



MASON COUNTY

PERSONNEL POLICIES

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Chapter 1 – Purpose and Scope

1.1 Introduction

These personnel policies serve as a general guide to the County's current employment practices and procedures. They help employees understand County operations and expectations. These policies also describe County provided compensation and benefits to employees.

The County places a high value on employees' and their wellbeing, aims to provide the support necessary to achieve the mission, and make productive contributions to the organization and residents of Mason County

When consistent personnel policies are known and communicated to all, the opportunities for greater job satisfaction increase. Any questions, comments, concerns, or suggestions please contact an appropriate supervisor, Department Head, or Elected Official.

1.2 Intent of Policies

These policies are intended as guidelines and do not constitute a contract, express or implied, or any type of promise or guarantee of specific treatment upon which any employee may rely, or as a guarantee of employment for any specific duration. Although the County hopes an employment relationship will be long term, either the employee or County may decide to terminate the employment relationship. **Unless specific rights are granted to an employee in civil service rules, a collective bargaining agreement, an employment contract, or elsewhere, all employees of the County are considered at-will employees and as such, may be terminated from County employment at any time with or without cause and with or without notice.** No supervisor, manager, or other representative of the County other than the Board of County Commissioners, or the Elected Official in the case of their employee, has the authority to enter into any agreement with an employee for employment for any specified period or to make written or verbal commitments contrary to the foregoing.

It is the intent and policy of Mason County to utilize best practice and industry standards when implementing personnel policies.

1.3 Scope of Policies

These personnel policies apply to all County employees unless exempted in a specific section. In cases where these policies conflict with any provision of the County Code, Civil Service rules and regulations, the provisions of a collective bargaining agreement, or state or federal law, the terms of that law, rule or regulation, or collective bargaining agreement prevail. In all other cases, these policies apply. The non-economic provisions of these policies shall apply to Elected Official's departments unless the Elected Official(s) have adopted policies covering the same subject(s) and filed those policies with the Board of county Commissioners.

1.4 Changing These Policies

The County reserves the right to modify these policies at any time. The Board of County Commissioners or the County Administrator may deviate from these policies to achieve the primary mission of serving the citizens of Mason County. Employees may request specific changes to these policies by submitting suggestions to their Elected Official or Department Head.

1.5 Definitions

Department Head: An employee who reports directly to the Board of County Commissioners or County Administrator and who is responsible for directing one or more departments.

Regular Full-Time Employee: An employee who holds a budgeted position and regularly works a minimum of forty (40) hours a week.

Regular Part-Time Employee: An employee who holds a budgeted position and who regularly works less than forty (40) hours a week.

Temporary Employee: An employee hired for a specific assignment or project that has a duration of employment and schedule that is anticipated to work one thousand and forty (1,040) hours or more in a twelve (12) month period.

Extra Help Employee: An employee who holds a job of limited duration due to special projects, seasonal or abnormal workloads, in the absence of a regular employee, or emergencies.

Appointed Employee: An employee appointed by an elected official in their office. For example, Chief Deputy Treasurer, Chief Deputy Clerk, Chief Deputy Prosecutor, etc.

Continuous Service: The most recent period of County employment unbroken by periods of unauthorized absence, separation from employment due to discharge, resignation, retirement, or other reason where the employment relationship has ceased, or periods of layoff twelve (12) months or longer.

Chapter 2 – General Policies and Practices

2.1 Employee Personnel Records

A personnel file for each employee is kept in the Human Resources Department and/or in the department in which they work. An employee's personnel file contains the employee's name, title and/or position held, department to which the employee is assigned, salary, changes in employment status, training received, performance evaluations, insurance enrollment forms, personnel actions affecting the employee, including discipline, and other pertinent information. Medical information about employees is contained in a separate confidential file.

Employees have the right to review their file. An employee may request removal of irrelevant or erroneous information in their personnel file. If the County denies the employee's request to remove the information, they may file a written rebuttal statement to be placed in their file.

Personnel files are kept confidential to the maximum extent permitted by law. Except for routine verifications of employment, no information from an employee's personnel file will be released to the public, including the press, without a written request for specific information and notification to the employee.

