

GRAYS HARBOR COUNTY EMPLOYMENT GUIDE



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**CHAPTER 1
PURPOSE & SCOPE**

1.1 PURPOSE

This manual is a general information guide to Grays Harbor County's (the County) current employment practices and procedures. This manual is not a contract of employment. These guidelines shall not be construed to create contractual rights or any type of promise or guarantee of specific treatment upon which any employee may rely. The County also reserves the right to deviate from these guidelines in individual situations, particularly in an emergency, in order to achieve its primary mission of providing orderly and cost efficient services to its citizens. Individual departments may adopt additional guidelines as necessary, upon the approval of the Board of County Commissioners, provided it is not in conflict with existing policy or applicable bargaining agreement.

These personnel guidelines shall apply to all County employees. They shall not apply to independent contractors. This policy is subordinate to any provision of collective bargaining agreements, Civil Service rules, individual contract, or State or Federal statutes. In the event of conflict between the provision of this manual and state or federal statutes, collective bargaining agreements, Civil Service rules, individual contracts, the statute, agreement, contract, or rule shall prevail. Any agreement with any employee that is in conflict with this provision must be in writing. In all other cases, these guidelines shall govern.

It is the intent of the County that these guidelines will be distributed to each current employee. They will be given to each new employee during New Employee Orientation. Each employee will sign a dated form indicating that they have received a copy of these guidelines.

None of these provisions shall be deemed to create a vested contractual right in any employee or to limit the power of the County to repeal or modify these rules. The policies are not to be interpreted as promises of specific treatment.

1.2 CHANGES TO THE EMPLOYMENT GUIDE

The County reserves the right to amend, delete, supplement, or rescind any of the provisions of this manual, as the County deems necessary and appropriate, without advance notice. Upon revision of any of these guidelines, employees will be provided with a copy of the revision. Complete copies will be available from the Human Resources (HR) Department and placed on the Grays Harbor County website at www.co.grays-harbor.wa.us.

1.3 EMPLOYMENT CATEGORIES

- | | |
|----------------------------|--|
| (a) Elected Official: | A person duly elected to a specific office for a specific term, to carry out the statutory duties of that office as defined by Washington law. |
| (b) Department Head: | An employee who has responsibility for directing one or more departments as appointed by the Board of County Commissioners (BOCC). |
| (c) Union Exempt Employee: | A regular full-time, part-time, or temporary employee excluded from representation by applicable bargaining agreements. |

- (d) FLSA Exempt Employee: An employee exempt from the payment of overtime, as defined by Fair Labor Standards Act and applicable law.
- (e) Regular Full-Time Employee: As defined by applicable employee bargaining agreement contract, individual employment contract, agreement, or by applicable law.
- (f) Regular Part-Time Employee: As defined by applicable employee bargaining agreement contract, individual employment contract, agreement, or by applicable law.
- (g) Temporary Employees: As defined by applicable employee bargaining agreement contract, individual employment contract, and agreement or by applicable law.

**CHAPTER 2
GENERAL POLICIES & PRACTICES**

2.1 EQUAL EMPLOYMENT OPPORTUNITY

The County is an equal employment opportunity employer. The County employs, retains, promotes, terminates and otherwise treats all employees and job applicants on the basis of merit, qualifications, and competence, and in the case of Union members, seniority. This guideline shall be applied to any individual without regard to race, color, gender, religion, sexual orientation, gender identity or expression, age, marital status, national origin, pregnancy, disabled and veteran's status, Vietnam-Era veteran status, protected genetic information or the presence of any physical, sensory, or mental disability.

The County will not discriminate against applicants or employees with a sensory, physical or mental disability. The County will provide reasonable accommodation to a qualified person with a disability to perform essential functions of their job, unless doing so causes undue hardship for the County.

The County will work to preserve the safety of all of its employees and reserves the right to reassign employees or take other job actions when a substantial and unusual safety risk to fellow County employees or the public exists.

[Appendix #1 Grays Harbor County's Equal Employment Opportunity Affirmative Action Policy](#)

2.2 HARASSMENT

It is the policy of the County to provide a work environment for its employees that is free from illegal discrimination and harassment and the County will protect an employee's legal right to be free from such discrimination and harassment. Prompt disciplinary action will be taken against an employee who commits or participates in such harassment.

Any employee who believes he or she is being harassed or discriminated against should immediately notify their immediate non-involved supervisor or their Department Head. In the event that the harassment involves the Department Head, the employee should notify the County's Human Resource (HR) Manager and Equal Employment Opportunity Officer. The County will not retaliate against an employee who complains of harassment.

[Appendix #2 Resolution 2010-30 Grays Harbor County Sexual and Other Unlawful Harassment Policy](#)

2.3 EMPLOYEE PERSONNEL RECORDS

A personnel file for each employee is kept in the employee's department and/or the Human Resources Department. Access is limited to the employee's immediate supervisor, the Department Head, HR Manager, the BOCC and a limited number of others who have a need to know the information. An employee's personnel file may contain but is not limited to the following: the employee's name, title and/or position held, job description, department to which the employee is assigned, salary, changes in employment status, training received, performance evaluations, personnel actions affecting the employee, including discipline, and other pertinent information.

Employee medical information shall be secured in a file separate from the personnel file. Access is limited to Department Heads or supervisors who need to know about restrictions on the work or duties of an employee and necessary accommodations; first aid and safety personnel; government officials investigating compliance with Family Medical Leave Act (FMLA), or American's with Disabilities Act (ADA); WA State Department of Labor and Industries Inspectors in compliance with OSHA/WISHA laws; and the employee. Medical files may contain but are not limited to: post-offer medical information; injury reports; health care provider certificates, doctor's notes on reports, fitness for duty results, worker's compensation medical information, drug and alcohol test results, requests for reasonable accommodations or FMLA time.

An employee has the right to review their files. If copies of contents of the file are needed for purposes other than County business, the employee must make a written request for copies, and shall be charged a fee per RCW 42.17.260 or department policy. An employee may place any pertinent information in their individual personnel file for purposes of explaining or refuting official records therein. Only employment related information will be in the employment or personnel files. An employee may inspect their employment or individual personnel file at any reasonable time.

Personnel files are kept confidential to the maximum extent permitted by law. Certain portions of the personnel records of the County are public documents and are subject to disclosure under state law.

When an employee promotes, transfers, or voluntarily demotes to a new job in a different office or department, the employee's personnel file shall be transferred with the employee. At the time that the employee accepts the position in another office or department, the Department Head of the department that the employee is leaving shall ensure that all final paperwork for the transfer is completed and the personnel file is complete.

2.4 EMPLOYMENT REFERENCES

The County's policy for giving references to prospective employers for current or past County employees is to give out position(s) held, employment dates, salary history and job description(s) if requested. A County approved waiver form may be signed to be kept on file prior to an employee leaving to allow more information to be given.

Only the Department Head or HR Manager is authorized to provide employment references or verification of employment on current or former County employees unless this responsibility is delegated by the department head to another employee.

