview: The hiring manager will review the applications and identify candidates that will proceed to an interview. Additionally, all Regular employees who applied will be granted an interview if they possess the experience, training, and other qualifications listed in the job announcement.

Selecting the Best Candidate: The City hires the best candidate for any job vacancy. The best candidate is an applicant who meets the qualifications for the position and has the strongest match between their experience, knowledge,

skills and abilities and the work responsibilities of a position. The best candidate will be determined based upon a review of application materials, the results of tests and/or background checks required by positions, an evaluation of responses to interview questions, and professional references.

2. Internal Recruitment Only

The Department Director, after consultation with the Human Resources and Organizational Development Director, will determine if an opening will be available internally only. All employees who are currently working for the City are considered internal applicants.

Job Posting and Application: Human Resources will announce openings through email, directing interested employees to apply through the City's web page with links to the application process. The opening will be posted for a minimum of 5 working days.

Selecting Candidates for an Interview: The hiring manager will review the applications and identify candidates that will proceed to an interview. All Regular employees who applied will be granted an interview if they possess the minimum experience, training and other qualifications listed in the job announcement.

Selecting the Best Candidate: The City hires the best candidate for any job vacancy. The best candidate is an applicant who meets the minimum qualifications for the position and has the strongest match between their experience, knowledge, skills and abilities and the work responsibilities of a position. The best candidate will be determined based upon a review of application materials, the results of tests and/or background checks required by positions, an evaluation of responses to interview questions, and professional references.

If there is not an internal candidate who has a strong match between their knowledge, skills and abilities and the work responsibilities of the position, the position may be re-posted and made available to external applicants.

B. Professional References

All requests for information regarding past or present employees must be directed to Human Resources. 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.

C. Subpoenas and Depositions

Sometimes an employee may receive a notice that they are being subpoenaed regarding City business, such as being required to give a deposition. If an employee receives such a notice directly, the employee is to immediately notify the City Attorney's Office. The City Attorney's Office will assist the employee in preparing for the deposition and will accompany the employee to the deposition,

providing the appropriate support for the employee during the deposition as provided by court rule and law.

D. Prohibited Political Activities – Code of Ethics

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:

1. Use of City Resources, Property, Authority and Influence

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. Employees may not use City authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office.

2. Coercion

Employees may not directly or indirectly coerce, attempt to coerce, or command 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.

3. Elected Office, Commission or Board Service

Employees may not serve 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. Employees that serve as an elected or appointed official for another governmental entity must comply with the provisions and restrictions of this policy.

4. Conflict of Interest

If there is a conflict of interest between an employee's elected position outside of the City and their 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 of employment.

E. Prohibited Personal Gain - Code of Ethics

The following standards are established for all City employees for conducting business within the guidelines of the Code of Ethics and providing friendly and courteous service to the public. The Code of Ethics is located in Appendix A of this manual.

Employees are prohibited from:

1. 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.

2. 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 such prohibitions do not apply to:
 - a. 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.
 - b. An award publicly presented in recognition of public service.
 - c. Attendance at a hosted meal where general information is being presented, but where no active consideration of a contract is being discussed.
 - d. Advertising items of no material value which are widely distributed to others under essentially the same business relationship with the donor or any other gift that is deemed by the City Manager to be of insignificant value such that it does not present a conflict of interest.
3. 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 of employment.

F. Employee Orientation

Upon hire or appointment, the Department Director, or their designee, and Human Resources are responsible for the orientation of the new employee. The orientation may include an explanation of the organization and services provided by the City, work and safety rules, personnel policies included in this Handbook and in other administrative policies and procedures of the City, departmental rules and procedures, completion of payroll forms and introduction to other City personnel.

1. Orientation Period for Initial Hire

Upon hire to a Regular position, each employee will be at-will while serving in a 6-month orientation period. Upon the recommendation of the Department Director and the Human Resources and Organizational Development Director, the orientation period may be extended up to an additional 6 months at the discretion of the City Manager.

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.

An employee may be discharged without cause or notice prior to the completion of the orientation period. Successful completion of the orientation period means a Regular employee is no longer at-will; however, this should not be construed as creating a contract or as guaranteeing employment for any specific duration.

This section does not apply to specified senior management positions, temporary, Extra Help, and Limited Term positions.

2. Orientation Period for Promoted, Demoted or Transferred Employees

A promoted, transferred or demoted employee will serve a 3-month orientation period in the new position, if they have never worked in nor served an orientation period in the classification previously. Upon the recommendation of the Department Director and the Human Resources and Organizational Development Director, the orientation period may be extended up to an additional 3 months at the discretion of the City Manager.

The promoted, transferred, or demoted 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 will consult with Human Resources before making the decision to remove an employee.

If involuntarily removed from their current position, the employee may return to the position from which they promoted or transferred, provided the position is vacant and the employee has provided a written request to the Department Director for the former position. This request must be provided within 5 days of the notice of failure to complete the orientation period.

During the orientation period, the promoted or transferred employee may request to voluntarily return to the former position by making a written request to the Department Director for the former position. If the position is vacant, the Department Director, after consulting with Human Resources and any other affected department, may approve the return.

G. 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 (including, but not limited to, hair textures and protective hairstyles associated with race), creed, color, religion, gender or sex, national origin, marital status, age, sexual orientation or sexual identity, disability (as defined under law), pregnancy, genetic information, citizenship or immigration status, honorably discharged veteran or military status, or any other status protected by 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 their rights under this provision have been violated, they should follow the complaint reporting and resolution process outlined in Section IV.I, Discrimination and Harassment Complaint Procedure.

H. No Retaliation in the Workplace

Retaliation is prohibited against any person by another employee or by the City for making a good faith workplace complaint, reporting proscribed discrimination, harassment, or other workplace misconduct, objecting to such conduct, or filing,

testifying, assisting or participating in any manner in any investigation, proceeding or hearing conducted by the City or a governmental enforcement agency. See Section IV.L for additional information on retaliation as it relates to reporting improper government action.

Retaliation is any conduct that would reasonably dissuade an employee from raising, reporting or communicating about good faith concerns through our internal reporting channels or with any governmental authority, or from participating in or cooperating with an investigation or legal proceeding raising such concerns.

Retaliation may occur through conduct or written communication and may take many forms, including actual or implied threats, verbal or nonverbal behaviors, changes to the terms or conditions of employment, coercion, bullying, intimidation, or deliberate exclusionary behaviors.

The following are examples of potential retaliation the City prohibits:

- Adverse employment action affecting an employee's salary or compensation;
- Demotion, suspension, or termination of employment;
- Taking away opportunities for advancement;
- Excluding an employee from important meetings;
- Threatening an employee who has made a report;
- Directing an employee who has made a report not to report to outside regulators;
- Deliberately rude or hostile behaviors or speech; and
- Creating or allowing the creation of a work atmosphere that is hostile toward an employee who has reported a concern.

Any employee who experiences or witnesses retaliation in the workplace is welcome to express their concerns to the offending person. However, employees are not required to discuss the matter with the offending party. Employees who want to make a report should do so immediately following the procedure set forth in Section IV.I below. Any employee who unlawfully discriminates or retaliates against another employee as a result of his or her protected actions as described in this policy may be subject to corrective action, up to and including termination of employment.

I. Prohibition of Discrimination and Harassment

The City expressly prohibits any form of unlawful discrimination or harassment based on race (including, but not limited to, hair textures and protective hairstyles associated with race), creed, color, religion, gender or sex, national origin, marital status, age, sexual orientation or sexual identity, disability (as defined under state and federal law), pregnancy, genetic information, citizenship or immigration status, honorably discharges veteran or military status, or any other status protected by law, which includes behavior by co-workers, supervisors, vendors, residents, or any other individual or group with whom an employee may come in contact in the course of their 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:

1. Unwelcome sexual advances; requests for sexual favors; and all other verbal or physical conduct of a sexual or otherwise offensive nature, especially where:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
 - b. Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
 - c. Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.
2. Offensive comments, jokes, innuendoes, and other sexually oriented statements or displays.
3. Any other form of unwelcome, disruptive, discriminatory, or harassing behavior, regardless of whether such behavior meets the legal standards for discrimination or harassment.

J. Discrimination or Harassment 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.

If an employee believes they have experienced any job-related discrimination or harassment based upon any protected characteristic recognized by law, or believe they have been treated in an unlawful, discriminatory manner, the employee should promptly:

1. Report the incident to their 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 will also report the information to the City Manager.
 - a. If an employee believes it would be inappropriate to discuss the matter with their supervisor, the employee may report the complaint directly to their Department Director, to Human Resources, or to the City Manager. The person receiving the report will consult with other appropriate parties, and together they will determine how to undertake an investigation and ensure appropriate action is taken.
2. The complaint will be investigated in a confidential manner, where reasonably possible, consistent with the City's need to investigate and disclose information under Washington law.
3. If the City determines that an employee has harassed or discriminated against another employee, or other misconduct in violation of the City's policies, appropriate disciplinary action will be taken against the offending employee, up to and including termination of employment.

4. 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.
5. 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 of employment.

K. Employment of Immediate Family and Conflicts of Interest

1. Members of the immediate family of City elected officials will not be employed by the City in any capacity.
2. Members of the immediate family of employees, or employees who enter into romantic or dating relationships, will not be hired, moved into new positions, or permitted to keep their current roles if:
 - a. One individual would have the authority or power to influence decisions, supervise, hire, remove or discipline the other;
 - b. One individual would be responsible for financially auditing the work of the other;
 - c. One individual would handle confidential material that creates improper or inappropriate exposure to that material by the other; or
 - d. The member of the immediate family, or two employees in a dating or romantic relationship, would be employed in the same department, with the following two exceptions:
 - i. Extra Help employees may be employed in the same department as an immediate family member if no conflict of interest exists, including those outlined above.
 - ii. Spouses or domestic partners, or two employees in a dating or romantic relationship, may be employed in the same department if no conflict of interest exists, including those outlined above.
3. If two employees marry, enter into a domestic partnership, enter into a dating or romantic relationship, or become related, they should immediately report this change of status to the City Manager. If, in the judgment of the City Manager, the conflicts 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 conflict of interest. The decision to define and implement steps to eliminate the conflict of interest 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, enter domestic partnership, enter into a dating or romantic relationship, or become related. If the parties do not make a decision within 30 days, the City Manager will make the determination.

L. Personnel Files

Official personnel files are maintained by Human Resources. An employee has the right to inspect their personnel file at reasonable times during regular business hours. An employee wishing to see their personnel file should contact Human

Resources. An employee has the right to have a copy of any information in their personnel file.

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

M. Reporting Improper Governmental Action and Protecting Employees Against Retaliation

The City encourages reporting by City employees of improper governmental action and protects City employees who have reported improper governmental action in accordance with City policy by providing remedies for retaliation.

1. Key Definitions:

- a. **Improper Governmental Action** is any action by a City officer or employee that is:
 - i. 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
 - ii. 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.
- b. **Retaliatory Action** means (a) 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, refusal to assign meaningful work, unwarranted and unsubstantiated letters of reprimand or unsatisfactory performance evaluations, 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; or (b) hostile actions by another employee that were encouraged by a supervisor or manager.
- c. **Emergency** means a circumstance that, if not immediately changed, may cause damage to persons or property.

2. Reporting Mechanism

An employee who becomes aware of improper governmental action will report the action to the Department Director. If the employee reasonably believes that the improper governmental action involves the Department Director, then the employee will report the action to the City Manager. If the employee reasonably believes that the improper governmental action involves the City Manager, then the employee will report the action to the Mayor. The person receiving the report will 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.

3. Investigation

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

- a. The investigation should be conducted in a confidential manner, where reasonably possible, consistent with the City's need to investigate and disclose information under Washington law. Until the investigation is final, the identity of all employees involved will be kept confidential to the extent permitted by law. At all times, the identity of the reporting employees will be kept confidential to the extent possible under law, unless the employee authorizes the disclosure of their identity in writing.
- b. When the investigation is completed, the person receiving the report will 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.
- c. If an employee fails to make a good faith attempt to follow the provided reporting mechanism, the employee is not 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 of employment.

4. Protection against Retaliatory Actions

The City is prohibited from taking retaliatory action against an employee because they have in good faith reported an improper government action in accordance with this policy.

- a. An employee who believes they have been retaliated against must 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 must specify the alleged retaliatory action and the relief requested.
- b. The City Manager has 30 days to respond to the charge.

5. Appeal to the State

- a. 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.
- b. Within five (5) working days of receipt of a request for hearing, the City will apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge.

6. Relief Granted Under The Whistleblower Act

- a. Reinstatement, with or without pay.