2.2 Employment Verification

Only the Elected Official, Department Head, or Human Resources are authorized to provide employment verifications on current or former County employees to outside employers. Other employees shall refer requests for employment verification to the personnel listed above. Information will be limited to verification of employment and salary unless the employee has completed a written waiver and release. Standardized release forms are available through the Human Resources Department.

2.3 Employee Badge Policy

To establish guidelines for the issuance of a photo identification badge to all employees and for the use of badges by employees while representing Mason County in an official capacity to provide a safe and secure workplace for all employees. Employees are expected to fully comply with all provisions of this policy.

2.3.1 Definitions

Employee: For the purpose of this policy, staff members shall refer to elected officials, full-time, part-time, extra help, and seasonal employees, including volunteers and interns.

Employee ID Badge: The official County ID badge for all employees. The ID badges will identify employees' name, department, and position.

Official Capacity: Includes any time while on County property and/or any business where the employee is representing the County. This includes operating any vehicle owned or leased by the County.

2.3.2 Requirements

The Human Resources Department will provide all new staff members with a copy of this policy at the time of new employee orientation. All employees are required to wear ID badges at County work areas

during official capacity. ID badges are to be prominently worn so the photo is clearly visible to others. The requirement may be temporarily waived at the department's discretion when wearing the ID badge presents a safety issue. However, the employee must always carry the ID badge when acting in an official capacity. Employees are responsible for safeguarding their own ID badge. Any lost or damaged ID badges should be reported immediately to the employee's supervisor, who is responsible for reporting it to Human Resources.

2.3.3 Procedure

1. All employees of Mason County will be issued photo identification, clip, and lanyard upon completion of the [ID Badge Request Form](#).
2. All new employees will have their ID badges made by Human Resources by appointment after completing all required new employee training (First Aid/CPR, CORE Training, IS907 Active Shooter...).
3. Employees will be issued **one** ID badge.
4. New ID badges will be issued to current employees who receive a transfer, promotion, demotion, etc. to a different department or a name change. An ID Badge Request Form will need to be completed along with the required proof of ICS training if not previously done.
5. Supervisors shall report lost or damaged ID badges to Human Resources. Damaged ID badges shall be returned to the Human Resources Department. A reprint of the original ID badge will be done and sent to the department supervisor.
6. Any lost ID badge that is found should be turned in to Human Resources.
7. Upon separation of employment, an employee must turn in their ID badge to their supervisor. The supervisor will send the ID badge to Human Resources.
8. An employee placed on paid/unpaid administrative leave, or that is out for an extended period on other leave, must turn in their badge to their supervisor until returning to work.

2.3.4 Identification Holder Responsibilities

1. Employees will not lend ID badges to anyone.
2. Do not leave ID badge on dash of vehicle or other locations exposed to extreme temperatures or theft.
3. Do not fold, bend, deface, alter pins, stickers, or decals, or mutilate ID badges.
4. Employees will use ID badges for official Mason County business only.
5. Do not leave ID badges unattended.
6. Employees will Immediately notify their supervisor if their ID badge is lost or missing.

(Resolution No. 22-18)

Chapter 3 – Recruiting and Hiring

Employment practices to include recruitment and hiring will be established by Human Resources. They are based solely on an applicant's ability, merit, qualifications, and competence without regard to race, color, religion, national origin, sex, marital status, pregnancy, disability, age, or other protected status by Federal or State statute.

3.1 Recruiting

When a position becomes vacant, 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 will complete the requisition process to fill the position. Approved and budgeted positions will be posted and/or advertised only after the Human Resources Department and County Administrator have reviewed and approved. Unfunded positions must be briefed to the Board of County Commissioners before posting.

County recruitments will include information about pay and other benefits for all postings in accordance with [RCW 49.58.100](#).

Interested applicants shall submit a completed application to Human Resources by the designated date prior to being considered for any position.

3.2 Hiring

3.2.1 Screening

The County may screen applicants for minimum qualifications and/or subject matter expertise. The Elected Official and Human Resources may decline to move forward with an applicant for specific reasons which may include but are not limited to false statements, used or attempted to use illegal or unethical means to secure an advantage in the application process, failure to reply to inquiries, the applicant arrived late or failed to appear for a scheduled test or interview or expressed lack of interest in the position, failed to provide a completed application packet by the designated date, or improper conduct on the part of the applicant during any examination process.