2.5 HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

The County will manage personal and protected health information in a manner that prevents unnecessary or inadvertent access to, use of, or disclosure of Protected Healthcare Information under HIPAA and adhere to the policy and procedures set forth in the County's HIPAA Policy. A copy of the County's HIPAA Policy is available to employees upon request.

CHAPTER 3 RECRUITING & HIRING

3.1 RECRUITING

Recruiting practices are conducted solely on the basis of ability, merit, qualifications and competence, without regard to race, color, gender, religion, sexual orientation, gender identity or expression, age, marital status, national origin, pregnancy, disabled and veteran's status, Vietnam-Era veteran status, protected genetic information or the presence of any physical, sensory, or mental disability.

When a position becomes vacant, and prior to any posting or advertisement of the vacancy, the Department Head shall review the position, its job description, and the need for such a position. The Department Head must complete and sign an Authorization to Hire form and submit this form to the HR Manager and Budget Director for their signature. The Authorization to Hire form will then be submitted to the BOCC for final approval. The BOCC must approve the position before it can be filled.

After approval, a vacant position covered under a collective bargaining unit agreement is first posted in-house to all members under the bargaining unit for five (5) working days. If the position is not filled from within or is not covered by a bargaining unit agreement, it is then advertised to the public. Vacant position postings will be published on the County's website and may be published in the County's legal newspaper and any other publication requested by the Department Head.

3.2 HIRING

Each applicant shall complete and sign a Grays Harbor County application form prior to being considered for any position. Resumes may supplement, but not replace the County's official application.

The County will also require a candidate to sign a Background Research Release Form which gives the County consent to perform a background investigation, contact past employers and/or government agencies and to cooperate with the investigation. Any applicant supplying false or misleading information may be disqualified from the hiring process, or terminated, if hired.

The County may administer pre-employment examinations to test the qualifications and ability of applicants, as determined necessary by the County. The County may contract with a third party to prepare and/or administer examinations.

Applicants for positions in which the employee is expected to operate a motor vehicle must be at least 18 years old and will be required to present a valid Washington State Driver's License with any necessary endorsements. Driving records of applicants will be checked. Applicants with poor driving records, as determined at the sole discretion of the County, may be disqualified for employment with the County.

After an offer of employment has been made and prior to commencement of employment, the County may require persons selected for employment to successfully pass a medical examination, at the County's expense, which may include testing for alcohol and controlled substances. The purpose of the examination is to determine if the individual is physically able to perform the job and to ensure their physical condition will not endanger the health, safety or wellbeing of other employees or the public. The offer of employment may be conditioned on the results of the examination.

A candidate may be disqualified from consideration if:

- (a) found physically unable to perform the duties of the position with reasonable accommodation;
- (b) the candidate refuses to submit to a medical examination or complete medical history forms; if the exam reveals use of controlled substances, not prescribed by a licensed practicing physician.

[Appendix #3 Resolution 2015-030 Establishing Policy and Procedures for County Hiring & Personnel Changes](#)

3.3 NEW EMPLOYEE ORIENTATION

As soon as possible after hiring a new employee, the employee shall be scheduled for a New Employee Orientation with the Office of Risk Management. The New Employee Orientation covers an orientation to Grays Harbor County government and general employment and safety practices as well as policies and procedures of the County. The orientation shall cover items such as hours of work, probationary period, working conditions, employee benefits, departmental safety practices and other conditions of employment.

3.4 EMPLOYMENT OF RELATIVES (NEPOTISM)

- (a) Employees and applicants for employment shall not be denied employment or advancement opportunities because of their status as a family or household member of another employee. However, no person shall be employed, promoted, or transferred to a permanent position in the County where they would be the immediate supervisor of or receive direct supervision from a:
 - (1) Spouse, domestic partner, or co-habitant;
 - (2) Child, including adopted, in-laws and step- or half-parent;
 - (3) Grandchild, including adopted, in-laws and step- or half-grandparent;
 - (4) Sibling, including in-laws and step- or half-; or
 - (5) Any other member of the employee's household whether or not related by blood or marriage.

[Appendix #4 Resolution 2010-29 Anti-Nepotism Policy](#)

3.5 PROMOTIONS & TRANSFERS

The County encourages current County employees to apply for vacant County positions for which they are qualified. Promotions and transfers are based on the Department Head's recommendation, work force requirements, performance evaluations, job descriptions, bargaining unit agreements, qualifications, experience, education, training, and related County requirements.

Regular Employees are eligible for promotion, transfer or voluntary demotion. To be considered for another position, an employee must have satisfactorily completed any probationary period and possess the qualifications for the vacant position. The BOCC and Department Head may waive such requirements as in the best interests of the County.

Employees transferring from one payroll to another retain their accrued sick leave and vacation benefits.

All requests for promotions, reclassifications, job title changes for employees must be approved by the BOCC. A Request for New Salary/Title Change/Adjustment form must be completed by the Department Head and forwarded to the HR Manager and Budget Director for their signature and then submitted to the BOCC for final approval.

CHAPTER 4 HOURS AND ATTENDANCE

4.1 WORKING HOURS

Generally, the County's business hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. Working hours that fall outside of these hours must be approved by the Elected Official/Department Head, as specified in existing bargaining agreements, individual employment contract or agreement or as specified in employee job descriptions. For purposes of compliance with Fair Labor Standards Act (FLSA) the County's workweek is Monday through Sunday.

4.2 HOURS WORKED AND OVERTIME

All County positions are designated as either "exempt" or "non-exempt" according to the FLSA and applicable law, meaning that exempt employees are not paid overtime and non-exempt employees are paid overtime.

Hours worked and overtime are computed as specified in existing collective bargaining agreements, individual employment contract or agreement and according to state and federal law.

All overtime must be authorized in advance by the employee's supervisor or Department Head. Employees entitled to overtime pay may request compensatory time off instead of cash payment in compliance with the FLSA, applicable law, and employment agreements, which shall be granted in increments of 1.5 hours to each hour of overtime worked.

Employees should use compensatory time as specified in existing bargaining agreements. Employees shall request use of compensatory time, at such times as is reasonable in the sole discretion of the Department Head.

4.3 ATTENDANCE

Punctual and consistent attendance is a condition of employment. Maintaining accurate time records is essential in computing employee pay, ensuring compliance with laws and regulations, and providing accurate cost information for the County. Employees are responsible for completing their own time sheets if required. The department supervisor is responsible for ensuring that the payroll work sheets are maintained. Falsification of any claim for pay will be grounds for disciplinary action, including discharge. Falsification may also be a crime. Each Department Head is responsible for maintaining an accurate attendance record and/or time card for each employee.

Employees shall work a complete designated workday. Each employee shall be at their place of work and be prepared to work at the designated starting time and will work until the designated quitting time. Employees shall not be absent from work without making prior arrangements with their supervisor. Unless such prior arrangements have been made, any employee who cannot report to work at the designated time shall notify their supervisor prior to the start of the work day of the reason for and anticipated duration of the absence. Any unauthorized absence, including tardiness, will be considered an absence without pay and may be cause for disciplinary action. Departments will maintain records of employee attendance. If an employee's illness prevents them from notifying their supervisor prior to the beginning of their scheduled shift, the employee shall do so as soon thereafter as possible. An employee who has failed to report or call in to work may be subject to corrective action up to, and including, termination of employment. Employees who are absent from work for three (3) consecutive days without notice will be considered to have abandoned their position and will be terminated from employment.