- b. Injunctive relief necessary to return the employee to the position they held before the retaliatory action and to prevent the recurrence of retaliation.
- c. Costs and reasonable attorneys' fees.
- d. Penalty assessed against each individual retaliator or up to \$3,000 plus recommendation to City Manager that retaliator be suspended or dismissed.
- e. State law does not provide for general economic damages or damages for emotional distress.

7. List of Government Agencies

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

<u>City of Shoreline</u>	<u>King County</u>	<u>State of Washington</u>
City Attorney or City Manager Shoreline City Hall 17500 Midvale Ave N Shoreline, WA 98133 206-801-2700 Web: www.shorelinewa.gov	Ombudsman or Prosecuting Attorney 516 Third Ave Seattle, WA 98104 206-477-1050 or 206-296-9000 Web: www.kingcounty.gov	Auditor's Office 302 Sid Snyder Avenue SW Olympia, WA 98504-0021 Web: www.sao.wa.gov
		Human Rights Commission 711 South Capitol Way, St 402 Olympia, WA 98504-2490 Web: www.hum.wa.gov
		Dept. of Ecology 3190 - 160th SE Bellevue, WA 98008-5852 Web: www.ecy.wa.gov
		Dept. of Labor & Industries PO Box 44000 Olympia, WA 98504 Web: www.lni.gov

N. Outside Employment

- 1. The City expects that it is the primary employer for all Regular employees. Therefore, employees will 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 or standby 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 computers, copiers, telephones, supplies, other equipment, or time; or
 - i. Interfere in any other manner with the employee's provision of quality customer service.
1. In order to protect the interests of both the City and the employee, it is important that an employee and their 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.
 - a. Prior to engaging in any outside employment, an employee must provide their Department Director with written notice of his or her intent to engage in the outside work. If an employee is unsure about these criteria or the effect of their outside employment, they should consult with their Department Director or the Human Resources and Organizational Development Director for clarification.
 - i. After receiving the employee's request, the Department Director will consult Human Resources and if the request complies with this policy, the Director may approve the outside employment.
 - ii. If the Department Director, in consultation with the Human Resources and Organizational Development Director, determines that the outside employment interferes with or reduces the efficiency of City employment, then the Director will recommend to the City Manager that the request to engage in the outside employment be denied.
 - b. After considering the employee's written request and the recommendation of the Department Director and Human Resources, the City Manager will decide to approve or deny the request.
 2. Failure to comply with these provisions concerning outside employment may be grounds for disciplinary action, up to and including termination of employment.

V. GENERAL WORKING CONDITIONS AND PERSONNEL ADMINISTRATION

A. Working Hours

1. The workweek for Regular, full-time employees is 40 hours. The daily hours of work will be set by the Department Director with respect to each department as necessary for the efficient operation of the City and in consideration of the Core Hours for 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.
2. Employees may request to work an alternative work schedule or to job share. Such arrangements may not interfere with efficient City operation and must

provide for effective service delivery during and outside of Core Hours for the City. Flex schedules and job share must be approved by the Department Director, in consultation with Human Resources.

On occasion an employee may request to flex their time and adjust their regular work schedule to facilitate personal appointments that fall within their workday. Approval of flex time will be based on specific need or circumstance, is not intended to occur on a regular basis, and is not to result in overtime. Any change to an employee's schedule must be approved by their supervisor.

B. Breaks

1. Meal and Rest Breaks

This section applies to non-exempt and Extra Help employees. Employees working more than 5 consecutive hours are required to take at least a one-half hour (30 minute) unpaid meal period within 5 hours of the beginning of their shift and scheduled as close as possible to the midpoint of the shift.

In addition, employees are entitled to a paid 15-minute rest break for each 4 hours of working time. Employees who are able to take a break as needed do not have to take a formally scheduled break and it is the employees' responsibility to take these breaks. Breaks will be arranged so as not to interfere with normal business operations. All lunch and rest 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. Employees unable to take a required meal or rest break must immediately notify their supervisor or Human Resources.

2. Lactation Breaks

For two years after their child's birth, nursing employees are allowed to take reasonable breaks to express breast milk whenever the nursing employee feels it is necessary to do so. A private space for this purpose will be established at all City work locations. For more information on the designated lactation space, an employee should contact a supervisor or Human Resources.

C. Time Reporting and Overtime

Employees are responsible for reporting time worked and absences truthfully and accurately. Failure to do so may result in corrective action up to and including termination of employment.

1. Non-Exempt Employees

For non-exempt employees, the regular, full-time workweek consists of 40 working hours; however, overtime work may be required from time to time. Working assigned overtime is an important part of each employee's job responsibilities. For non-exempt employees, the supervisor must authorize, in advance and in writing, any overtime work. Overtime is paid for time worked in excess of 40 paid hours (which may include paid leave) in a workweek and is compensated at one and one-half times the employee's regular rate of pay.

All non-exempt employees are required to submit time reports, and their supervisors are required to approve those time reports, according to a

predetermined and published schedule, before the end of each pay period. All leave for non-exempt employees must be used and reported in 15-minute increments.

2. Exempt Employees

Exempt employees are paid on a salary basis. Pay-related time reports are required only if leave time, whether paid or unpaid, is used during the pay period. Based upon business need, exempt employees may be required to report all hours worked by program, project or grant code for accounting purposes.

D. Standby

This section applies to non-exempt employees. A department may assign an employee who may be needed to work during off-hours to be on standby, per the Standby and Callback Services administrative policy. Standby assignments normally will be rotated among similarly situated employees. An employee placed on standby will be provided with a cellular phone so that they may be reached to conduct official business. Each employee on standby will receive premium compensation at the currently established rate published on the salary schedule for those hours on standby, and this allowance will be suspended when the callback commences. Standby is not to be counted as hours worked for purposes of computing overtime or eligibility to receive benefits. Employees on standby must make every attempt to report to work within 60 minutes, but no later than within 90 minutes of notification. If an employee on standby status fails to respond to a call to return to work, the employee may be subject to disciplinary action, up to and including termination of employment. The employee must remain Fit for Duty for the entire period of their standby duty.

E. Callback

This section applies to non-exempt employees. Employees called back to work, per the Standby and Callback Services administrative policy, will be paid a minimum of 3 hours at a rate of time and one-half. Hours worked on callback beyond the 3-hour minimum will be paid at the overtime rate of pay, unless such time is part of the employee's regularly scheduled work shift. When work to resolve an issue occurs remotely, such as by phone or email without physically arriving at the work site, the minimum increment of compensation is 15 minutes at a rate of time and one-half.

F. Compensatory (Comp) Time

This section applies to non-exempt employees. An employee who is in paid status more than 40 hours in a work-week may earn comp 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. Comp time may not accumulate beyond 60 hours and must be used within 12 months of award. Comp time not used within 12 months will be paid out. Any hours beyond 60 will also be paid out. The amount of the cash out is based upon the employee's base hourly rate/salary at the time of the payout.

G. Encampment Premium Pay

Procedures for addressing prohibited encampments are contained in the City's Administrative Policy and Procedure on Addressing Prohibited Encampments.

1. The City has the sole discretion to assign duties of assessing a purported prohibited encampment site, posting notice, and sorting and removing of materials associated with prohibited encampments.
2. Employees receive a premium "Encampment Pay" of 10% of their regular hourly wage in addition to their regular hourly wage for all hours directed by management to assess sites; post notices; and sort, remove materials, clean the area and post the prohibited encampments with Post-Clean-Up Notices.
3. Employees receiving Encampment Pay will be paid a minimum of 2 hours at the rate of 110% of their regular straight hourly rate of pay.
 - a. This 2-hour minimum may include more than one purported encampment site.
 - b. The total hours of Encampment Pay on any given day will not exceed the total number of hours worked on that day.
4. Encampment Pay will be provided when employees are directed to:
 - a. Visit the purported encampment site to assess if it is a prohibited encampment, and, if so, whether it is abandoned or occupied.
 - b. Report the prohibited encampment to the Lake City Partners Outreach Worker if the encampment is occupied or potentially occupied.
 - c. Securely post a Pre-Clean-Up and Resource Brochure in one or more conspicuous locations.
 - d. Physically remove garbage, damaged material, contaminated material, or hazardous waste from the site and clean the site appropriately.
 - e. Sort and bag personal property found at the site.
 - f. Post a Post-Clean-Up Notice.
 - g. Transport personal property to the identified storage location.
5. Encampment Pay will not be provided for removing the Post-Clean-Up posting after it has been up for five consecutive days.

H. Twelve-Hour Shift

This section applies to non-exempt employees. From time to time the City Manager or their designee may determine the need to assign City employees to work 12-hour shifts in order to effectively respond to inclement weather, natural disasters or other similar emergency events. The provisions of this policy apply in the case where the City Manager or their designee makes a declaration assigning employees to a "City Manager designated 12-hour shift". Whenever possible, when the City Manager or their designee declares a 12-hour shift, it will be declared for a 24-hour cycle.

1. Pay to Transition Assigned Employees into the 12-Hour Shift

When employees are working at the time the City Manager or their designee declares a 12-hour shift, the City will assign and schedule employees to work either a 12-hour night or day shift.

- a. Night Shift – Those employees assigned to the night shift will be sent

home with pay for the remainder of their regular working hours to rest and prepare for their upcoming night shift work assignment. This period of pay is considered hours worked and will cover the time between the declaration of the 12-hour shift until the end of their regularly scheduled workday, less any meal period not yet taken.

- b. Day Shift – Those employees assigned to work the first declared 12-hour day shift will complete the balance of their regularly scheduled shift and work until the turnover to the first 12-hour night shift. Upon completion of their first 12-hour day shift, employees are released to go home to rest and prepare to work for the next scheduled 12-hour day shift.

2. Pay to Transition Assigned Employees out of the 12-Hour Shift

Pay to transition assigned employees into the 12-hour shift will also apply to transitioning out of the 12-hour shift. This only applies to declared 12-hour shifts that end on a day between Sunday and Thursday (if the next scheduled shift assignment is the following day).

- a. Night Shift – When the 12-hour shift is canceled at the turnover to the day shift, those assigned to a 12-hour night shift will be sent home at the end of their 12-hour shift with pay for the remainder of their regular working hours to rest and prepare for the following day's regularly scheduled shift, less any meal period not taken. When the cancellation is made other than at shift turnover, employees will be notified that the 12-hour shift has been canceled and directed to work at their next regularly scheduled shift.
- b. Day Shift – If the 12-hour shift is declared at shift turnover or at any other time during the day while on duty, those employees will work until the end of their regular shift and be paid for their full shift, less any meal period not taken, and directed to work at their next regularly scheduled shift.

3. 12-Hour Shift Cancellation

Whenever possible, the City will declare an end to the 12-hour shift at the shift turnover. Those employees scheduled for a 12-hour shift, but not on duty, will be notified the 12-hour shift has been canceled and directed to report to work at their next regularly scheduled shift. No additional compensation will be paid for those employees not on duty and informed of the 12-hour shift cancellation.

- a. Weekends and Holidays – When the 12-hour shift cancellation is declared on a weekend or holiday, those employees on duty will be informed and paid for all hours worked, released from duty, and directed to report to work at their next regularly scheduled shift.

4. 12-Hour Shift Differential

In recognition of the inconvenience of having to work unusual hours with very little notice and under conditions that are generally difficult due to weather or other challenging conditions, employees assigned 12-hour shifts will receive premium compensation at the currently established rate published on the salary schedule for those hours assigned to the declared 12-hour shift. Employees assigned to the night shift will receive a night shift premium at

the currently established rate published on the salary schedule *in addition to* the shift differential received for hours worked on a declared 12-hour shift. . For purposes of this section, night shift constitutes a 12-hour shift beginning on or after 9 p.m.

5. Pay for Meal Breaks

During the declared 12-hour shifts, employees will be paid for both required meal breaks.

6. Premium Pay for Work on Days When the City is Closed

In the event that the City Manager closes the City for any period of time during any normal workday during the period of the declared 12-hour shift, any employee assigned to the 12-hour shift who works during the calendar day the City is closed will receive straight time "comp time" for the standard operating hours that the City is closed, in addition to their pay for their shift. For the purposes of a full day City closure, the "time closed" will be 8 hours.