3.2.2 Examinations

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 any agency or individual to prepare and/or administer examinations. Examples of such examinations include requiring applicants/employees to show proof they are authorized to work in the United States, background checks, interviews, written, oral, or physical exercises, reference checks, education verification, disclosure statements, or other valid examination process. Human Resources specifies the nature and content of examinations based upon the advice and information of Elected Officials, Departments, and/or subject matter experts.

Applicants for positions in which there are expectations to operate a motor vehicle will be required to present a valid Washington State driver's license with any necessary endorsements. Driving records of applicants may be checked. Applicants with poor driving records, as determined by the County, may be disqualified for employment.

3.2.3 Applicant Travel

Reasonable expenses incurred by candidates for management level, or hard to fill technical or professional level positions may be reimbursed when such candidates are invited by the appointing authority in writing for personal interviews and approved by the Board of County Commissioners. Expenses will be limited to transportation, lodging, and meals. The transportation reimbursement shall be limited to the amount the County would pay for round trip coach class airfare. The written invitation to the interview shall include an explanation of those expenses that will be reimbursed and the method for claiming reimbursement.

3.2.4 Veteran's Preference

In accordance with [RCW 73.16.010](#) Mason County offers Veteran's employment preference to service members claiming such benefit in the hiring process.

3.2.5 Employee Selection

The employee requisition and selection process shall be completed before any offer of employment is made. After a contingent offer of employment has been made and prior to commencement of employment, the County may require persons selected for employment to successfully pass a test for the presence of alcohol and/or controlled substances. The offer of employment may be conditioned on the results of the examination.

A candidate may be disqualified from consideration if tests reveal use of alcohol and/or controlled substances (other than legally prescribed medications), or if the candidate refuses to be tested.

3.2.6 Moving Expenses

At the discretion of the Board of County Commissioners and their advance approval, reasonable moving expenses of a new employee in a management level or hard to fill technical or professional level position may be reimbursed. Such reimbursement shall not exceed \$5,000. Moving expenses shall mean the cost of moving household goods, furniture, clothing, and other personal effects of the new employee. To be eligible for reimbursement the new employee must agree in writing to refund to the County such moving expenses if they voluntarily terminate their employment within one (1) year of their hire date.

3.3 Extra Help Employees

Elected Officials and Department Heads may use extra help employees to temporarily replace regular employees who are on vacation or other leave, to meet peak workload needs, or to temporarily fill a vacancy until a regular employee is hired. Extra help employees may be hired without competitive recruitment or examination, although all hiring processes must comply with state and federal laws.

Extra help employees are eligible for overtime pay and sick leave as required by law. Extra help employees normally do not receive retirement, vacation, health insurance, or other benefits during their employment. Holidays are the only exception.

Extra help employees pay contributions to the Social Security system and to Labor and Industries, as does the County on their behalf. Extra help employees are normally not placed on the state PERS retirement system, although there are a few exceptions based on PERS eligibility criteria, such as those who work over seventy (70) hours per month for five (5) months out of twelve on a long-term basis.

3.4 Employment of Relatives (Nepotism)

The immediate family, by blood or marriage, of current County employees, Elected Officials and County Commission members will not be employed by the County where:

1. One of the parties would have authority, or practical power, to supervise, appoint, remove, or discipline the other.
2. One party would handle confidential material that creates improper or inappropriate access to that material by the other.
3. One party would be responsible for auditing the work of the other: or
4. Other circumstances exist that might lead to potential conflict among the parties or conflict between the interest of one or both parties and the best interests of the County.

Immediate family for the purpose of this section shall include the employee's spouse, registered domestic partner, parent, child, grandchild, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, and step relationships.

3.4.1 Change in Circumstances

If two employees marry, become related, or are in a relationship and begin sharing living quarters, and in the County's judgment, the potential problems noted above exist or reasonably could exist, only one of the employees will be permitted to stay with the County, unless other arrangements, as determined by the Board of County Commissioners, can be made to eliminate the potential problem. The decision as to which employee will remain with the County must be made by the two employees within thirty (30) calendar days of the date they marry, become related, or begin sharing living quarters. If no decision is made during this time, either employee may be terminated.