4.4 BREAKS AND MEAL PERIODS; LACTATION BREAKS

The Supervisor shall arrange meal periods and breaks so that they do not interfere with County business or service to the public. In accordance with Washington State regulations, the employee's Department Head shall schedule meal periods. The scheduling of breaks and meal periods may vary depending on department and its needs. A full-time employee shall be entitled to a fifteen (15) minute break twice a day – generally once in the morning and one in the afternoon. Employees who work over 5 hours in a day shall be entitled to a 30-minute unpaid meal period.

Lactating employees will be provided with a reasonable break time to express breast milk for her nursing child for one (1) year after the child's birth each time such employee has need to express the milk, in a pre-designated location or another appropriate private location arranged between the employee and her supervisor. Such breaks should generally not exceed two (2) per day and not last longer than thirty (30) minutes each, absent special circumstances.

When possible, lactating employees should use their meal and rest breaks to express milk. If the amount of time needed for such breaks in a day exceeds the employee's available meal and rest break time, available paid leave may be used if approved by the Department Head. If the employee does not have any available approved paid leave to be used to cover these breaks, any additional time used will be unpaid.

4.5 EMERGENCY CLOSURES

It is the policy of the County that all County offices and activities shall be open and in operation during established working hours. Because many County services are of primary importance during emergency conditions, all employees should make every effort to report for work on a timely basis. Should emergency conditions prevail which would prevent County employees from reporting to work, it will be the responsibility of the employee to contact their supervisor or Department Head to indicate anticipated absence from work or late arrival to work and the reason for such absence or tardiness.

If County offices are closed or an employee unable to report to work, the employee will be given the option of having pay deducted for the time lost or for applying vacation or compensatory time, if such has been accrued, to offset any loss of pay, subject to the approval of the employee's Department Head.

KBKW 1450 and KXRO 1320 AM are designated as the County's radio station to listen for any County office closures. The Grays Harbor County Notification System can also automatically call or email people who have registered with the Division of Emergency Management for notifications of office closures. Registration is necessary to make sure you are included in these notifications. Registration can be done on the Grays Harbor County website or by contacting the Department of Emergency Management.

[Appendix #5 Resolution 96-81 Inclement Weather Operations Policy & Procedure](#)

CHAPTER 5 COMPENSATION

5.1 SALARY CLASSIFICATION AND GRADES

Each job title within the County may be classified into one of the County's job classifications for salary purposes, based on job qualifications, level of responsibility, difficulty, working conditions, skill, hazard, and amount of supervision required for the specific job. Each classification is designated a particular salary or salary range shown on the County's salary and wage schedule, which is approved annually by the BOCC. Salary classifications are separate and distinct from job classifications.

5.2 EMPLOYEE PAY RATES

Employees shall be paid within the limits of the wage range, as defined in the step plan adopted annually by the BOCC, to which their positions are assigned. If an employee's performance is unsatisfactory, the Department Head may defer a scheduled pay increase for a stipulated period of time or until the employee's job performance is satisfactory.

Usually, new employees will start their employment at the minimum wage rate for their classification. However, a new employee may be employed at a higher rate than the minimum when the employee's experience, training or proven capability warrant, or when prevailing market conditions require a starting rate greater than the minimum.

The BOCC may grant an across-the-board pay adjustment (cost-of-living increase) from time to time, raising the salaries of all positions by a specified amount within a defined group of classifications. Such adjustments, if any, will not change an employee's pay anniversary date.

Non-union employees shall receive wage increases or cost of living adjustments in the same manner as union employees in the department or division in which the employee is employed unless the employee's salary is based on an elected official's salary. Commissioners may make wage adjustments for non-union employees at any time based on performance or duties and responsibilities.

[Appendix #6 Resolution 2014-025 Establishing Consistent Policies for Wages & Benefits of Non-Union Employees](#)

All requests for salary adjustments for employees must be approved by the BOCC. A Request for New Salary/Title Change/Adjustment Form must be completed by the Department Head and forwarded to the HR Manager and Budget Director for their signature and then submitted to the BOCC for final approval.

[See Appendix #3 Resolution 2015-030 Establishing Policy and Procedures for County Hiring & Personnel Changes](#)

5.3 PAYDAYS

County employees are paid monthly on the last working day of each month. If a regular scheduled payday falls on Saturday, Sunday or a holiday, paychecks will be distributed on the last working day.

A draw is available on the 15th of each month if requested at least 3 working days prior to that date. The amount of the draw cannot exceed 1/3 of monthly gross pay or 1/3 of the gross amount earned whichever is less. Subsequent changes must be made at least 3 working days prior to draw day.

The Sheriff's Department will be issued a supplemental check by the fifth of each month following the regular payday. This check will include all additional monies earned after the preceding monthly payroll cutoff date, for example, overtime, court time, shift differential, etc.

When an employee's employment with the County is ended, the employee will receive the following compensation on the next regularly scheduled payday: regular wages for all hours worked up to the time of termination which have not already been paid; any overtime or holiday pay due; leave and compensatory time to which the employee is entitled; and any other compensation due. Collective bargaining unit agreements may apply.

5.4 DEDUCTIONS

Federal and State law may require some regular deductions from the employee's earnings; the employee specifically authorizes other deductions. The County will withhold from the employee's paycheck those deductions required by law and any voluntary deductions authorized by the employee or applicable employment agreement.

5.5 TRAVEL

It is the policy of Grays Harbor County to reimburse allowable travel expenses when reasonable, necessary and directly related to conducting business for the County. This includes conferences, training, etc. for all employees and elected officials. All expenditures must comply with the Travel & Reimbursement Policy.

Authorization to travel and for reimbursement of travel expenses under \$1,000 shall be approved by the Department Head/Elected Official. If the total cost including meals, lodging, mileage, registration and incidental expenses exceed \$1,000, prior approval by the Board of County Commissioners is required in order to be reimbursed for travel costs except when the travel is completely grant funded. For travel expenses in excess of \$1,000, Department Heads will provide the Board of County Commissioner's with a Travel Expense Form for approval.

Per IRS regulations, if traveling on County business during a single day, meal reimbursements must be reimbursed through the department's payroll system. To get paid for "same-day" travel meals, employees are required to complete a reimbursement claim form and submit to the department's payroll preparer. If private automobiles are used for County business, employees will be reimbursed at the applicable IRS rate for mileage. Use of County vehicles for County business is encouraged. Tips not to exceed 15%, for meals, taxis, or baggage handling are reimbursable. The Department Head may set limits on expenses within the parameter of the County policy.

Requests for reimbursement shall be submitted on an Expense Report Form signed by the employee.