- a. Example: The City experiences severe snowstorms and the City Manager declares a 12-hour shift beginning on Monday and the 12-hour shifts continue through the weekend. During the work-week, due to the snow, the City Manager closes the City for the entire workday on Wednesday. In addition, the City Manager closes the City 2 hours early on Thursday to allow employees at work to drive home safely.
- b. Employee A is assigned to the night shift and works the night shift on both Wednesday and Thursday as scheduled. In addition to appropriate pay for the hours worked, Employee A will receive 10 hours of comp time. (8 hours for having worked on Wednesday and 2 hours for having worked on Thursday).
- c. Employee B is assigned to the day shift and works the day shift both Wednesday and Thursday as scheduled. In addition to appropriate pay for the hours worked, Employee B will receive 10 hours of comp time. (8 hours for having worked on Wednesday and 2 hours for having worked on Thursday).
- d. Employee C is assigned to the day shift and is scheduled to work both Wednesday and Thursday; however, Employee C works Wednesday but then calls in sick and does not work as scheduled Thursday. Employee C will receive 8 hours comp time. (8 hours for having worked on Wednesday but 0 hours for Thursday).

I. Alternative Night Shift Premium

Employees scheduled to work a shift beginning on or after 9 p.m. or before an employee's regularly scheduled shift and not a part of a 12-hour shift declaration will receive premium compensation at the currently established rate published on the salary schedule for those hours on night shift. This work could include street sweeping, road repairs, or any other authorized work. Employees who are receiving Callback are not eligible for Alternative Night Shift Premium.

J. Remote Work

Regular, on-going remote work is allowed and is a discretionary, management approved alternative work arrangement in which an employee spends some portion of the workweek working from an alternative work location. Regular, on-

going remote work requires an agreement between the employee and their supervisor. Employees working remotely must comply with all of the terms and conditions outlined in the City's Employees Working Remotely administrative policy. A remote work agreement may be modified or revoked by management, with notice to the employee working remotely, at any time.

K. Inclement Weather, Natural Disasters, and Unplanned Facility Closure

1. 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 residents. Therefore, all employees are asked to make every reasonable effort to report to work during such times even if it is inconvenient.
2. A non-exempt employee who is not authorized for Situational Remote Work and is unable to get to a City worksite or who leaves work early because of weather or natural disaster conditions may either charge the time missed against any accrued leave or with approval from their supervisor may 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 workday or at the discretion of the City Manager, or their designee. Inclement weather or natural disaster tardiness in excess of that allowed by the City Manager will be charged as provided above.
3. In the event that the City Manager advises employees not to report to a City worksite or to leave early due to inclement weather, natural disaster, or other event that results in the unplanned closure of a City facility, such time off will be paid time off and not charged to accrued vacation leave or compensatory time.
4. In the event that the City Manager closes a City facility due to inclement weather, natural disaster, or other event that results in an unplanned closure, if directed by the City Manager, non-exempt employees who are available and report to work or continue to work will 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.

L. Planned Facility Closure

For a planned facility closure as directed by the City Manager that prevents staff from working in that facility during the closure, those staff will be directed to an alternate work location, including remote work if possible, during the closure. If there is no work to be performed, employees will be directed not to report to work and they will not be charged leave for this time.

M. Performance Planning and Appraisal

1. Each Regular employee's performance will be reviewed by their supervisor on an ongoing basis, with formal reviews on an annual bases.
2. Employees who disagree with their formal performance appraisal may provide comments on the evaluation form itself and may also submit a rebuttal in

writing that will be physically or electronically attached in the performance management system profiles. Employees may also appeal pursuant to Section VII.L Complaint Resolution Procedure.

N. Classification and Compensation Plan

The City maintains 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 is 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.

1. Job Classification

The job description and salary range assigned to the responsibilities of a position is the 'job classification.' A job description includes a job title and statements that define the position, including essential and marginal job functions and qualifications for knowledge, ability, experience and training. The experience and training qualifications in the job description are considered to be minimum qualifications. Salary range assignments are recommended by the Human Resources and Organizational Development Director to the City Manager, with input from the Department Director. Periodically, the City may revise job classifications as needed or as part of a classification and compensation study.

2. Salary Step Placement Procedures for Employees in Job Classifications Adjusted to a Higher Salary Range as Part of a Compensation Study

In a compensation study or salary survey salary range adjustment, unlike a promotion, demotion, or reclassification, the work of a job classification is not changing. Rather, the compensation study or salary survey has established that the market for what this work is compensated at has shifted for the same body of work. The goal is not to raise an employee's salary but instead to move the salary range of their position so that the top step is at the median rate of comparable job classifications in the City's comparable cities as defined by the City Council. This raises the maximum salary an employee can achieve in the new, higher range. The procedural steps below reflect the City's current practice of implementing compensation study/salary survey salary range adjustments, which typically take effect on January 1 of the following year.

a. Classifications Adjusted to a Higher Salary Range

When a job classification is adjusted to a higher salary range in a compensation study or salary survey, an employee will be placed on a salary step in the new, higher salary range as follows:

- i. Employees who are on Step 1 in their old salary range in the last pay period of the year will be placed on Step 1 of the new higher salary range on January 1.
- ii. Employees who are on a step above Step 1 in their old salary range in the last pay period of the year and whose rate of pay is less than Step

- 1 of the new higher salary range will be placed in Step 2 of the new higher salary range on January 1.
- iii. Employees who are on a step above Step 1 in their old salary range in the last pay period of the year and whose rate of pay is higher than Step 1 of the new higher salary range will be placed in the first step in the new higher salary range that is equal to or higher than the employee's current salary.
- iv. Employees will retain their existing Step Increase Date.

b. Classifications Adjusted to a Higher Salary Range – Employees in Step 6 Longer Than One Year

This step placement procedure applies to employees who were in Step 6 of their salary range the last payroll of the year preceding when a salary range adjustment is recommended.

- i. An employee who was on Step 6 in their old salary range the last payroll of the year preceding the salary range adjustment and whose classification is adjusted enough salary ranges to necessitate a step placement below Step 6 in the new higher salary range will have their Step Increase Date moved to January 1 as part of the implementation of the compensation study or salary survey. This change will reset their Step Increase Date for future step increases, if applicable.

3. Classification Review

Positions sometimes evolve as a result of changed duties and responsibilities assigned by a supervisor. A classification review studies these changes to determine if a different job description and salary range assignment is appropriate. Importantly, not all changes warrant a different salary range assignment. The majority of the assigned duties must be a different type or complexity that is compensated at a different level to warrant adjusting a position's salary range assignment.

a. Requesting a Classification Review

- i. Management Requested Classification Review: A Department Director may request a classification review when planning to change the assigned duties of a position, or if they believe the position duties being performed are outside of the current classification specifications.
- ii. Employee Requested Classification Review: An employee who does not believe that their current classification accurately reflects the current duties of the position may request in writing to the Human Resources and Organizational Development Director a classification review if it has been more than one year since the last classification review and the majority of duties have changed.

b. Performing the Classification Review

- i. Human Resources performs the classification review and will ask the requestor for updated job information which may include the use of a job analysis questionnaire. As part of the classification review, if the classification review was employee requested, Human Resources will also consult with the employee's direct supervisor, manager (if

- applicable) and Department Director regarding the job duties, current job classification/description, new duties, etc.
- ii. After review by the Department Director and the Human Resources and Organizational Development Director, any changes will 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 the assignment of duties to employees.
 - iii. Any changes resulting from a request for a classification review will be retroactive to the date of written submittal of the request for review to the Human Resources and Organizational Development Director.
 - iv. An employee who is reclassified is considered to have met the requirements of an orientation period and will not need to serve an orientation period in their newly reclassified position. If a classification review results in a denial of a change in classification but also results in a determination the employee was working out of class, the employee will be awarded out-of-class pay. The out-of-class pay will be effective on the date the employee submitted the written request for classification review and end on the date the out-of-class duties are no longer performed and will be based on the Out-of-class pay provisions noted in this Handbook.

4. Steps and Increases

The compensation plan consists of salary steps ranging from 1 to 6, as reflected in the annual salary schedule. Step 0 is considered a training step. In general, there is a 2.5% difference between ranges, and a 4% difference between steps within a range.

Regular employees not at the top step are eligible for advancement to the next step annually. The step increase will be effective 1 year following the most recent step increase date. Once the top step is reached, the employee remains in the top step as long as the employee remains in that position.

5. Starting Rates of Pay

New employees generally will begin their employment at Step 1 of the salary range for the position. At the request of a Department Director, the Human Resources and Organizational Development 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 Human Resources, the Department Director or their designee.

Circumstances that support hiring above Step 1 include:

- a. Additional and directly applicable education or experience above the minimum requirements;
- b. Market conditions that support a higher starting salary; and/or
- c. The proposed higher salary will not create inequities with existing internal salaries.

6. Promotion

A Regular employee receiving a promotion will be placed in the closest step in the new salary range that provides for at least a 5% increase, or the top step of the new salary range if there is not a step that allows at least a 5% increase. The employee's promotion date becomes the employee's new step increase date.

If the Department Director believes that circumstances warrant an exception to the 5% placement rule, and if the Human Resources and Organizational Development Director concurs, they may recommend to the City Manager a higher placement.

Circumstances that support a placement greater than a 5% increase are:

- a. Additional and directly applicable education or experience above the minimum requirements;
- b. Market conditions that support a higher starting salary; and/or
- c. The proposed higher salary will not create inequities with existing internal salaries.

7. Transfer

A Regular employee receiving a transfer will remain in the same step and retain the same step increase date in their new position as in their old position. In certain transfer situations where a higher salary range step may be warranted, the City Manager may authorize, at Department Director's and Human Resources and Organizational Development Director's recommendation, a higher step placement with a corresponding change in step increase date.

8. Demotion

Disciplinary Demotion. Where applicable based on the circumstances, the City may consider demotion as a step of progressive discipline. If the demotion is a result of a disciplinary action, the employee will be placed in the highest step in the new salary range that provides for a decrease. The demotion date will become the employee's new annual step increase date.

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 salary range, the employee will remain at the same rate of pay until the employee's next step increase date. On the step increase date, if the employee has not reached the top step of the salary range, the employee will move to the next step in the new salary range that provides for an increase. The employee will 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 will be placed in the top step of the new salary range.

9. Y-Rating

When a Regular employee's position has been reclassified to a lower salary range as a result of a compensation study, salary survey or other factors, the employee will be Y-Rated and will remain at the same rate of pay until the

salary range increases enough to include that rate. At that time, the employee will be placed at the equivalent rate of pay on a step in the new range that does not result in a decrease. No Cost-of-Living Adjustment or step increase will be awarded during this period.

10. Pay Schedule

The City is on a bi-weekly pay schedule that provides the equivalent of 26 paydays during a standard year (52 weeks divided by 2).

11. Out-of-Class Pay

When a Department Director or the City Manager assigns a Regular employee substantially

higher-level duties that fall outside the scope of their job classification and the assignment exceeds 10 working days, the employee will 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 the Human Resources and Organizational Development Director 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 and Organizational Development Director agrees, they may recommend to the City Manager a higher placement. Circumstances that support an exception to the 5% placement include:

- a. The duties the employee is performing are of a significantly higher classification;
- b. The proposed higher salary will not create inequities with existing internal salaries; and/or
- c. The proposed out-of-class salary is not higher than what would be awarded if the employee were promoted into the position.

O. Garnishment

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

P. Employee Education, Training and Development

It is the intent of the City to provide education and training opportunities to employees so that they can increase their job-related skills and maximize performance. Regular employees may request reimbursement for and/or seek payment of registration and tuition fees associated with educational courses and training directly related to the employee's job function or professional development goals. All requests for payment of or reimbursement for education courses, training or conferences must be approved in advance by the employee's supervisor and Department Director.

1. Academic Courses

Employees may request reimbursement for or payment of registration fees and tuition fees when taking courses from an accredited vocational school, college or university. Courses must be reasonably related to the employee's current

job function or must be in alignment with the employee's documented professional development goals. Tuition reimbursement is limited to 6 credit hours per semester or 9 credit hours per quarter, and must be approved in advance by the supervisor, Department Director and Human Resources and Organizational Development Director. Courses are not to interfere with the employee's work schedule and must be taken on the employee's own time. Reimbursement is contingent upon departmental budget and funding resources and achieving a passing grade.

2. Non-Academic Courses, Conferences & Training

Employees may request reimbursement for or payment of registration fees for training, workshops, or conferences that, in management's opinion, is related to the employee's job duties and will enhance their job skills. Funding is limited and subject to Department Director approval and budgetary resources. Employees who have received educational funding support from the City, but fail to attend the workshop/conference, or do not complete the training, may be asked to reimburse the City for any costs incurred.

Q. Reasonable Accommodation

1. Medical Accommodation

The City does not discriminate against qualified individuals with a disability with regard to any aspect of employment and is committed to complying with the Americans with Disabilities Act and Washington's Law Against Discrimination.

The City recognizes some individuals with disabilities may require reasonable accommodations. If an employee is disabled or becomes disabled (meaning they have a mental or physical impairment substantially limiting one or more of the major life activities, or as otherwise defined by federal or state law) and requires a reasonable accommodation, the employee will contact Human Resources to begin the interactive process. Accommodation requests may be made verbally or in writing to Human Resources. Requests may be made by the employee, the employee's supervisor or someone on behalf of the employee.