3.5 Promotions

The County encourages promotion from within the organization whenever possible. All openings will be posted so that employees may become aware of opportunities and apply for positions in which they are interested and qualified.

Before advertising a position to the public, Human Resources may choose to circulate a promotional opportunity within the County. The County reserves the right to seek qualified applicants outside of the organization at its discretion. Employees must meet the qualifications for the vacant position to be considered for promotion.

Before offering a position, the Employee Selection Process must be completed in accordance with current HR procedures.

3.6 Probationary Periods

All newly hired employees will serve a probationary period of six (6) calendar months from date of hire. The Employer may discharge a probationary employee with a minimum of one (1) day written notice. The County may extend the six (6) month probationary period up to an additional six (6) months. Employees may not take vacation while in their probationary period.

3.7 Trial Service Periods

Current employees transferred, reclassified, or promoted to another position may serve a trial service period of six (6) months.

3.8 Requests for New Positions

New position requests may be submitted under the following circumstances:

1. In preparation for submission of the annual budget;
2. Initiation of position changes during the budget year due to changes in service demands, funding, legal, technical, organizational, or programmatic requirements.

New position requests will be submitted to the Board of County Commissioners, through Human Resources and Budget, in the format established and maintained by Human Resources. The information submitted must include documentation explaining the need for the position and analysis of the immediate and long-term budget impact, and a draft position description. Human Resources and Budget will submit the request to the Board of County Commissioners for preliminary approval.

Upon preliminary approval by the Board, the Human Resources Department will complete a formal review and submit recommendations regarding the proper classification and salary.

Chapter 4 – Hours and Attendance

4.1 Working Hours

A normal working schedule for regular, full-time employees consists of forty (40) hours each work week with the workweek beginning Sunday at 12:00 am and ending the following Saturday at 12:00am unless otherwise specified. Different work schedules may be established by the County to meet job requirements and provide necessary County services. Each employee's Elected Official or Department Head will advise the employee regarding their specific working hours.

4.2 Hours of Work and Overtime

All County positions are designated as either "exempt" or "non-exempt" according to the Fair Labor Standards Act (FLSA) and Washington Minimum Wage Act regulations. Employees will be informed of their status by the County.

For most County employees, the established work period is forty (40) hours within a seven (7) day work week. All personnel are responsible for accurately reporting all hours worked and leave taken using the County process. Employees failing to accurately record time worked and leave taken are subject to discipline.

4.2.1 Non-Exempt Employees

Non-exempt employees are entitled to additional compensation, either in cash or compensatory (comp) time off, when working more than forty (40) hours in the applicable workweek. All overtime must be authorized in advance by the employee's supervisor. Overtime pay is calculated at one and one-half times (1 ½) the employee's regular rate of pay for all time worked beyond forty (40) hours in the established workweek period. When computing overtime, time paid for but not worked (e.g., holidays, sick leave, and vacation time), is not counted as hours worked.

4.2.2 Exempt Employees

Exempt employees do not accrue overtime pay or comp time. Deductions from an exempt employee's salary for absences of less than one day will generally not be made, if the employee has worked at least one half of their workday and leaves work with supervisory permission. It is expected that full time, overtime exempt work schedules will normally consist of approximately forty (40) hours per week; however, emphasis is placed on meeting the responsibilities assigned to the position rather than working a specific number of hours. The nature of responsibilities associated with overtime exempt positions often requires greater than forty (40) hour work week including evening and weekend work and considerable flexibility in work scheduling to accommodate meetings and functions on weekends and evenings.

Due to principles of public accountability, an exempt employee's salary may be reduced for a partial day absence of four (4) hours or more (or half the employee's regular work day for an employee working less than a full FTE), or such employee may be placed on leave without pay for absences for personal reasons or because of injury or illness of less than one work day when accrued leave is not used by an employee because:

1. Permission for its use has not been sought or has been sought and denied;

2. Accrued leave has been exhausted; or
3. Authorized use of leave without pay.
4. Any absence, taken in increments of fifteen (15) minutes, for the following reasons:
 - a. FMLA leave;
 - b. Participation in political activity;
 - c. Outside employment, subject to approval; or
 - d. Other activities that would be in violation of the Conflict-of-Interest policy if conducted during regular business hours.