Non reimbursable expenses include but are not limited to:

- Alcoholic beverages
- Theft, loss or damage to personal property
- Expenses of family or other persons not authorized to receive reimbursement under this policy
- Airline or other trip insurance

- Medical or hospital expenses
- Fines for parking or other traffic violations
- Personal phone calls
- Personal entertainment and transportation costs to places of entertainment and other similar facilities
- Personal care services
- Any personal travel that may be associated with County related business

Appendix #7 Resolution Authorizing a Policy for Travel and Reimbursement

CHAPTER 6
PERFORMANCE EVALUATIONS/TRAINING & EDUCATION

6.1 PERFORMANCE EVALUATIONS

To achieve the County's goal to train, promote and retain the best-qualified employee for every job, the County may conduct periodic performance evaluations for all positions.

Any evaluation is part of an employee's personnel record and may be considered in any employment related decision.

6.2 AFTER-HOURS TRAINING & REIMBURSEMENT

The County encourages training and education of County employees to improve job efficiency, knowledge, performance, skills and qualifications. The following criteria and guidelines must be met for reimbursement of after-hours training and educational courses for County employees.

- (a) Training subject must be directly related to the duties assigned the employee as determined by the Department Head.
- (b) No overtime or comp time shall be authorized.
- (c) Reimbursement shall be allowed for 100% of tuition and books if the employee is required to take the course by the Department Head.
- (d) Payment shall not be made until evidence of satisfactory completion of the course and cost receipts are delivered to the Department Head.
- (e) All books and reference materials will become property of the County.

[Appendix #8 Resolution 2018-091 Policy for Reimbursement to Employees for After-Hours Training Costs](#)

CHAPTER 7 EMPLOYEE BENEFITS

7.1 RETIREMENT BENEFITS

The County makes contributions on behalf of all eligible employees to the Social Security System and Medicare, in addition to those contributions made by the employee through Federal Insurance Contribution Act (FICA) payroll deductions.

The Law Enforcement Officers and Fire Fighters Retirement System (LEOFF) or Public Employees Retirement System (PERS) covers all regular uniformed employees in the Sheriff's Department. Benefit levels and contribution rates are set and administered by the State of Washington.

All regular full-time and eligible part-time non-uniformed employees are covered under PERS. Benefit levels and contribution rates are set and administered by the State of Washington.

Employees intending to retire should notify their Department Head of their intent to retire at least three months prior to the date of retirement.

7.2 DISABILITY BENEFITS

All employees, except those covered by LEOFF I, are covered by the State of Washington Department of Labor & Industries Division of Industrial Insurance (worker's compensation). This type of insurance covers employees in case of on-the-job injuries or job-related illnesses. For qualifying cases, the State of Washington Department of Labor & Industries Division of Industrial Insurance will pay a portion of the employee's wages for workdays lost for any disability resulting from job-related injuries or illnesses. All job-related accidents shall be reported immediately to the involved employee's supervisor and the Office of Risk Management. Collective bargaining agreements may apply.

Employees returning from a leave due to medical disability, or having been on leave that qualifies for worker's compensation benefits must have their doctor's release to return to work. A copy must be given to the Department Head and/or Risk Management.

The County may require a medical examination, at its expense, performed by a physician of its choice, to determine when the employee can return to work and if they will be capable of performing the duties and responsibilities of the position.

7.3 INSURANCE BENEFITS

Employees are eligible to participate in the County's insurance programs. The programs and criteria for eligibility will be explained at the time the employee becomes eligible to join. The County reserves the right to make changes in the carriers and provisions of these programs when it, in its sole discretion, deems necessary or advisable.

Upon mutual agreement between the employee and the County, and in accordance with the terms and conditions of the insurance policy, the County will continue health insurance coverage at the employee's expense during an approved unpaid leave of absence. COBRA continuation rights may apply in the event coverage is not extended through the County. Collective bargaining agreements may apply.

The County may continue to pay the employee's health insurance premiums while an employee is receiving Worker's Compensation benefits. Collective bargaining agreements may apply.

Upon an employee's termination from County employment, at the employee's option and expense, and under certain circumstances, the employee may elect to continue County health insurance benefits to the extent provided under COBRA. Continuation rights are not available if an employee is terminated for "gross misconduct."

A Grays Harbor County employee may voluntarily elect to waive medical care insurance coverage through the County upon proof of comparable coverage elsewhere. Such waiver, if elected by the employee, shall also result in termination of all dependent(s) medical care insurance benefit coverage for the employee. Each employee voluntarily electing to terminate and waive his/her medical care insurance coverage shall receive an incentive payment established by the BOCC. This opt-out only applies to medical coverage and does not include dental or eye care coverage. It is at the BOCC's sole discretion to provide the opt-out program and will be approved annually by resolution. Medical Insurance "Opt-Out" Program Election Forms are available from the payroll department.

7.4 UNEMPLOYMENT COMPENSATION

County employees may qualify for Washington State Unemployment Insurance Benefits after termination from County employment, depending on the reason for termination and if certain eligibility requirements are met.

7.5 EMPLOYEE ASSISTANCE PROGRAM

County employees (excluding Teamsters Division) have an Employee Assistance Program (EAP) offered by the County at no cost to the employee. Trained professionals are available day or night to provide information on several health and wellness topics including stress, family or parenting issues, alcohol or drug dependencies, marital or relationship issues, self-improvement, grief, work/life balance and pre- and postnatal concerns. Brochures on the current EAP are on the website or from the HR Department.

7.6 DEFERRED COMPENSATION

County employees can choose to enroll in a Deferred Compensation 457(b) plan administered by Nationwide Retirement Solutions that provides optional retirement savings. Traditional (pre-tax) and Designated Roth (after-tax) options are also available. The County will match the amount applicable as negotiated by differing union agreements and withhold from the employee's paycheck those deductions authorized by the employee.

7.7 FLEXIBLE SPENDING ACCOUNTS (FSA)

County employees can choose to enroll in a Health Care FSA or a Day Care FSA administered by Benefit Solutions that which enables the employee to set aside money on a tax free basis to pay for out-of-pocket health care expenses and/or day care and dependent care expenses. Amounts are determined by the employee and employees are required to re-enroll each year during the annual "Open Enrollment" period.

7.8 SUPPLEMENTAL INSURANCES

County employees can choose to enroll in supplemental insurances through Colonial and The Standard. Some insurances include:

- Supplemental Life Insurance
- Accidental Death & Dismemberment (AD&D)
- Disability Insurance
- Cancer Insurance
- Accident Insurance
- Hospital Confinement
- Critical Illness

The County will withhold from the employee's paycheck those deductions authorized by the employee.

CHAPTER 8 LEAVES OF ABSENCE AND TIME OFF

8.1 VACATION

Employees are entitled to vacation leave as specified in their bargaining agreement, individual employment contract or agreement, or in County resolutions.

Regular part-time employees will receive vacation on a pro-rata basis based on the number of hours worked.