A reasonable accommodation may include changes or adjustments to a job or work environment that will enable a qualified applicant or an employee with a disability to perform the essential functions of their job, including the approval of donated leave or unpaid leave for the employee. The City will provide reasonable accommodation to qualified employees with medically certified disabilities, unless doing so would pose an undue hardship.

Human Resources will meet with the employee to review the accommodation process, answer questions and provide the necessary forms which may include a Medical Certification form to be completed by the employee's physician.

If the Medical Certification does not confirm that the employee has a disability, Human Resources will seek clarification from the medical provider and the employee before rejecting the request. If the Medical Certification confirms that the employee has a disability, the employee, supervisor and Human Resources

will meet and engage in an interactive process. The interactive process will include discussing the disability, limitations, and possible reasonable accommodations that may enable the employee to perform the essential functions of their position, make the workplace readily accessible to and usable by the employee, or otherwise allow the employee to enjoy equal benefits and privileges of employment. Following the interactive process, a decision will be made, and the employee will be notified by Human Resources if the accommodation is approved or denied.

Outside of the reasonable accommodation process, the City, acting through Human Resources, may require an employee to complete a fitness-for-duty and medical certification process when the City determines the employee may suffer from a disability or medical condition posing a direct threat to the safety of the employee, other City employees, or the public.

2. Religious Accommodation

Employees whose sincerely-held religious beliefs, practices or observances conflict with work requirements may request an accommodation, provided the requested accommodation does not result in an undue hardship to the City. An employee whose religious beliefs or practices conflict with the employee's job, work schedule, uniform/appearance standards, or other aspects of employment, may submit a written request to Human Resources. Upon notice of a request to reasonably accommodate, Human Resources will examine the request and respond to the employee.

3. Pregnancy Accommodation

An employee who needs accommodation due to pregnancy may be afforded the following accommodations without medical certification: frequent, longer, or flexible restroom breaks; seating or allowing the employee to sit more frequently; and limiting lifting to 17 pounds or less.

In addition, a pregnant employee may be entitled to additional workplace accommodation(s) as long as there is no significant difficulty or expense to the City and subject to written certification from a health care professional regarding the need for the requested accommodation. Upon notice of a request to reasonably accommodate, Human Resources will begin the interactive process.

4. Nursing and Lactation Accommodations after the Birth of Child

Eligible employees who are nursing mothers may request a reasonable amount of break time during the work shift to express breast milk for a nursing child within 2 years after the child's birth. The City will provide a suitable, private location for nursing breaks. Employees in need of lactation breaks should contact Human Resources for more information.

VI. BENEFITS

All benefits apply to Regular and Limited Term employees and selected benefits apply to Extra Help employees and paid interns. Complete descriptions of these benefits are available from Human Resources.

A. Group Insurance

Applies to: Regular and Limited Term employees.

Employees and their dependents are generally eligible for medical, dental, vision, long term disability, life insurance, and the employee assistance program as defined by the City and as authorized by the carrier. The City makes contributions to the cost of these benefits as authorized by the City Council by resolution.

Regular and Limited Term part-time employees and their dependents, if eligible, receive City contributions for such insurance prorated based on the ratio of their normally scheduled work-week to a 40-hour week.

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.

B. 401(a) Plan – Social Security Replacement

Applies to: All employees.

All employees must participate in a Social Security Replacement Plan (401(a)) and Medicare. Both the City and employees contribute the same percentage of wages into this plan, up to maximum taxable earnings, per IRS regulations.

C. 457(b) Deferred Compensation Plan

Applies to: Regular and Limited Term employees.

The City provides a 457(b) Deferred Compensation program for eligible 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 voluntary contributions to this plan through payroll deduction, up to the limits set by law.

D. Retirement

Applies to: All employees determined to be eligible by state law.

The City contributes to the Washington State Public Employees Retirement System (PERS) as prescribed by law. State law determines employee eligibility. For more information, contact Human Resources or the Washington State Department of Retirement Systems.

E. Vacation

Applies to: Regular and Limited Term employees.

1. Accrual Schedule

Employees accrue paid time off for vacation in accordance with the accrual schedule in the table below. Regular part-time and Limited Term part-time employees accrue prorated paid time off for vacation based on the ratio of their normally scheduled workweek to a 40-hour week.

Years of Employment Completed	Days of Vacation per Year	Hours Accrued per Month
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0 – 12 Months	12	8.0
1	13	8.6
2	14	9.3
3	15	10.0
4	16	10.6
5	17	11.3
8	18	12.0
10	19	12.6
12	20	13.3
15	23	15.3
20	25	16.7

2. Impact of Unpaid Time Off on Accruals

Employees who have unpaid time off during the month will have the equivalent proration of their accrual for that month. For example, in a 160-hour month, employees who have 40 hours of unpaid time off will accrue only 75% of their monthly accrual. Additionally, employees who have more than 80 hours of continuous or intermittent unpaid time off (prorated for part-time employees based on the ratio of their normally scheduled workweek to a 40-hour week) will have their vacation accrual increase date adjusted by the equivalent amount of time. This does not apply, however, to unpaid time off due to an on-the-job injury with time loss payments from the Washington Department of Labor and Industries (L & I).

3. Carryover Maximum

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 2 years' vacation accrual at the December 31 accrual rate.

4. Carryover Exceptions

Employees with a vacation balance in excess of the carryover maximum should reduce the balance to the maximum carryover allowable. If an employee cannot use vacation because City operations have prevented it, the employee should discuss the matter with their supervisor well ahead of requesting a carryover exception. If the employee and supervisor are unable to plan for the employee to take the time off, they may request a carryover exception. Requests for vacation carryover must be made in writing by the employee and submitted to the Human Resources and Organizational Development Director. The request will include a plan for bringing the vacation accrual balances within the accrual cap during the next year. The request will be reviewed by the Department Director and is subject to approval by the City Manager. An employee will not be granted an exception 2 years in a row.

5. Forfeiture

Unused vacation leave in excess of the carryover maximum will be forfeited at the end of the calendar year unless a carryover exception has been granted.

6. Requesting Vacation

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, advanced request for vacation should be approved unless the granting of the vacation would negatively impact the business operations of the City. In cases where there is a conflict in scheduling vacation leave among employees, the supervisor will determine the criteria for approving vacation requests based on a fair and equitable methodology.

Exempt employees must use vacation leave in full-day increments except when:

- Covering sick leave after sick leave accruals are exhausted, including intermittent FMLA;
- Covering holiday time gaps caused by alternative work schedules; or
- Supplementing PFML income replacement.

Vacation hours earned for a new employee will accrue but are not available for use until after an initial 6 months of employment with the City unless special authorization has been granted by the City Manager within the employee's offer letter or as an extension of sick leave when an employee has exhausted their own sick leave accruals and needs additional time off work due to illness, injury, or disability, or to care for an immediate family member. Employees who have moved to a new classification, and who have already served a 6-month orientation period in a previous position with the City, may request use of vacation leave accruals immediately. An orientation period may be extended to account for leaves (unpaid, vacation, etc.) taken during that period of time. The City Manager is authorized to negotiate higher accrual levels and/or starting balances of vacation with individual staff members.

7. Annual Cash Out

An employee may cash out accrued vacation leave one time each calendar year. To be eligible for the cash out, an employee must have used at least 80 hours of vacation since the first of the year (prorated for part-time employees based on the ratio of their normally scheduled workweek to a 40-hour week). The maximum cash out is 40 hours (prorated for part-time employees based on the ratio of their normally scheduled workweek to a 40-hour week). The amount of the cash out is based upon the employee's base hourly rate/salary at the time of the written request. If approved by the Department Director, the minimum hour eligibility 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.

8. Separation from Service Payout

Upon separation from service, an employee will be paid out for any accrued vacation earned and not taken. Payout of accrued vacation leave will be at the base hourly rate at time of separation and will not include out-of-class pay or

other premium rates. A vacation bank granted to new employees will not be cashed out if their separation occurs within the first 12 months of employment. In the case of separation for any reason when the employee is eligible for retirement as defined by the rules and regulations of the Washington State Public Employees Retirement System and is a member of the PERS 1 Plan, the maximum cash out is 240 hours given the City is liable for extra retirement costs associated with excess compensation, per RCW 41.50.150.

F. Management Leave

Applies to: Exempt Regular and Exempt Limited Term Employees.

In acknowledgement of the requirement for exempt employees to work additional hours as necessary to get their work done, the City provides eligible exempt employees Management Leave.

On January 1st of each year, eligible employees will receive paid time off for 3 days of management leave. Eligible part-time employees receive prorated management leave based on the ratio of their normally scheduled workweek to a 40-hour week. Eligible new employees hired before July 1 will receive all 3 days. Eligible new employees hired between July 1 and September 30 will receive 1 day; an eligible new employee hired October 1 or later will not receive any days of management leave until the next calendar year. The leave is to be used each year and has no cash-out value; any management leave not used during the calendar year does not carry into the next year. Employees must use management leave in full-day increments except when:

- Covering sick leave after sick leave accruals are exhausted, including intermittent FMLA;
- Covering holiday time gaps caused by alternative work schedules; or
- Supplementing PFML income replacement.

G. Holidays

1. Observed Holidays

Applies to: Regular and Limited Term employees.

Employees receive paid time off for holidays observed by the City. Regular and Limited Term part-time employees receive prorated holiday pay based on the ratio of their normally scheduled workweek to a 40-hour week. For example, a 0.5 FTE employee receives 4 hours of holiday pay; a 0.75 FTE receives 6 hours. Observed holidays are:

New Year's Day	January 1
Martin Luther King's Birthday	3 rd Monday in January
President's Day	3 rd Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	1 st Monday in September
Veteran's Day	November 11
Thanksgiving	4 th Thursday in November

Native American Heritage Day	Day after Thanksgiving
Christmas	December 25

If a designated holiday falls on a Saturday, the preceding Friday is observed and if the holiday falls on a Sunday, the following Monday will be observed. If a designated holiday falls on any other regularly scheduled day off, it will be observed on the workday immediately preceding or following the holiday as determined by the employee's supervisor.

Employees must be in a paid status for the entire work shift prior to and following a holiday to be eligible for holiday pay.

Non-exempt Regular employees working on a holiday (either the actual holiday or the City-observed holiday) will 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 observed holiday, the employee will only receive the holiday pay for one of the days. The pay will be for the hours worked on the actual holiday, unless the employee makes a written request for pay for the City observed holiday instead of the actual day. Example: Independence Day falls on Sunday, July 4th; the City observed 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 they make a written request to be paid time and a half for the hours worked Monday, instead of Sunday.

2. Personal Holidays

Applies to: Regular and Limited Term employees.

On January 1st of each year, employees will receive paid time off for 2 personal holidays. Regular and Limited Term part-time employees receive prorated personal holidays based on the ratio of their normally scheduled workweek to a 40-hour week. Eligible new employees hired before July 1 will receive 2 personal holidays. Eligible new employees hired July 1 or later will receive 1 personal holiday.

A personal holiday needs to be scheduled by mutual agreement of the employee and the supervisor and may be used for any reason. Non-exempt staff may use these days as normal workdays or in increments of one or more hours (up to the total hours of 2 normal workdays). Exempt employees must use personal holidays in full-day increments except when:

- Covering sick leave after sick leave accruals are exhausted, including intermittent FMLA;
- Covering holiday time gaps caused by alternative work schedules; or
- Supplementing PFML income replacement.

Personal holidays are to be used each year and have no cash-out value; any personal holidays not used during the calendar year do not carry into the next year.

3. Holidays for Reason of Faith or Conscience

Applies to: All Employees.

If an employee's sincerely-held religious beliefs include observance of a holiday or leave is needed to attend a religious activity of faith or conscience that is not a City-observed holiday, the employee may take up to 2 days off per calendar year unless the leave would create an undue hardship for the City as defined in WAC 82-56-020 or a risk to public safety. Employees must submit a request in advance, but no less than 2 calendar weeks prior to the start date of the requested leave. The leave requires the approval of the Human Resources and Organizational Development Director and the Department Director.

Regular employees may use accrued leave or leave without pay if all accruals are exhausted. Extra Help employees may use leave without pay.