4.3 Compensatory (Comp) Time

Non-exempt employees entitled to overtime pay may request comp time off in lieu of cash payment. This is approved on a case-by-case basis by the supervisor. The County is not required to grant comp time instead of overtime pay. If the comp time option is exercised and approved, the employee is credited with one and one-half (1 ½) times the hours worked as overtime.

4.3.1 Comp Time Use

Employees may use comp time within a reasonable time after making a request to their supervisor, unless doing so would unduly disrupt County operations. Comp time should be used for short-term absences from work during times mutually agreed to by the employee and their supervisor.

4.3.2 Maximum Accruals

Maximum accruals of comp time shall not exceed forty (40) hours for regular employees unless a higher limit has been authorized in writing by the Board of County Commissioners. After maximum accrual, overtime compensation shall be paid by the appointing authority's department. Comp time cannot be rolled over, and the allowed forty (40) hours of accrued comp time must be used by the end of each year. If the employee does not use all their accumulated comp time, they will receive a payout for the unused comp time on the December 25 payroll check.

4.3.3 Comp Time Upon Transfer

Unused comp time is nontransferable. When an employee is transferring from one department to another and has a balance of unused comp time, the employee is encouraged to use their comp time before the effective date of transfer. When this is not possible, the transferring employee shall receive payment in full for the accrued comp time from the employee's former department. Payout for comp time is not eligible for a payout payment plan.

Exempt regular employees shall not be entitled to any additional compensation for hours worked more than forty (40) hours per week. Employee's transferring from non-exempt to exempt positions are encouraged to use their comp, banked holiday, and premium time before the effective date of transfer. When this is not possible, the transferring employee shall receive payment in full for the accrued comp, banked holiday, and/or premium time from the employee's former department. Such payout shall be paid by the appointing authority's budget, based on the rate of pay for the position from which the employee is transferring from, not the rate of the new position. Payout for comp time is not eligible for a payout payment plan.

(Resolution No. 89-19 and 2020-86)

4.4 Attendance

Punctual and consistent attendance is a condition of employment. Each Elected Official and Department Head is responsible for maintaining an accurate attendance record of their employees.

Employees unable to work or unable to report to work on time should notify their supervisor as soon as possible, ordinarily before the workday begins or within thirty (30) minutes before the employee's usual starting time. If an absence continues beyond one day, the employee is responsible for reporting in each day unless excused from daily reporting by their supervisor. If the supervisor is unavailable, the employee may leave a message with the Elected Official/Department Head or their designated representative, stating the reason for being late or unable to report for work. Failure to notify of an absence or return to work shall, with the approval of Human Resources, be considered job abandonment and/or an automatic resignation.

4.5 Emergency Closures

During times of inclement weather or natural disaster, it is essential that the County continue to provide vital public services. Therefore, it is expected that employees make every reasonable effort to report to work without endangering personal safety.

An employee who is unable to get to work, arrives late to work, or leaves work early because of unusual weather conditions or other extreme circumstances shall charge the time missed to vacation, floating holiday, comp time or if such leave is not available, to leave without pay. The employee shall advise their supervisor by phone or in person as in any other case of late arrival or absence.

In some extreme circumstances, including, but not limited to, flooding, fire, total power outages, or other public health emergencies, one or more County work locations may be unsuitable for employees to perform their jobs safely or effectively. Under such circumstances, if employees are sent home after reporting to work or told to report to work later than their regular starting time, they shall be paid for hours missed from work that day. If employees are advised before reporting to work, or if reasonable efforts were made to advise them before reporting to work, that they should not report to work, such absence for time missed from work shall be charged to vacation, personal holiday, comp time or if such leave is not available, to leave without pay. In no event shall the decision that some employees cannot work due to conditions at their work location entitle other employees who worked, compensation beyond their regular pay.