Each department is responsible for scheduling employees' vacations without causing undue disruption of department operations. Leave requests should be submitted at least two weeks prior to taking vacation leave or as specified in applicable bargaining agreement or by department policy.

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 240 hours or as specified in applicable bargaining agreements, individual employment contract, or agreement. Unless specifically authorized, hours in excess of 240 shall be forfeited. In cases where County operations have made it impractical for an employee to use vacation time, the Department Head, with the approval of the BOCC, may authorize additional accruals. Employees will be paid for unused vacation time upon termination of employment up to the limits identified in individual employment agreements.

Employees do not accrue vacation benefits during a leave without pay. Collective bargaining agreements may apply. Temporary employees do not earn vacation leave benefits.

The policy pertaining to accrual, use and compensation of vacation leave for non-union employees shall be consistent with union employee benefits as set forth in the collective bargaining union governing that department or division in which the employee is employed.

See Appendix #6 Resolution 2014-025 Establishing Consistent Policies for Wages & Benefits of Non-Union Employees

8.2 SICK LEAVE

All non-exempt and most exempt employees accrue sick leave benefits.

Accrual, use and compensation of sick leave for non-union, part-time, temporary, extra help and seasonal County employees covered by the Washington State Minimum Wage Act and not covered by a collective bargaining agreement shall be consistent with the Policy for Paid Sick Leave.

Appendix # 9 Resolution 2018-017 Establishing a Policy for Paid Sick Leave

Employees accrue and may use sick leave during any probationary period. Employees do not accrue sick leave benefits during a leave without pay.

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

- (a) Physical injury or illness to the employee;
- (b) The need to care for the employee's dependent family member who is ill.
- (c) Medical or dental appointments for the employee or dependent provided that the employee must make a reasonable effort to schedule such appointments at times which have the least interference with the work day;
- (d) Exposure to a contagious disease where on-the-job presence of the employee would jeopardize the health of others;
- (e) Use of a prescription drug that impairs job performance or safety;
- (f) Actual periods of temporary disability associated with pregnancy or childbirth. Employees may request additional time off beyond the actual period of disability; vacation leave, compensatory time, or leave without pay may be used.

The County may also request the opinion of its doctor at the County's expense to determine whether the employee suffers from a chronic physical or mental condition that impairs their ability to perform the job. Employees who are habitually absent due to illness or disability may be subject to disciplinary action if their disability cannot be reasonably accommodated and/or when the employee's absenteeism prevents the orderly and efficient provision of services to the citizens of the County. Misuse of sick leave may result in discipline.

Employees who use all their accumulated sick leave and require more time off work due to illness or injury may, with their Department Head's prior approval, take leave without pay.

If sick leave is used when an individual is on Worker's Compensation leave of absence, buy-back of this time is allowed (up to three (3) days) with the approval of the Department Head and/or BOCC. Any buy-back of sick leave shall take place at the conclusion of the Worker's Compensation leave of absence.

The buy-back is calculated using the average hourly salary divided by the dollar amount of the check issued to the employee by the WA State Department of Labor & Industries signed over to Grays Harbor County, or a certified check from the employee issued to Grays Harbor County. The days being bought back shall not exceed the number of days used by the employee during an approved Worker's Compensation leave of absence.

8.3 LEAVE WITHOUT PAY

The Department Head in their sole discretion may grant a leave of absence without pay for absences not covered by any other type of leave, or if other leave balances are exhausted. Examples of situations for which leave without pay may be granted include; time off work for personal reasons, such as prolonged illness, parenting, caring for a relative, pursuing an education, or fulfilling a military obligation in excess of twenty-one (21) days per calendar year.

Only regular full-time and regular part-time employees who have satisfactorily completed a probationary period are eligible for leave without pay. The following requirements apply to leave without pay:

- (a) Leave may be granted to an employee for a period of up to ninety (90) consecutive days upon the approval of the Department Head. Further extensions are at the discretion of the BOCC.
- (b) All accrued leave time must be exhausted prior to taking leave without pay.
- (c) An employee's benefits and seniority are suspended during the period of unpaid leave until the employee returns to work. Vacation, sick leave and/or any other benefits do not accrue while an employee is on leave without pay.
- (d) In certain circumstances, self-payment of benefits may apply. The County does not pay insurance benefits while the employee is on leave without pay.
- (e) An employee who fails to report promptly at the end of the authorized unpaid leave is presumed to have resigned.
- (f) If the leave without pay is due to an illness, the County shall require a doctor's certificate stating that the employee is capable of returning to work and performing the duties and responsibilities of the employee's position.

8.4 JURY AND WITNESS LEAVE

Employees shall be granted time off with pay to serve on a jury or as a court witness. If an employee is summoned during a critical work period, the County may ask the employee to request a waiver from duty.

An employee granted such leave shall reimburse the County for any per-diem received while serving as a juror or witness.

8.5 ADMINISTRATIVE LEAVE

The County may place an employee on administrative leave with or without pay for an indefinite period of time. Administrative leave is determined at the sole discretion of the BOCC, Elected Official or the Department Head to be in the best interests of the County pending an investigation or other administrative proceeding or circumstance.

8.6 HOLIDAYS

Holidays recognized by the County are defined in the applicable collective bargaining agreements. Holidays for non-union employees shall be consistent with union employee holidays.

Any holiday falling on Saturday will be celebrated on the preceding Friday. Any holiday falling on Sunday will be celebrated on the following Monday. Time worked on a holiday must be pre-authorized by the employee's supervisor.

New employees, hired prior to July 1, may be entitled to floating holiday(s) for that calendar year. New employees hired after July 1 do not receive floating holiday(s) in the calendar year hired. Floating holidays may not be carried over to the following year.

8.7 RELIGIOUS HOLIDAYS

Employees are entitled to two (2) unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization unless the absence would disrupt operations, impose an undue hardship, or the employee is necessary to maintain public safety. Approval of the unpaid holiday must be requested in writing and approved by the supervisor.

Appendix #10 Resolution 2014-71 Establishing Policy Entitling County Employees to Unpaid Holidays for Reasons of Faith or Conscience

8.8 FAMILY AND MEDICAL LEAVE (FMLA) AND FAMILY CARE ACT (FCA) LEAVE

Leave for family and medical purposes shall be granted for up to twelve (12) weeks of unpaid FMLA leave per year, provided however; certain leave associated with military service may extend up to 26 weeks. To be eligible the employee must have worked for the County for at least one year and for 1,250 hours over the previous 12 months unless the FMLA requested is related to pregnancy. Conditions specified in the Grays Harbor County FMLA Policy must also be met. Reasons for granting FMLA leave must follow the following circumstances:

- (a) For incapacity due to pregnancy, prenatal medical care or child birth;
- (b) To care for the employee's child after birth, or placement for adoption or foster care;
- (c) To care for the employee's spouse, registered domestic partner, son or daughter, or parent who has a serious medical condition; or
- (d) For a serious health condition that makes the employee unable to perform the employee's job.
- (e) If the employee's spouse, child or parent is a member of one of the U.S. Armed Forces (including Reserves and National Guard) on active duty or is a reservist or member of the National Guard who faces recall to active duty if a "qualifying exigency" exists.