H. Sick Leave – Regular and Limited Term Employees

Applies to: Regular and Limited Term Employees

Employees who are in positions that are eligible for Regular Remote Work, as determined by the City's Employees Working Remotely administrative policy, accrue paid time off for sick leave at the rate of 8 hours for each full month worked, regardless of whether the employee chooses to regularly work remotely or not. Employees who are in positions that are not eligible for Regular Remote Work, as determined by the City's Employees Working Remotely administrative policy, accrue paid time off for sick leave at the rate of 10 hours for each month worked. Regular and Limited Term part-time employees accrue prorated sick leave based on the ratio of their normally scheduled workweek to a 40-hour week. For example, a 0.5 FTE employee accrues 4 hours of sick leave each month worked; a 0.75 FTE accrues 6 hours each month worked. The City Manager is authorized to negotiate starting balances of sick leave with individual staff members.

1. Purpose

The purpose of sick leave is to provide a bank of paid leave to be used for income replacement 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. Non-exempt employees must use leave to account for any sick leave-related absence whether full or partial day unless they have otherwise made up the time in the same work-week.

2. Use of Sick Leave

a. Employee

Sick leave may be used, in accordance with the City policy and the State and Federal regulations, when an employee is experiencing a physical or mental illness, injury, disability (including a disability due to pregnancy or childbirth), diagnosable health condition, 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 other preventative medical care, when such appointments cannot reasonably be scheduled outside of working

hours, or when the use of a prescription drug impairs job performance or safety.

b. Immediate Family Members

Sick leave may be used, in accordance with the City policy and the State and Federal regulations, to care for a member of the immediate family who is ill, injured or disabled, or who needs preventative medical care, when such appointments cannot reasonably be scheduled outside of working hours.

c. Closure of Place of Business, School, or Child Care

Sick leave may be used when the employee's place of business or an employee's child's school or place of care has been closed by a public health official for a health-related reason.

d. Health Care Provider's Note

After three days of sick leave an employee may be asked to provide a health care provider's note or other evidence of inability to work at the discretion of the supervisor or Department Director. Once requested, an employee will be provided a reasonable amount of time to produce the health care provider's note or other evidence. An employee experiencing an unreasonable burden or expense with obtaining a health care provider's note must consult with Human Resources for alternative verification options.

e. Notification

Each employee, or someone on their behalf, should inform their 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.

3. Impact of Unpaid Time Off on Accruals

Employees who have unpaid time off during the month will have the equivalent proration of their accrual for that month. For example, in a 160-hour month, employees who have 40 hours of unpaid time off will accrue only 75% of their monthly accrual.

4. Conversion of Vacation to Sick Leave

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 Human Resources and Organizational Development Director to convert the sick leave connected time from vacation leave to sick leave. The Human Resources and Organizational Development Director will consider the facts involved and will approve or deny the request.

5. Other Accrued Paid Leave as an Extension of Sick Leave

Earned paid leave may be used in place of and as an extension of sick leave when an employee has exhausted their own sick leave accruals and needs additional time off work due to illness, injury, or disability, or to care for an immediate family member.

6. Maximum Carryover Balance

During a calendar year, Regular and Limited Term employees may accrue sick leave without limitation, but with a maximum carryover of 1040 hours from one calendar year to the next. Unused sick leave more than the carryover maximum will be forfeited at the end of each calendar year.

7. Separation from Service

Upon separation, if an employee is eligible for retirement as defined by the rules and regulations of the Washington State Public Employees Retirement System (PERS), an employee will be paid for 10% of their accrued but unused sick leave

8. Rehired within 12 Months

Employees who are rehired within 12 months of a separation in service will have their unused sick leave balance restored, with exception for any hours that were cashed-out, per the requirements of WAC 296-128-690(2)(b).

9. On-the-job Injury or Illness

An employee who has an on-the-job injury or illness 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 their normal salary. If sick leave is exhausted, the City will use other available leave to supplement the time loss, unless the employee notifies the Payroll Department ("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 must submit the L & I check to Finance and 'buy back' the equivalent amount of leave used. While on time loss, the employee's pay may not exceed the employee's normal salary when not on time loss.

I. Sick Leave – Extra Help Employees

Applies to: Extra Help Employees

Extra Help employees perform work that is seasonal, variable, intermittent, or part time for a few hours each week; their sick leave benefit is based on actual hours worked.

1. Accrual and Eligibility to Use Sick Leave

Employees will accrue one hour of sick leave for every 40 hours worked.

Beginning on the 90th calendar day after being hired, employees may use accrued sick leave for following reasons:

- Own mental or physical illness, injury, or health condition, or when seeking a medical diagnosis or preventative medical care.
- Family member's need for care for a mental or physical illness, injury, or health condition, or when seeking a medical diagnosis or preventative medical care.

- When an employee's workplace or an employee's child's school or place of care has been closed for any health-related reason by order of a public official.
- When absent from work for reasons that qualify for leave under the state's Domestic Violence Leave Act (DVLA).

2. Maximum Carryover Balance

The maximum unused sick leave that may be carried over from one calendar year to the next is 40 hours.

3. Separation from Service

Sick leave hours are not cashed out upon separation from service and may not be used to extend employment beyond the last scheduled day of work.

4. Rehired within 12 Months

Employees who are rehired within 12 months will have their unused sick leave balance restored and will have satisfied their eligibility to use sick leave as required in Section 1 of this policy.

5. On-the-job Injury or Illness

An employee who has an on-the-job injury or illness 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 their pay for scheduled hours of work. If an employee is awarded time loss payments for a period that the employee has already used sick leave, the employee must submit the L & I check to Finance and 'buy back' the equivalent amount of sick leave used. While on time loss, the employee's pay may not exceed the employee's normal pay when not on time loss.

J. Donated Leave

Applies to: Regular and Limited Term employees.

Upon an employee's request, a Department Director, after consulting with Human Resources, may recommend that the City Manager invite Regular employees to donate leave to the employee in need of donated leave. The City Manager may approve leave donations if the employee receiving the donated leave meets the following criteria:

1. Criteria

- a. The employee needs leave that qualifies as either a medical emergency or major disaster which has caused or is likely to cause the employee to take unpaid leave for a prolonged period of time generally considered to be at least 15 consecutive workdays: (1) a medical emergency, defined as a medical condition of the employee or a spouse, domestic partner, child, or parent that will require a prolonged or extended absence of the employee and will result in substantial loss of income to the employee; or (2) a major disaster, as declared by the federal government, resulting in severe hardship to the employee or a spouse, domestic partner, child, or parent that requires the employee to miss work; and.

- b. The employee does not qualify for other available leave benefits, has exhausted PFML when applicable, and has depleted all their available leave time; and
- c. The employee has abided by all applicable policies regarding sick leave use; and
- d. The employee has been found ineligible for benefits under Worker's Compensation as governed by state law.

2. Donation

An employee may donate up to 25 hours of vacation or sick leave annually. An employee is not eligible to donate sick leave hours unless a balance of 80 hours will be maintained after the donation. The donating employee must submit a written request to Human Resources. All donations under this policy are strictly voluntary.

3. 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.

4. Retirement Service Credits and Donated Leave

Employees receiving donated leave will not receive retirement service credits for the time of absence covered by donated leave.

5. Treatment of Leave Remaining

If more leave is donated than is used, at the end of the employee's approved leave, the hours that remain will be returned to the employee(s) donating the leave on a pro rata basis.

6. No Cash Out

Donated sick leave hours are not eligible for the cash out provisions in the Separation from Service section.

K. Washington State Paid Family and Medical Leave (PFML)

Applies to: All employees meeting PFML eligibility criteria.

The [Paid Family and Medical Leave](#) program is a mandatory statewide insurance program that provides paid family and medical leave to eligible employees. The program is administered by the Employment Security Department (ESD). The PFML program does not replace the federal Family and Medical Leave Act (FMLA).

1. Eligibility

Under PFML, employees may be eligible for paid leave when needing time off for covered reasons. Eligibility requirements are:

- a. Monetary Benefits: In order to be eligible to receive monetary benefits from ESD, the individual must be currently employed with the City and have worked 820 hours in Washington for any employer or combination of employers during the first 4 of the last 5 completed calendar quarters or the last 4 completed calendar quarters immediately preceding the application for leave.

- b. **Job Protection:** In order to be eligible for job protection under PFML, an employee must have worked for the City for at least 12 months and have worked 1250 hours in the last year.

2. Leave Entitlement

PFML eligible employees are entitled to take up to 12 weeks of medical or family leave, or a combined total of 16 weeks of family and medical leave per claim year; an additional 2 weeks of leave, for a total of 18 weeks, may be available in the event the employee's leave involves incapacity due to her pregnancy. PFML leave may be taken intermittently, contingent on the current rules or regulations. The employee may use the leave within 52 weeks from the date that the leave was approved by the State or for a year following the birth/placement of the employee's child.

3. Qualifying Events

- a. **Medical Leave:** Medical leave may be taken due to the employee's own serious health condition, which is an illness, injury, childbirth recovery, impairment or physical or mental condition that involves inpatient care or continuing treatment by a health care provider, as those terms are defined under the FMLA and RCW 50A.05.010. However, an employee is not eligible for PFML benefits if the employee is receiving time loss benefits under the workers compensation system.
- b. **Family Leave:** Family leave may be taken to care for a covered family member with a serious health condition; for bonding during the first 12 months following the birth of the employee's child or placement of a child under age 18 with the employee (through adoption or foster care); or for qualifying military exigencies where an employee needs time to prepare for a family member's pre- and post-deployment activities, as well as time for childcare issues related to a family member's military deployment.
 - i. "Covered family member" is defined by WA ESD. See www.paidleave.wa.gov for the current definition.
 - ii. If both parents work for the City, the leave entitlement for bonding with a new child or for a new child placement into their home is independent of each other. Each employee is entitled to the full leave amount, less any PFML or FMLA leave the employee has already taken during the current claim year.
- c. If an employee experiences multiple qualifying events in a year, they may be eligible to receive up to 16 weeks, and up to 18 weeks if they experience a serious health condition during pregnancy that results in incapacity.

4. Concurrency with FMLA

Hours taken under PFML will be deducted from the 12 weeks of FMLA entitlement when the employee is also eligible for FMLA.

5. Supplementing PFML with Your Own Leave Accruals and/or City Supplemental Leave

Employees on approved PFML may use their own leave accruals and City Supplemental Leave (see Section VI.M) to make up the difference between the PFML income replacement benefit received from ESD and their regular full pay.

6. Notification Requirements

An employee must provide written notice to Human Resources of the intent to take PFML leave. If the need for leave is foreseeable, notice must be given at least 30 days in advance of the leave. For unforeseeable leave, notice must be given as soon as practicable. The employee's written notice must include the type of leave taken (family or medical), as well as the anticipated timing and duration of the leave. If an employee fails to provide this required notice to Human Resources, ESD will temporarily deny PFML benefits.

If leave is being taken for the employee's or family member's planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt business operations.

Employees should follow the instructions provided by Payroll regarding how to report their time during a leave.

7. Coordination with Other Health Programs

While using PFML, health benefits will remain intact and will continue to be provided by the City as normal if employees have at least one day of overlap with leave taken under FMLA. In this case, the employee will be required to pay the employee portion of the benefit cost in a timely manner. If there isn't at least one day of overlap with leave taken under FMLA, the employee will have the option to continue health benefits through COBRA.

For any amount of time paid by the State, the employee is deemed to be in an unpaid status for purposes of City policies and benefit programs. Insurance coverage will be handled in the same manner as other unpaid leaves of absence, pursuant to City policies and subject to any other leave provisions that require continuation of health benefit coverage.

Employees that do not return to work following leave will be required to pay back both the employee and the City portion of the insurance premiums unless failure to return to work was beyond the employee's control.

8. Benefit Payment Waiting Period

With the exception of leave taken in connection with the birth or placement of a child or covered military exigency, monetary PFML benefits are subject to a waiting period, the first seven consecutive calendar days beginning with the Sunday of the first week an eligible employee starts taking paid family or medical leave. Employees will not receive a benefit payment from ESD for hours claimed during the waiting period. .

9. Job Restoration and Return to Work Recertification

An employee who is eligible for job-protected leave will be restored to the same or equivalent position at the conclusion of PFML, unless unusual circumstances have arisen (e.g., the employee's position or shift was eliminated for reasons unrelated to the leave).

An employee may be required to provide a return-to-work certification from a health care provider before returning to work following PFML where the employee has taken leave for their own serious health condition.

If an employee taking PFML leave determines they will not be returning to work for any reason, the employee must inform their supervisor and Human Resources immediately.

10. PFML Application Process

An employee must submit an application to ESD (<https://paidleave.wa.gov/login/>) in order to seek PFML benefits. For guidance on the application process, please refer to the ESD website (<https://paidleave.wa.gov/login/>). Eligibility determinations will be made by ESD. If approved, the employee will need to file weekly benefit claims with ESD to continue receiving benefits. Employees have an obligation under this policy to timely notify the City, on a weekly basis, as to how many PFML hours were claimed through ESD in the employee's weekly benefit claim for that week.