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. FMLA leave may be taken intermittently if medically necessary due to a serious health condition of the employee or employee's spouse, registered domestic partner, child, parent, parent-in-law, or grandparent. Leave will be used concurrently and not consecutively with other time where allowed by state and federal law.

Appendix #11 Resolution 2010-28 Establishing Policy for Employees' Family and Medical Leave and Family Care Act Leave

8.9 MILITARY LEAVE

Employees who are members of the National Guard or of the army, navy, air force, coast guard, or marine corps reserve of the United States, or of any organized reserve or armed forces of the United States shall be entitled to a military leave of absence from their employment for a period not exceeding twenty-one

(21) days during each year beginning October 1st and ending the following September 30th in order that the employee may report for military duty, training, or drills. Other time off for military personnel, whether paid or unpaid, may be available and you are encouraged to consult with the Human Resources Manager for more information.

8.10 DOMESTIC VIOLENCE LEAVE

Victims or family members of a victim of domestic violence, sexual assault, or stalking will be allowed to take reasonable leave from work to take care of legal or law enforcement needs and obtain health care.

[Appendix #12 Resolution 2009-54 Resolution Establishing Policy for Domestic Violence Leave](#)

8.11 VOLUNTARY DONATED LEAVE

Regular County employees may donate their accrued vacation leave to another County employee with a serious illness or a member of his/her immediate family member as long as the donor's annual leave balance does not drop below 80 hours. Leave donations will be a minimum of one hour blocks.

A total of 480 hours within a 48-month period is available to a receiving employee. Leave may be transferred between employees within a department or between employees in different county departments with prior approval of both department heads.

An employee is eligible to request participation in the donated leave program when the employee is eligible. Eligibility requirements are as follows:

- (a) Employees must have completed their probationary period.
- (b) The employee requesting leave must furnish the Department Head with a medical certificate from their health care provider verifying the illness, the beginning date and expected duration of condition.
- (c) The employee must not be eligible for time loss compensation under RCW 51.32. – Compensation – Right to and Amount.
- (d) The receiving employee has to have exhausted, or will exhaust, all but a total of sixteen (16) hours of any and all accrued sick, vacation and compensatory leave available to them.

Employees need to submit a Grays Harbor County Request for Donated Leave Form and health care provider documentation to their immediate supervisor or department head for approval and circulation to employees.

[Appendix #13 Resolution 2017-030 Grays Harbor County Voluntary Donated Leave Policy](#)

CHAPTER 9 EMPLOYEE RESPONSIBILITIES & CONDUCT

9.1 GENERAL POLICY

All County employees are expected to represent the County to the public in a professional manner that is courteous, efficient and helpful. Employees must maintain a clean and neat appearance appropriate to their work assignment, as determined by their position and Elected Official or Department Head.

Since the proper working relationship between employees and the County depends on each employee's on-going job performance, professional conduct, and behavior, the County has established certain minimum standards of personal conduct. Among the County's expectations are: respect and courtesy towards the public and fellow employees; adherence to County policies, procedures, safety rules and safe work practices; compliance with directions from supervisors; preserving and protecting the County's equipment, grounds, facilities and resources; and providing orderly and cost efficient services to its citizens.

Workspace areas that are common with public service areas are expected to maintain a professional appearance. The Department Head or Elected Official must approve use of personal appliances, equipment, decorations, etc.

9.2 OUTSIDE EMPLOYMENT AND CONFLICT OF INTEREST

Employees are required to get prior written approval from the Department Head in advance of contracting for or engaging in outside employment. Employees shall not, directly or indirectly, engage in any outside employment or financial interest that may conflict, in the County's opinion, with the best interests of the County or interfere with the employee's ability to perform their assigned County job. Examples include, but are not limited to, outside employment which:

- (b) prevents the employee from being available for work beyond normal working hours, such as emergencies or peak work periods, when such availability is a regular part of the employee's job;
- (c) is conducted during the employee's work hours;
- (d) utilizes County telephones, computers, supplies, or any other resources, facilities or equipment;
- (e) is employment with an entity or firm which has contracts with or does business with the County;
or
- (f) may reasonably be perceived by members of the public as a conflict of interest or otherwise discredits public service.

9.3 ETHICS

Grays Harbor County is committed to high standards of conduct by and among employees in the performance of their duties. County employees will perform their public responsibilities in accordance with the highest ethical standards and conduct business only in a manner that strengthens the public's confidence in the integrity of Grays Harbor County government. To earn and maintain the public's full trust and confidence, individuals subject to this policy must not:

- (a) Use their authority as county employees for private or personal gain or benefit.
- (b) Engage in any action or conduct that conflicts or appears to conflict with the performance of their duties.
- (c) Give improper advantage or treatment to any person or entity.
- (d) Fail to properly carry out their duties.
- (e) Solicit or accept gratuities, favors, or anything of monetary value from any source.

[Appendix #14 Resolution No. 2018-094 Ethics and Conflict of Interest Policy](#)

9.4 POLITICAL ACTIVITIES

County employees may participate in political or partisan activities of their choosing provided that County resources and property are not utilized, and the activity does not adversely affect the responsibilities of the employees in their positions. Employees may not campaign during their work hours, while in a County uniform or while representing the County in any way. Employees may not allow others to use County facilities, equipment, resources, or funds for political activities.

Any County employee who meets with or may be observed by the public or otherwise represents the County to the public may not wear or display any button, badge or sticker relevant to any candidate or ballot issue while performing their duties. Employees shall not solicit, on County property or during work hours, for a contribution or support for a partisan political cause.

Except as noted in this guideline, County employees are otherwise free to fully exercise their constitutional First Amendments Rights.

9.5 SMOKE-FREE WORKPLACE

In compliance with RCW 70.160 and for health and safety considerations, the County prohibits smoking by employees and the general public in all designated County facilities, including buildings, shared fleet vehicles, and offices or other facilities rented or leased by the County, including individual employee offices.

Any employee who violates state law with regard to smoking in public buildings may be subject to discipline, up to and including termination. This includes cigarettes, cigar, pipe, bidi, clove cigarettes, electronic cigarettes and water pipes (hookah). Smoking is only permitted at a distance of twenty-five (25) feet from building entrances, exits, windows that open, and ventilation intakes that serve an enclosed area.

[Appendix #15 Resolution 2013-122 Readopting Regulations Prohibiting Smoking on Designated Grays Harbor County property](#)

9.6 USE OF COUNTY EQUIPMENT

Use of County phones for local personal calls should be kept to a minimum and may not interfere with an employee's duties. Charging long distance calls made for personal reasons to the County is prohibited. Other County equipment and services shall be used by County employees for

County business only. An employee's misuse of County services, telephones, vehicles, equipment or supplies can result in disciplinary action, including termination.

Only County employees and those on County business may use or be transported by County vehicles or equipment. Unauthorized individuals such as family, friends, etc. may not be transported in County vehicles unless exempted by the Board of County Commissioners.