11. Payroll Deductions

PFML is funded through premiums collected by ESD via payroll deductions and City contributions. The premium rate is established and adjusted by law to reflect any statutory changes.

12. Retirement Service Credit and PFML

PFML is considered an unpaid leave of absence. PFML program participants will not receive retirement service credits for the wage replacement payments received through ESD. An employee will receive retirement service credit for any time that they are using their own leave accruals or City Supplemental Leave while on PFML. See Section VI.M for additional information on City Supplemental Leave.

L. Leave Under the Federal Family and Medical Leave Act (FMLA)

Applies to: All employees meeting FMLA eligibility criteria.

The City complies with FMLA and all applicable state laws related to family, medical, and covered military leave. This policy provides detailed information concerning the terms of FMLA.

1. Length of FMLA and Eligibility

Eligible employees may take up to 12 weeks of unpaid, family and medical leave every 12 months for certain family and medical reasons, or up to 26 weeks of unpaid, family leave every 12 months for military family care leave. 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.

2. Reasons for Taking Leave

FMLA leave is provided for any of the following reasons:

- For a serious health condition that makes the employee unable to perform the essential functions of his or her job, including incapacity due to pregnancy and for prenatal medical care.
- To care for an employee's child after birth or placement for adoption or foster care. 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.
- To care for an employee's spouse, child or parent who has a serious health condition.
- For qualifying exigencies arising out of the fact that a spouse, parent, son or daughter is a military member on covered active duty or called to covered active duty. Eligible employees may take up to 26 work weeks to care for a spouse, son, daughter, parent or next of kin who is a covered service member and has a serious health condition as a result of military service (military caregiver leave). An eligible employee is limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during the single 12-month period.

3. Definitions

For the purposes of Family Leave under FMLA, the following definitions apply:

- **Child:** 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 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.
- **Military Caregiver Leave:** Caring for a spouse, parent, son, daughter or next of kin with a serious injury or illness as a result of military service.
- **Parent:** A biological parent of an employee or an individual who stood in loco parentis to that employee when the employee was a child.
- **Next of Kin:** A servicemember's nearest blood relative, other than the servicemember's spouse, parent, son, or daughter.
- **Serious Health Condition:** An injury, illness, impairment or physical or mental condition that involves:
 - **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
 - **Incapacity 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) 2 or more visits to a health care provider within 30 days of the first day of incapacity; or 2) treatment by a health care provider on at least 1 occasion, within 7 days of the first day of incapacity, which results in a regimen of continuing treatment under the supervision of a health care provider;

- **Pregnancy:** any period of incapacity due to pregnancy or for prenatal care;
 - **Chronic conditions requiring treatment:** 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 at least twice a year; 2) continues over an extended period of time; and 3) may cause episodic rather than a continuing period of incapacity;
 - **Permanent or 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;
 - **Multiple treatments (non-chronic conditions):** any period of absence to receive multiple treatments (including any period of recovery there from) 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.
 - **Incapacity:** inability to work, attend school, or perform other regular daily activities due to the serious health condition, treatment therefore or recovery there from.
 - **Qualifying Exigency:** An urgent need that arises from the foreign deployment of a covered military member is on, called to, or notified of impending call to covered active-duty status. The most common qualifying exigencies include attending military functions, making financial and legal arrangements, and arranging for childcare. The Department of Labor maintains a complete list of qualifying exigencies.
- 4. Intermittent Leave or Reduced Schedule 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), or for covered military exigency leave. If family leave is for birth or placement for adoption or foster care, use of intermittent leave is subject to Department Director approval, and will be approved when the leave is also covered by Washington State Paid Family and Medical Leave (PFML)
- 5. Paid Leave before Unpaid Leave**
With exception for sick leave protected by Washington law, when an employee has paid leave or comp time available, that paid leave must be exhausted before unpaid leave is allowed as family or medical leave.

6. Advance Notice

An employee must provide advance notice of the need for family or medical leave along with the requested dates for the leave. Taking leave, or reinstatement after leave, may be denied if these requirements are not met.

When foreseeable, notice must be provided at least 30 days in advance of the need to take FMLA leave. The employee should make reasonable efforts to schedule the leave to not unduly disrupt the City's operations. If 30 days' advance notice is not possible because the foreseeable situation has changed or the employee does not know exactly when leave will be required, the employee must provide notice of the need for leave as soon as possible and practical.

7. Certification

The City requires the provision of a medical certification within 15 calendar days to support a request for FMLA leave because of a qualifying event. The City may require second or third opinions, at its option and expense. When incomplete and insufficient certification is submitted, employees are required to correct deficiencies in the certification within 7 calendar days.

Employees may be asked for periodic recertifications or when circumstances described by the previous certifications have significantly changed.

The City may require an employee on FMLA 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, dependent on the circumstance as it relates to the employee's duties.

Employees requesting qualifying exigency leave or military caregiver leave may submit related certification forms or a copy of the duty orders (for exigency leave only).

8. Designation Notice

A written Designation Notice will be sent to the employee requesting family or medical leave informing them that the requested leave will be designated as FMLA leave and setting out the requirements applicable while the employee is on leave. The Notice may be used to deny the leave request or inform the employee that additional information is needed.

9. Periodic Reporting

Depending on the employee's circumstances and/or medical documentation, the City may require the employee to periodically report on their status and intent to return to work.

10. Health Insurance

When an employee is provided group health insurance, the employee is entitled to the continuation of the insurance coverage during FMLA leave. When in an unpaid status, employees are responsible to pay their portion of benefits while on leave and must continue to pay their portion of cost. Employees will be provided with advance written notice of the terms and conditions under which these payments must be made. Employees who do not

return to work after the leave will be required to pay back both the employee and the City portion of the insurance premiums unless failure to return to work was beyond the employee's control as governed by FMLA regulations.

11. 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.

12. Couples Employed by the City

If employees married to each other request leave for the birth, adoption or foster care placement of a child, each parent will have 12 weeks of leave available to them independent of each other. The scheduled leave time off must be coordinated between the two employees and their supervisors so as not to cause an operational hardship.

13. Determining Leave Availability

FMLA 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 backward from the first date any family leave is used. The employee is required to notify the City if any leave qualifies as FMLA leave. All leave qualifying for FMLA leave will be designated and tracked as such upon the request of the employee.

14. 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 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.

15. Job Restoration

When an employee returns to work after FMLA leave the City will place the employee in the same position the employee held when the leave began or in another City position with equivalent benefits and pay; the return is subject to bona fide changes in compensation or work duties; the employee does not have return rights if:

- the City eliminates the employee's position by a bona fide restructuring or reduction-in-force; or
- the employee takes another job; or
- the employee fails to provide the required timely notice of family leave or fails to return on the established ending date of the leave.

M. City Supplemental Leave

Applies to: Regular and Limited Term employees.

City Supplemental Leave affords employees an increased ability to take time away from work through PFML (see Section VI.K) or Victims of Domestic Violence

Leave (see Section VI.V) by supplementing income replacement benefits available through these leave programs and ensuring the employee's regular full pay.

1. Eligibility

City Supplemental Leave is available to all eligible employees who:

- a. Are on approved PFML or Victims of Domestic Violence Leave; and
- b. Are currently employed with the City and have worked at least 6 months with the City or the equivalent of 1040 hours (prorated for part-time employees based on the ratio of their normally scheduled workweek to a 40-hour week) and have successfully passed their orientation period as applicable; and
- c. Have not exhausted the 12 weeks of City Supplemental Leave in the previous 12 months; and
- d. Have depleted available leave accruals:
 - i. Must have exhausted all available leave accruals including sick leave, vacation, personal holidays, management leave, and accrued comp time if the leave request is for the employee's own serious health condition, childbirth recovery, or as a victim of domestic violence.
 - ii. Must have exhausted all available leave accruals but may reserve a bank of 80 hours of accrued vacation leave if the leave request is to care for a family member; in response to a military exigency; when bonding after birth or placement of a child into their home; or when the employee is a qualifying family member of a domestic violence victim.

2. Payroll Coordination with PFML

When used in conjunction with PFML, City Supplemental Leave is contingent on the employee receiving their weekly PFML benefit and submitting proof of payment to Payroll. Payroll will then calculate the amount of leave needed to bring the employee to their regular full pay for that week and issue resulting payment to the employee in the subsequent payroll process.

3. Income Replacement Amount

- a. The employee will receive the equivalent of their full salary through use of City Supplemental Leave for the amount of time the employee is approved for PFML or Victims of Domestic Violence Leave.
- b. Regular part-time employees will receive this benefit on a prorated basis based on the ratio of their normally scheduled workweek to a 40-hour week.
- c. In no circumstances may an employee receive City Supplemental Leave in combination with PFML or accrued leave and receive more than their regular paycheck amount.
- d. City Supplemental Leave has no cash-out value.
- e. Employees must inform Payroll and Human Resources when they no longer are receiving PFML benefits or when their need for PFML or Victims of Domestic Violence Leave has ended.

4. Procedure for Requesting City Supplemental Leave

- a. Provide notice – Employees who anticipate the need to receive City Supplemental Leave should notify Human Resources as soon as possible.

- b. Submit the City Supplemental Leave Request Form to Human Resources.
- c. City Supplemental Leave will not be approved until verification has been received from the ESD that the employee has been approved for PFML, or the leave for Victims of Domestic Violence has been approved by Human Resources.

N. Spousal Military Deployment Leave under Washington State Law

Applies to: All employees.

An employee who works an average of 20 or more hours a week and who is a spouse of a military service member may take up to 15 days of paid or unpaid job-protected leave while the military service members is on leave from deployment, or before and up to deployment, during times of military conflict declared by the President or Congress. An employee must provide Human Resources with notice of their intent to take leave within 5 business days of receiving official notice of leave from deployment or of an impending call to duty. If applicable, this leave will run concurrently with FMLA.

O. Leave of Absence Without Pay

Applies to: Regular and Limited Term employees.

Leave of Absence Without Pay ("unpaid leave") is a temporary, unpaid status and absence from duty that occurs when an employee doesn't have, or does not qualify to use, paid time off for the absence. All paid leave banks must be exhausted prior to authorizing unpaid leave except when the reason for the leave does not qualify for paid sick leave, or the leave is covered by Leave for Active-Duty Military Service or PFML, or the leave is covered by the V.K.2. Inclement Weather, Natural Disasters, and Unplanned Facility Closure policy.

See for additional information related to personal disability or personal or family member health-related .

With the exception of unpaid leaves which are addressed through the VI. K. PFML, VI. L. FMLA, or V.Q.1. Medical Accommodation policies, the City Manager may approve leave without pay that is in the best interest of the City and not solely for the employee's personal gain. To request a leave of absence without pay for personal reasons, the employee must submit a written request to the Department Director that states the reason for and the proposed length of the leave. If the Department Director approves of the leave, the Director will forward the request to the City Manager for consideration and provide a copy to the Human Resources and Organizational Development Director. If the leave is approved, the employee and City Manager will enter into an agreement detailing the terms and conditions of the leave and a copy will be filed with Human Resources and Payroll.

Employees who have more than 80 hours of continuous or intermittent unpaid time off (prorated for part-time employees based on the ratio of their normally scheduled workweek to a 40-hour week) will have their step increase and vacation accrual increase dates adjusted by the equivalent amount of time. For example, if a full-time employee is in leave without pay status for 120 hours, their step increase and vacation accrual increase dates will be adjusted to 3 weeks later. This does not apply, however, to leave without pay that is due to an on-the-job

injury or illness with time loss payments from the Washington Department of Labor and Industries (L & I).

P. Continuation of Benefits

Applies to: Regular and Limited Term employees.

Employees on any paid leave will continue to receive all benefits including the accrual of vacation, sick leave, holiday pay, retirement service credits, and all insurance benefits.

Employees on unpaid leave are not entitled to and will not accrue leave hours. Other benefits will discontinue, including health care and voluntary insurance if employees are not in paid status on the first working day of the month, except as provided under FMLA or PFML when applicable.

Q. Bereavement Leave

Applies to: Regular and Limited Term employees.

Employees may be granted up to 3 days of paid leave per occasion to make arrangements for or to attend the funeral of, or memorial service for a member of their immediate family. If more than 3 days' leave is necessary, earned vacation, sick leave, personal holidays, management leave or compensatory time may also be used. The amount of time provided for bereavement leave will be based on the employee's regular daily work schedule; if working 8 hours, they would receive 8 hours of bereavement leave. If working an alternative schedule, they receive the number of hours they normally work on those days.