The County retains the right of ownership and access to equipment (i.e. desks and lockers) at all times. Employees may use desks, lockers and other designated spaces to store limited personal items needed while at work. Employees shall have no expectation of privacy in such storage places, as they are County property.

[Appendix #16 Resolution Adopting Policies and Procedures for Use of County Motor Vehicles](#)

[Appendix #17 Resolution 97-22 Policy Relating to Use of County Assets and Property](#)

[Appendix #18 Resolution 2011-106 Revising and Establishing Electronic Mail & Internet Use Policy](#)

9.7 BULLETIN BOARDS

Information of special interest to all employees is posted regularly on the County bulletin boards. Employees may not post any information on these bulletin boards without the authorization of the BOCC or the Department Head for the department where the board is located.

9.8 CONTACT WITH NEWS MEDIA

The BOCC and/or Department Heads and Elected Officials shall be responsible for all official contacts with the news media during working hours, including answering of questions from the media. The BOCC may designate specific employees to give out procedural, factual or historical information on particular subjects.

Upon the BOCC declaring an emergency, the Director of Emergency Management or their designee shall be the Public Information Officer responsible for the media news releases.

9.9 SEAT BELT POLICY

As required by Washington State law, anyone operating or riding in County vehicles or private vehicles while on County business must wear a seat belt at all times.

9.10 DRIVER'S LICENSE REQUIREMENTS

As part of the requirements for certain specific County positions, an employee may be required to hold a valid Washington State Driver's License with applicable endorsements.

Each employee operating County vehicles or equipment or private vehicles on County business is required to furnish the County with a copy of the employee's current and valid driver's license.

The employee shall furnish the copy to the department in which they work. The department shall furnish a copy to the Insurance & Risk Management Department. Such obligation is ongoing and a copy may be requested at any time during employment.

If an employee's license is revoked, suspended or lost, or is in any other way not current, valid and in the employee's possession, the employee shall promptly notify their Department Head and will be immediately suspended from driving duties. The Department Head will notify the Insurance & Risk Management Department. The employee may not resume driving until proof of a valid license is provided to their Department Head and Insurance & Risk Management.

Depending on the duration of license suspension, revocation or other inability to drive, an employee may be subject to disciplinary action, including termination.

9.11 SAFETY

Every employee is responsible for maintaining a safe work environment and following the County's safety rules. Each employee shall promptly report all unsafe or potentially hazardous conditions to their Department Head. The County will make every effort to remedy problems as quickly as possible.

In case of an accident involving any injury whether to person or property, regardless of how serious, employees shall immediately notify their supervisor and the Office of Insurance and Risk Management.

Any employee who witnesses the possession or use of illegal drugs while on duty shall notify their Department Head or Supervisor immediately. The Department Head or Supervisor will promptly notify the appropriate law enforcement.

Small appliances used within County buildings must be approved for use by the Maintenance Department. Individual heaters must have a tip-over safety cut-off switch. Coffee pots and water heaters must have an over-heat cut-off switch. The Department Head in conjunction with the Safety Officer must approve all appliances in writing.

All employees will be issued a copy of the County's Safety and Loss Control Policy.

9.12 DRUG-FREE WORKPLACE

Grays Harbor County supports the requirement of the State of Washington and the United States Drug Free Workplace Act of 1988, recognizing that the maintenance of an alcohol and drug free workplace is essential to the safety and welfare of employees.

The manufacturing, distribution, dispensation, possession and use of unlawful drugs or alcohol on County premises or during work hours by County employees are strictly prohibited.

Employees may not report to work under the influence or with detectable levels of any controlled substance unless such substances are prescribed by a health care provider or purchased over the counter and used in accordance with directions for use or as prescribed; provided however, detectable levels of marijuana are prohibited in all cases regardless of legal use. If an employee believes that a prescribed or over the counter medication may affect work performance, the employee must report this information to his or her supervisor.

Each employee has the responsibility to report to their immediate supervisor and Department Head the facts and circumstances leading up to a conviction for violating any criminal drug statute. Reporting must take place within five (5) days from the date of conviction.

Violation of this policy can result in disciplinary action, including termination. Continued poor performance or failure to successfully complete an assigned rehabilitation program is grounds for termination.

[Appendix #19 Resolution No. 1990-83 Drug Free Workplace Program](#)

9.13 CONFLICT RESOLUTION

The County recognizes that sometimes situations arise in which an employee feels that they have not been treated fairly or in accordance with County rules and procedures. For this reason, the County offers this procedure to resolve conflicts: (1) as an alternate to the grievance procedures outlined in the applicable bargaining agreements and; (2) as a process available for employees to resolve conflicts.

- (a) Step 1: An employee should make every effort where possible to resolve the problem or complaint with the other party.
- (b) Step 2: When normal communication between the parties is not successful, the employee's supervisor or Department Head should be advised. The supervisor or Department Head may suggest the use of a neutral third party to act as a facilitator to assist in the conflict resolution within a timely manner. If the dispute is with the Department Head, the employee may go directly to the HR Manager.
- (c) Step 3: If the employee is not satisfied with the results of Step #2, he or she may submit a written complaint to the Department Head and/or BOCC. The County encourages prompt resolution of conflicts. The written complaint should be filed within ten (10) working days of the completion of Step 2.

The written complaint must contain:

- (1) A description of the problem;
- (2) A specific policy or procedure which the employee believes has been violated or misapplied;

- (3) The date of the circumstances leading to the complaint or the date when the employee first became aware of those circumstances;
- (4) The remedy sought by the employee to resolve the complaint.

The Department Head or BOCC may meet with the parties and will respond in writing to the employee submitting the complaint within ten (10) days of the meeting. The Department Head or BOCC may attempt to resolve the conflict through a third party, educational offering or other methodology to resolve the dispute.

Certain employees may have more than one avenue of dispute resolution rights. These employees do not have the right to use this process concurrently with another. This procedure will be used by employees not covered by bargaining agreements and is alternate to the process outlined in the applicable bargaining agreements for covered employees.

9.14 WHISTLE BLOWER'S POLICY

It is the policy of the County to encourage reporting by its employees of improper governmental action taken by the County officials or employees; and to ensure its employees who have reported improper governmental actions will not be retaliated or discriminated against in accordance with the County's policies and procedures.

Appendix #20 Resolution 2018-092 Policy for Reporting Improper Governmental Action & Protecting Employees from Retaliation

9.15 NON-DISCRIMINATION IN COUNTY ACTIVITIES, SERVICES & EMPLOYMENT

It is the policy of the County to provide equal opportunity in all aspects of its services, activities, and employment free from discrimination and harassment. The County prohibits discrimination and harassment based upon any individual's age, race, color, religion, gender, sexual orientation, gender identity or expression, pregnancy, national origin, marital status, veteran status, the presence of any sensory, mental, or physical disability, protected genetic information, any physical, sensory, or mental disability or any other status or characteristic protected by federal, state, or local law.