If while on approved vacation an employee has a death in their immediate family requiring the employee to engage in activities typically covered by bereavement leave, the employee may make a written request to the Human Resources and Organizational Development Director to convert the bereavement leave connected time from vacation leave to bereavement leave. The Human Resources and Organizational Development Director will consider the facts involved and will approve or deny the request.

Regular and Limited Term part-time employees will receive bereavement leave prorated based on the ratio of their normally scheduled work-week to a 40-hour week.

R. Court and Jury Duty Leave

Applies to: Regular and Limited Term employees

Employees called to jury duty are strongly encouraged to fulfill their legal and civic responsibility. A Regular or Limited Term employee will be granted leave at their 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. The amount of time provided for jury duty will be based on the employee's regular daily work schedule, if working 8 hours,

they would receive 8 hours of jury duty leave. If working an alternative schedule, they receive the number of hours they normally work on those days.

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

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

S. Military Leave

Applies to: All employees.

Every employee who is a member of the National Guard or of the U.S. Army, Navy, Air Force, Coast Guard or Marine Corps, or of any organized reserve of the United States, will be granted military leave in accordance with state and federal law. Employees who take military leave will have whatever rights to reinstatement, seniority, vacation, layoffs, and compensation as are provided by applicable law.

- 1. Paid Leave of 21 Days Per Year** - Under Washington law, an employee may take up to 21 workdays per year for required military duty, trainings or drills if the employee 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. For purposes of this section, "year" means from October 1 to September 30. For purposes of calculating the 21-day entitlement, if an employee is scheduled to work a shift that begins on one calendar day and ends on the next calendar day, the employee will be charged military leave for only the first calendar day. If scheduled to work a shift that begins on one calendar day and ends later than the next calendar day, the employee will be charged military leave for each calendar day except the calendar day on which the shift ends.

An employee will continue to receive their normal pay, based on their established work schedule, 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.

- 2. Leave for Spouses and Registered Domestic Partners of Military Personnel** – During a period of military conflict declared by the President or Congress, an employee who is the spouse or registered domestic partner of a member of the Armed Forces, National Guard or Reserves is entitled to up to 15 days of unpaid leave while his/her spouse or domestic partner is on leave from deployment, or before and up to deployment. Family military leave may also be covered under FMLA leave for a qualifying exigency, although an employee need not meet the more stringent FMLA eligibility requirements in order to take the family military leave described in this policy. The purpose of this leave is to support the families of military personnel serving in military conflicts by permitting them to spend time together before a family member is deployed or while the family member is on leave from a deployment. An employee must work an average of 20 hours per week to be eligible for this family military leave.

An employee who seeks to take family military leave must provide the City with notice of their intent to take leave within 5 business days of receiving official notice that the employee's spouse or domestic partner will be on leave or of an impending call to active duty. The employee may substitute any available accrued leave for any part of this family military leave.

T. Leave for Certain Volunteer Emergency Services Personnel

Applies to: Regular and Limited Term employees

An employee may take necessary time to respond to call to an emergency service operation as unpaid firefighters, reserve peace officers, or Civil Air Patrol members. Participation in trainings or other non-emergency activities are excluded from the provisions of this article.

Eligible employees may use their accrued leave to stay in a paid status.

U. Victims of Domestic Violence Leave

Applies to: All employees

Employees who are victims of domestic violence, sexual assault, or stalking may take reasonable unpaid leave from work to take care of legal or law enforcement needs or to get medical treatment, social services assistance, or mental health counseling. Employees who are qualifying family members of a domestic violence victim are also eligible for leave under this policy.

Regular employees may use paid sick, vacation, or other accrued paid time off while on leave. Once the employee has depleted available leave accruals per the City Supplemental Leave policy (see Section VI.M), they may be eligible for City Supplemental Leave.

Employees must give as much advance notice of the need for leave under this policy as is possible. Leave requests must be supported with one or more of the following:

- A police report indicating the employee or employee's family member was a victim.
- A court order providing protection to the victim.
- Documentation from a healthcare provider, advocate, clergy, or attorney.
- An employee's written statement that the employee or employee's family member is a victim and needs assistance.

For purposes of this section only, family member means child, spouse, registered domestic partner, parent, parent-in-law, grandparent or person the employee is dating. The City may request verification of family relationship.

V. Pregnancy/Childbirth Disability Leave

Even if an employee does not meet eligibility requirements for FMLA and/or PFML, the City will grant job-protected leave for the period of time an employee is temporarily disabled because of pregnancy or childbirth. Medical certification may be required to confirm the need for leave. If the employee is eligible for FMLA leave and/or PFML leave, Pregnancy/Childbirth Disability leave will run concurrently with such leaves. Pregnancy/Childbirth Disability leave is unpaid, and health benefits are not automatically continued (unless the employee is also

eligible for FMLA leave); however, accrued leave may be used and the employee may continue insurance coverages at their expense.

W. Family Care Leave

Consistent with the Washington Family Care Act, employees may use their choice of any accrued leave (e.g., vacation or sick leave) that they have available for their own use in order to care for their child, spouse, registered domestic partner, parent, parent-in-law, or grandparent.

An employee may use available paid time off to care for his/her child where the child has a health condition requiring treatment or supervision, or where the child needs preventive care (such as medical, dental, optical or immunization services).

For this policy section, an employee may use available paid time off when a spouse, registered domestic partner, parent, parent-in-law, or grandparent has a "serious or emergency health condition", which are the following conditions:

- Requiring an overnight stay in a hospital or other medical care facility;
- Resulting in a period of incapacity or treatment or recovery following inpatient care;
- Involving continuing treatment under the care of a health care services provider that includes any period of incapacity to work or attend to regular daily activities; or
- Involving an emergency (i.e., demanding immediate action).

Employees are required to notify their supervisor of the need to take time off to care for a family member as soon as the need for leave becomes known. The City reserves the right to require verification or documentation confirming a family member's serious or emergency health condition when available leave is used to care for that family member.

VII. STANDARDS OF EMPLOYEE CONDUCT

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.

A. Personal Appearance and Demeanor

Employees are expected to dress in attire appropriate to their job tasks.

Employees are expected to behave in alignment with the City's values and to treat with respect anyone they interact with as part of their work.

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

B. 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 of employment.

C. Solicitations and Distribution of Literature

In the interest of maintaining a proper business environment and preventing interference with work and inconvenience to others, with the exception of efforts authorized by the City Manager to support employees in crisis, employees may not physically or through email distribute literature, email, 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) must not directly solicit any employee they supervise or otherwise exercise some element of control over. All employees must recognize that any employee has the right to say "no" to any solicitation.

Employee use of the employee lunch room bulletin board requires City Manager's Office approval for personal messages that do not constitute prohibited solicitation. Violation of this policy may be grounds for disciplinary action, up to and including termination of employment.

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

D. Drug- and Alcohol-Free Workplace

1. It is the policy of the City to maintain a drug- and alcohol-free workplace. 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.
2. While the use of cannabis has been legalized under state law for medicinal and recreational uses, it remains an illegal drug under federal law, and its use, as it impacts the workplace, is prohibited by City policy for employees in roles covered by federal law, such as CDL holders. Employees may not consume or be under the influence of cannabis while on duty or at work, even if the employee has a valid prescription for medical cannabis.
3. 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:
 - a. When employees are on the job, they are expected to be Fit for Duty and physically and mentally free from any impairment or substance that could contribute to an injury, property damage, or interfere with productivity. An employee must not consume any alcohol during lunch or any other break occurring prior to the end of that employee's workday. Workday in this

- context includes any evening meeting or other similar activity on behalf of the City. Employees are to be free of Drugs or potentially impairing levels of legal substances.
- b. Use or possession of prescription or non-prescription medication is not prohibited when taken in accordance with the prescription or standard dosage recommendations. However, employees will immediately notify their supervisors when they are taking medication that could prevent the employee from performing their job safely and effectively. The employee and supervisor will 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 will be made by the Department Director, after consulting Human Resources.
 - c. An employee convicted of a controlled substance-related violation must inform the City within 5 calendar days of such conviction.
 - d. Employees who violate any aspect of this policy may be subject to disciplinary action, up to and including termination of employment. The City may require employees who violate this policy to successfully complete a drug abuse rehabilitation program as a condition of continued employment.
 - e. 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 when reasonable cause exists or if required by the Department of Transportation; 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 disciplinary action, up to and including termination of employment. Testing information must be confidential unless used in an employer action regarding the employee or otherwise disclosable as required by law.
 - f. Employees who voluntarily enter treatment programs for drug or alcohol addiction must 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 program to assist employees in dealing with personal problems. Details are available from Human Resources.
4. In addition to previous sections. candidates applying for positions which require a valid Commercial Driver's License (CDL) will be subject to passing a pre-employment drug screening and additional screening during employment, consistent with DOT regulations. All City employees in positions requiring a CDL must comply with the City's Drug and Alcohol Policy and Procedures Manual.

E. Safety

The City is committed to providing a safe and healthy 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. The City's safety policy is contained in the Safety and Accident Prevention Policy and departmental Safety Manuals.

F. Weapons

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 of employment.

G. Workplace Violence

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.

To ensure City objectives are attained, the City is committed to the following:

1. To provide a safe and healthy work environment, in accordance with the City safety policy.
2. To take disciplinary action, up to and including termination of employment, against any employee who engages in any threatening behavior or acts of violence or who uses any obscene, abusive, or threatening language or gestures.
3. To take appropriate action when interacting 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.
4. To prohibit employees from bringing unauthorized firearms or other weapons onto City premises.

In furtherance of this policy, employees have a duty to notify their supervisor, managers or Human Resources of any 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 are disruptive to City or department operations. 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 of employment.

H. Tobacco and Vaping Free Workplace

In order to maintain a safe and comfortable working environment and to ensure compliance with applicable laws, the use of all tobacco and aerosolized nicotine products, including cigarettes, cigars, smokeless tobacco, e-cigarettes, and vapor products, is prohibited at all City work locations and property, and in City owned vehicles. Outside of these prohibited areas, smoking and vaping is prohibited within 25 feet of all building entrances, windows that open and ventilation intakes. Violation of this policy may be grounds for disciplinary action, up to and including termination of employment.

I. 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:

1. Insubordination;
2. Theft or other criminal activity;
3. General dishonesty including falsifying employment or other City records;
4. Failing to maintain confidentiality of City information; and
5. 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 of employment.

J. Searches of Property

Employees should be aware that all offices, desks, files, computers, City issued cell phones, lockers and vehicles are the property of City, with no reasonable expectation of privacy 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, when supported by work-related purposes or investigations, 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 be 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 of employment.

K. Pre-Disciplinary Coaching and Feedback

The City continuously strives to be clear with employees on expectations and consequences and to hold each other accountable for successful performance and outcomes. Supervisors and managers have the responsibility to provide behaviorally specific feedback and coaching directly to employees for reinforcement of strong performance, and alternatively, to provide feedback and coaching to help them make improvements before taking disciplinary action.

L. Progressive Discipline Procedure
1. Progressive Discipline Steps

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 verbally or in writing as appropriate, to employees to enable them to make improvements in their performance or correct the behavior that was a problem.

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 of employment may occur even on the first offense, in some circumstances, depending on the severity of the situation. The City's progressive discipline policies do not alter the employment relationship of at-will employees, who remain subject to discipline and/or termination of employment with or without notice or cause, and without adherence to this policy.

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 and Organizational Development Director before beginning progressive discipline.

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 workplace pending the outcome of the investigation.

The following are examples of a pattern of progressive discipline:

a. 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 and expectations for improvement. Written documentation of the verbal warning will be placed in the employee's personnel file.

b. 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.

c. Step Three: Suspension

This step is used for repeated offenses where Steps One and Two 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. For an exempt employee, unpaid suspensions will 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. Prior to a decision to suspend an employee, a pre-disciplinary hearing must be held.

d. Step Four: Termination of Employment

This step is to be used for instances where an employee has failed to correct their behavior after previous discipline or if there is a serious violation of City standards of conduct where immediate termination of employment is warranted. Prior to a decision to terminate an employee, a pre-disciplinary hearing must be held.

e. Additional Disciplinary Methods

Other examples of disciplinary methods that may be used include withholding a scheduled pay increase, pay reduction and demotion. These methods also require a pre-disciplinary hearing before the decision is made.

2. Pre-Disciplinary Hearing

This section does not apply to at-will employees or to employees who have not completed their initial orientation period.