Conduct by employees that the County determines violates the policy will result in strict disciplinary action, up to and including immediate termination, even if the conduct is not severe enough to violate the law. Discrimination and harassment not only violates the County's policy, but may violate federal, state and local law.

The County will also not retaliate against a Complainant who makes a good faith report of discrimination or harassment and will prohibit supervisors and employees from doing so.

Appendix #21 Resolution 2001-06 Establishing Non-Discrimination Policy in County Activities, Services and Employment

9.16 WORK-PLACE BULLYING POLICY

It is the policy of the County to provide equal opportunity in all aspects of its services, activities, and employment free from discrimination and harassment.

The County is committed to providing all employees with a workplace free of threats, intimidation, violence and bullying. Bullying is any repeated, unwelcome or inappropriate behavior directed toward an employee, customer, or vendor that is intended to intimidate or results in threatened or actual harm. The

County expects all employees to behave in a professional manner and to treat co-workers, customers and vendors with dignity and respect.

Conduct by employees that the County determines violates this policy will result in strict disciplinary action, up to and including termination.

[Appendix #22 Resolution No. 2014-28 Workplace Bullying Policy](#)

CHAPTER 10
DISCIPLINE AND TERMINATION

10.1 DISCIPLINE

All employees are expected to exercise good judgment, loyalty, common sense, dedication, and courtesy in the performance of their duties. The primary mission of every employee is to provide courteous, orderly, efficient, and economic delivery of services to the citizens of the County.

Acts, errors, or omissions which discredit the public service or impair the provision of orderly services to the citizens of the County may result in discipline, including termination.

The BOCC, Department Head, or supervisor, as appropriate, has full discretion and authority to impose disciplinary action in accordance with County policy and the circumstances of the particular case.

If the employee is covered by a bargaining agreement with the County, that agreement will take precedence.

The following are examples of the types of behavior that may result in discipline:

- (a) Drinking alcohol or the use or abuse of non-prescription or prescription drugs or other controlled substances on the job, or arriving on the job under the influence of or while in possession of alcohol, illegal drugs, or other controlled substances.
- (b) Violation of a lawful duty.
- (c) Insubordination.
- (d) Absence from work without first notifying and securing permission from the supervisor.
- (e) Habitual absence or tardiness for any reason.
- (f) Falsifying records.
- (g) Unsatisfactory job performance, as determined by the County.
- (h) Conviction of a felony or a misdemeanor crime.
- (i) Acceptance of fees, gratuities or other valuable items in the performance of the employee's official duties for the County.
- (j) Inability, refusal or failure to perform the duties of the assigned job.
- (k) Violation of duties or rules imposed by this manual, or by any other County rule, regulation or administrative order.
- (l) The possession and/or use of firearms during working hours, law enforcement officers are exempted.
- (m) Lying, theft, and dishonest behavior.

The above list is not all-inclusive and is not exhaustive, but provides examples of behavior that may lead to discipline. The County may discipline or terminate employees for other reasons not stated above.

In the event that discipline is necessary, the following types of disciplinary actions may be used in any order, depending on the particular situation:

All discipline other than termination is intended to increase an employee's efficiency and productivity by providing feedback about the employee's conduct, attitude, habits, or work methods.

Oral Warning: An oral warning is a counseling session between the employee's supervisor and the employee on the subject of the employee's conduct and performance, or his/her failure to observe a rule, regulation, or administrative instruction. Following the counseling session, the supervisor shall document the oral warning. Documentation of oral warnings shall not be placed in the personnel file of an employee who is covered by a collective bargaining agreement.

Reprimand: A reprimand is a formal written disciplinary action for misconduct, inadequate performance, or repeated lesser infractions. Written reprimands are placed in the employee's personnel file.

Suspension: A suspension is a temporary, unpaid absence from duty that may be imposed as a penalty for significant misconduct or repeated lesser infractions. A suspension is a severe disciplinary action that is made part of the employee's permanent record.

Suspensions with pay, where the employee is placed on administrative leave, may be utilized by a Department Head pending the results of an investigation or disciplinary action where the Department Head determines those factors such as public confidence, the safety of the employee or the efficient functioning of the County call for such a suspension.

10.2 TERMINATION

A **voluntary resignation** may be given verbally or in writing. Employees who voluntarily leave County employment should provide a letter of resignation as far in advance of departure as possible, but at least ten (10) working days before the effective date of resignation. The Department Head or the BOCC may waive this time period.

An employee giving a **voluntary resignation** may not withdraw a resignation, whether verbal or written, without the Department Head's approval. The original resignation letter shall be put in the employee's personnel file.

The Department Head shall give written notice to any regular employee **involuntarily terminated**. A regular employee whose involuntary termination is due to a layoff shall be advised of their rights.

Any terminating employee shall turn their County identification card and any keys or equipment issued to them to the Department Head prior to leaving employment.

An employee may be terminated from County employment for any of the reasons listed below.

- (a) During or at the end of the any probationary period.
- (b) As a result of disciplinary action.
- (c) Due to loss of skills, certifications or other conditions that would make the employee unfit for service.
- (d) When the BOCC has made a determination that a lack of work or funding exists with respect to the employee's position. The County has sole discretion to make determinations of lack of work or lack of funding.
- (e) Failure to adequately perform the duties of the position or comply with County policy.

This list is not all-inclusive, but only to serve as a general guide. The County may discipline or terminate employees for other reasons than listed above.

No employee will be disciplined or terminated for a discriminatory or otherwise illegal reason.

10.3 PRE-TERMINATION HEARING

Where termination of an employee is being considered as disciplinary action, the County will conduct a pre-termination hearing. The pre-termination hearing provides the employee with an opportunity to be heard regarding possible termination, serves as a check against mistaken decisions, and assists in determining whether there is a reasonable belief that basis for termination of the employee are valid and support termination.

In the event termination of an employee is contemplated, the employee (other than employees on any probationary period) shall be provided with a reasonable notice of the possibility for termination. The notice shall include an explanation of the charges on which the recommendation is based, and the time and date for a pre-termination hearing. If the employee fails or refuses to appear, the termination may proceed.

Pre-termination hearings will be presided over by the Department Head or a designated representative.

At the hearing, the employee may show cause why they should not be terminated and present their response to the grounds for possible discipline, including termination. Pre-termination hearings are informal proceedings where no formal rules of evidence govern; however, all information presented should be relevant and credible.

Within a reasonable period after the pre-termination hearing, the Department Head will issue a decision on whether there are reasonable grounds to believe the charges against the employee are true and support termination. If the decision finds the basis for termination credible, the termination may proceed. If the decision finds the charges questionable or insufficient for termination, other disciplinary action short of termination may take place.

10.4 LAYOFF

The BOCC may lay off employees for lack of work, budgetary restrictions or other changes that have taken place.

In determining who is to be laid off, consideration will be given to individual performance and the qualifications required for remaining jobs. Seniority will be considered when performance and qualifications are equal.

Employees who are laid off may be eligible to be re-employed if a vacancy occurs in a position for which they are qualified.

10.5 DEATH

Upon the death of an employee, all compensation due shall be paid to the estate of the employee.