When considering discipline that would deprive an employee of pay, such as a Step Three suspension or Step Four termination of employment, 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 they should not be disciplined before the decision is finalized.

a. Notice to the Employee

The employee will be provided with a notice of the pre-disciplinary hearing. The notice will include an explanation of the charges on which the potential discipline is based, and the time and date for the hearing.

b. At the Hearing

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. In lieu of appearing in person at the hearing, the employee may present their information in writing. If the employee fails or refuses to appear and does not present their information in writing, the Department Director will determine the discipline without the employee's input.

c. After the Hearing

After the hearing, the Department Director will consider the information provided and will consult with the Human Resources and Organizational Development Director. As soon as possible, the Department Director will issue the decision. A longer review period may be required in more complex situations, and the employee will be so informed.

M. Complaint Resolution Procedure**1. Resolving Conflict Informally**

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.

2. Resolving Conflict Formally

When informal resolution fails, or when it is not possible to engage in informal resolution, an employee may file a complaint in a more formal manner following the procedure outlined below. No retaliation, disciplinary action or discrimination will occur because of the filing of a bona fide, good-faith 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 of employment where disciplinary action is deemed appropriate.

a. 15 Days to Initiate a Complaint with Human Resources

Complaints must be initiated within 15 working days of the alleged act and the complaint must be filed (either verbally or in writing) with Human Resources.

b. Step 1 – Present Complaint to the Supervisor

Once the employee has filed the complaint with Human Resources, the employee should present the complaint to the supervisor and request time to meet and discuss the complaint. In consultation with Human Resources, the supervisor will consider the complaint and all relevant information and respond to the employee in a timely manner.

c. Step 2 (if needed) – Present Complaint to the Department Director

If the problem is not resolved at Step 1, the employee must next request a meeting with the Department Director within 10 working days of receiving the supervisor's response. In consultation with Human Resources, the Department Director or their designee will conduct an investigation and review the matter with the appropriate persons. The Department Director will respond to the employee within 10 working days, unless the response will take longer, in which case the Department Director will keep the employee informed when the response will be available.

d. Step 3 (if needed) – Present Complaint to the City Manager

As a final step, if the problem is not resolved at Step 2 and the employee wishes to pursue the complaint, they must request a meeting with the City Manager within 10 working days of receiving the Department Director's response. The City Manager will meet with the employee. The City Manager or their designee will also conduct an investigation or otherwise consider information relevant to the complaint. The City Manager will issue a decision within 15 working days of the meeting unless more time is needed, in which case the City Manager will keep the employee informed of

when the response will be available. The City Manager's decision will be final and binding on the parties.

VIII. SEPARATION FROM EMPLOYMENT

A. Resignation

The City expects a resigning employee to give written notice to their supervisor at least 2 calendar weeks in advance of the final working day. Unless approved by the City Manager, an employee may not use vacation, management or personal leave immediately prior to their separation from employment for the purpose of extending health benefit coverage into another month.

B. Unauthorized Three-Day Absence

Unauthorized absence from work for a period of 3 consecutive days will be considered as a voluntary resignation unless the employee can provide a reasonable explanation to the Department Director.

C. Involuntary Separation – Termination of Employment

In instances where an employee has failed to correct their behavior after previous discipline or if there is a serious violation of City standards of conduct, and following a pre-disciplinary hearing (not applicable to at will at-will employees or to employees who have not completed their initial orientation period), an employee may be involuntarily separated through termination from employment with the City. An employee who has been involuntarily separated through termination has the right to appeal the termination decision to the City Manager via a termination appeal letter. The termination appeal letter must be made in writing and submitted to the City Manager within 10 working days of receipt of the final notice of termination.

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

D. Non-Disciplinary Medical Separation

In instances where an employee has been involuntarily separated from employment for non-disciplinary medical reasons, the separated employee has the right to appeal the non-disciplinary medical separation decision to the City Manager via a non-disciplinary medical separation appeal letter. The non-disciplinary medical separation appeal letter must be made in writing and submitted to the City Manager within 10 working days of receipt of the final notice of the non-disciplinary medical separation.

The City Manager will issue a non-disciplinary medical separation appeal decision within 15 working days unless more time is needed, in which case the City Manager will keep the medically-separated employee informed of when the appeal response will be available. The City Manager's decision will be final and binding on the parties.

E. Separation Procedures

Human Resources will verify an employee's separation date and notify Payroll. A final paycheck, including payout of accrued vacation leave and, when applicable, sick leave, will be issued to the employee on the next regular payday after completion of the following: return of City keys, car, ID card, credit cards, ORCA card, tools and equipment, computers and cellphones, 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 hold an exit conversation with separating employees to receive feedback from the employee and to share information enabling a smooth separation from City employment.

F. Reduction in Force, Layoff and Recall

The City retains the sole and exclusive right to decide whether a reduction in force or layoff is necessary and to select the operational unit(s) in which layoffs will occur. This includes, but not be limited to, circumstances where there are changes in duties, a reorganization or change in operational structure position(s) or service(s) are abolished, there is a lack of work, shortage of funding or for other legitimate business reasons.

1. Notice

When a layoff is anticipated, employees whose jobs are affected will be notified in advance and will be provided an opportunity to meet with the Department Director prior to implementation of the layoff. The purpose of this meeting is to give the affected employee an opportunity to ask questions and to better understand the business reason why management selected that position for layoff. The employee may also offer additional information for consideration prior to a final decision being made and before the layoff is implemented.

2. Order of Layoff

Layoffs are determined by classification on an organization-wide basis.

Extra Help employees performing similar work will be terminated prior to Regular employees being laid off.

Regular employees will be retained based on their ability to perform work needed to meet program and organizational needs.

Where there is no demonstrable difference in ability to perform, employees with longer service will be retained.

3. Alternatives to Layoff

The City retains the right to mitigate the need for layoffs by transferring employees who would otherwise be impacted by layoffs to equivalent available vacant positions. Additional options such as part-time work schedules, job sharing, voluntary demotions and voluntary time and/or pay reductions, or furloughs may also be explored, at the discretion of the City Manager.

4. Layoff Support

Regular full-time and Regular part-time employees are eligible for Layoff Support. Once the employee has been notified of the future layoff, the employee is eligible for:

- a. Job search assistance, tailored to their particular circumstances, subject to the approval of the City Manager.
- b. Limited time off for interviewing, subject to the approval of the Department Director.

5. Severance

Regular full-time and Regular part-time employees are eligible for severance. Extra Help and Limited Term employees are not eligible for severance. After the layoff takes effect, the employee is eligible to receive a severance package consisting of the following (prorated for part-time employees based on the ratio of their normally scheduled workweek to a 40-hour week):

Years of Service	Severance Package
1 – 4 years	2 weeks salary + 10% sick leave
5 – 9 years	4 weeks salary + 10% sick leave
10 – 14 years	6 weeks salary + 10% sick leave
15 – 19 years	8 weeks salary + 10% sick leave
20+ years	10 weeks salary + 10% sick leave

If the employee leaves employment at the City prior to the layoff date, the employee is not eligible for the severance package.

6. Rehire List

Any Regular employee who is laid off will be placed on a City rehire list for a period of one year from the date of layoff. An employee will not be placed on the rehire list if the employee leaves employment at the City prior to the layoff date. The City will honor an employee’s written request to not be placed on or to be removed from the list. Laid off employees have an obligation to timely notify the City of any changes to their contact information.

An employee on the Rehire List will be deemed eligible for an open Regular position when:

- The employee meets the minimum qualifications listed on the classification specification based on the information contained in the employee’s personnel file; and
- The position is in a salary range equal to or lower than the salary range of the position the employee was in on the date of layoff.

When hiring for any vacancy, the Department Director will first consult Human Resources to determine if any employee on the rehire list is eligible for the vacancy. If there is an eligible employee on the rehire list, the employee will be offered the position. In the case of more than one eligible employee on the rehire list, the position will first be offered to the employee with the longest term of service with the City.

The employee has 7 calendar days from the time the offer is sent to accept the offer; failure to do so will be considered a refusal.

An employee accepting a demotion to a position in a lower salary range will remain on the list for the remainder of the year (based on the original layoff date).

An employee will be removed from the list upon rehire by the City, a third refusal of a City job offer or the expiration of one year, whichever comes first.

If a department has a need to hire Extra Help while the City has any employees on the Rehire List, the Department Director will first contact Human Resources before taking any other steps to hire the Extra Help. The Extra Help opportunity will first be offered to any employees on the rehire list meeting the minimum requirements (in order of service with the City – longest first). Only if all eligible employees on the Rehire List refuse the Extra Help opportunity may the department proceed to outside hire. Neither acceptance nor refusal of an Extra Help opportunity will affect an employee's status on the Rehire List.

G. Furlough (Temporary Reduction in Hours)

A furlough is a temporary reduction of work hours due to a lack of work, shortage of funding, or for other business reasons. The City retains the sole and exclusive right to decide whether a temporary reduction in force is necessary and to select the operational unit(s) and positions for which furloughs will occur. During a furlough, the employment relationship remains intact and the individual who is furloughed continues to be an employee of the organization and will resume their Regular position duties at the conclusion of the furlough. During a furlough, the employee is in an unpaid leave of absence status. A furlough differs from a layoff in that with a layoff, the employment relationship is severed. An employee who is laid off is no longer employed with the organization; they are separated from employment and considered terminated.

Increments of Furlough: Furloughs may occur in increments of a workday, a partial work-week or full workweek, or months.

FLSA Exempt Status Change: FLSA exempt (salaried) employees may have their FLSA status temporarily changed to non-exempt (hourly) status during a partial workweek furlough.

Restriction to Work: During a furlough an employee is prohibited from performing work of any kind.

Notice: When a furlough is anticipated, employees whose jobs are affected will be notified in advance to allow time to make any necessary personal financial arrangements and to minimize the impact due to the anticipated loss of income.

1. Impact of Furlough on Work Schedule and Pay

Furloughs are considered a leave without pay. Time while furloughed will not count toward the calculation of overtime.

Overtime is not to be used as a method for making up time and earnings lost due to a furlough.

Employees may not substitute paid leave for mandatory furlough days. However, if an employee is absent on the scheduled furlough day(s) due to a Worker's Comp injury, alternative furlough day(s) will be arranged.

If an employee is on a furlough day and is requested to return to work, they will be paid according to the applicable City policy and an alternative furlough day(s) will be scheduled.

2. Impact on Benefits During a Furlough

While on a furlough an employee does not earn sick or vacation leave accruals for any period of unpaid time.

All leave accruals earned prior to a furlough will be retained and will be available for use upon return from furlough.

An employee's anniversary date will be adjusted for any furloughs greater than 3 consecutive months.

Health insurance benefits and premiums paid by the City remain intact and uninterrupted during a furlough of 3 or fewer consecutive months. Employees will be required to self-pay or reimburse the City for their portion of any benefit premium that would otherwise be deducted from their regular paycheck.

For furloughs greater than 3 consecutive months in length, the employee will have the option to continue health benefits through COBRA.

3. Furlough Support

Regular full time and Regular part time employees who are subject to a furlough may be eligible for additional support services including:

- Access to the Employee Assistance Program while on furlough.
- Unemployment compensation and worker retraining services.

4. Employees on Protected Leave

An employee who is on protected leave (e.g., family or medical leave) may also be furloughed; however, under no circumstances may an employee be furloughed *because* they are on protected leave.

5. Appeal Process

Unless otherwise provided for under City policies, a collective bargaining agreement, or the law, reductions in force and furloughs are not subject to the grievance process nor subject to appeal.

6. Unemployment Compensation

Eligibility for unemployment compensation is subject to evaluation and determination by the Washington State Employment Security Department. Employees are directed to contact the Washington State Employment Security Department to determine eligibility in the event of a reduction in work hours due to furlough.

7. Shared Work Program

The City participates in the Shared Work program, administered by the Washington State Employment Security Department. This program provides

eligible employees an opportunity to receive unemployment benefits when their regular work hours are reduced due to a furlough.

8. Return to Work Following a Furlough

At the completion of the furlough period employees will be returned to the same position they held prior to the furlough except when it is determined by the City Manager that further action is needed or if a reduction in force and layoff process is initiated.

IX. CLOSING STATEMENT

We are pleased that you have chosen to be part of our Shoreline team. If you have any questions about the information contained in this Employee Handbook, please ask your supervisor or visit Human Resources.

X. APPENDIX A - CODE OF ETHICS

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

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

Guidelines:

Democratic Leadership: Officials and staff will 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 will 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 will 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 will 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 must 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 must 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 unbecoming 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 must have no beneficial interest in any contract which may be made by, through or under their supervision, or for the benefit of their office, or accept directly or indirectly, any compensation, gratuity or reward in connection with such contract unless allowed under State law.

Private Employment: Officials and staff will 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 will 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 must 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 must 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 must be disclosed in any instance where there could be the appearance of a conflict of interest.

Business Relationships: Officials and staff must 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 affect 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 quasi-judicial proceedings elected officials must 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.

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