The decision to send employees home or tell them not to report to work shall be made by the Elected Official or Department Head responsible for the work location and is subject to the prior approval of the Board or a single Board member if only one Board member is available. If no Board member is available, the decision of the Elected Official or Department Head shall be final. Such a decision shall include consideration of the expected duration of the condition, safety issues affecting employees or the public and alternative work locations.

4.5.1 County Office Closure Procedure

1. When a major snow, ice or storm event is taking place or appears to be imminent, the road operations manager or their designee shall collect information from a variety of community sources to prepare a road condition report as early as possible, but no later than 4:45 a.m. if possible.
2. On or about 4:45 a.m. the designated road operations manager shall contact the Public Works Director or their designee to discuss the road and weather conditions and latest weather forecast.
3. On or about 5:00 a.m. the Public Works Director or designee calls the County Administrator to advise them of road conditions throughout the county and latest weather forecast and makes recommendation regarding suspending standard operations. The County Administrator shall notify the Commission Chair and Presiding Judges.
4. The Chair shall decide that:
 - a. The situation does not merit suspending standard operations: The County will observe normal business operations because road conditions in most areas of the County are not hazardous; all County operations will be conducted to facilitate justice and commerce. Staff may use leave as provided in the Personnel Policy 4.5 Unusual Weather Conditions/Extreme Circumstances: or
 - b. Opening standard operations will be delayed until specified time later in the day (preferably 10:00 a.m. or 12:30 p.m.) [or closed early if conditions merit] because extremely hazardous conditions currently exist and the safety risks of travel for employees and the public and the associated County liability outweigh the benefit of commencing designated standard operations at the normal time; or
 - c. Extremely hazardous conditions exist and are likely to persist throughout the day and the safety risks of travel for employees, the public, and the associated County liability outweigh the benefit of conducting designated standard operations this day. Conduct of standard operations is suspended until a specified time the following day.
5. The Chair will contact the Presiding Judges of Superior and District Courts to determine if it is necessary to make special accommodations for any of their operations during the suspension of standard operations.
6. By 6:00 a.m., the Chair calls Support Services staff to update the County closure information message number (360-427-9670 ext. 678) with information regarding the duration of the suspension. Support Services will contact the media and the Emergency Management/Information Technology Manager or designee.
7. The Emergency Management/Information Technology or designee shall update the County website with the closure information and broadcast an emergency alert message.
8. If closure occurs during regular work hours, Support Services staff updates the County closure information message number (x678), contacts each county office, sends out an "all-county" email,

sends notice to website and the media. Emergency Management shall broadcast an emergency alert message.

(Resolution No. 70-16)

4.6 Breaks and Mealtime

Employees will be allowed up to a one (1) hour unpaid lunch period as approved and scheduled by the employee's supervisor. Employees may take one (1) fifteen-minute break for every four (4) hours worked. Breaks should be arranged so that they do not interfere with County business or service to the public. The scheduling of meal periods may vary depending on the department's workload. Meal periods are unpaid. Lunch periods and breaks shall not be combined, and they may not be used to shorten an employee's workday.

Breaktime for Nursing Mothers Provision:

4.6.1 Purpose and Overview

The intent of this policy is to support Mason County employees who are breastfeeding and to meet the requirements of Section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) as amended by the Patient Protection and Affordable Care Act (effective March 23, 2010). This policy applies to all Mason County employees.

4.6.2 Procedures

This policy provides the following information:

1. A reasonable amount of time to express milk or breastfeed (lactation time).
2. Private and secure rooms to express milk or breastfeed (lactation room).
3. Employee responsibilities.
4. Education and support.
5. Anti-discrimination, harassment, or retaliation.
6. Employee notification.

4.6.3 Reasonable Amount of Time to Express Milk or Breastfeed (Lactation Time)

Managers must provide an employee with a reasonable amount of time to express milk or breastfeed their infants during the workday. The frequency of breaks and the duration may vary. In the early months of a baby's life, nursing employees will typically need two to three breaks during an eight-hour shift. Typically, the act of expressing breast milk alone will take fifteen to twenty (15-20) minutes. However, the actual length of break may vary depending on additional factors, such as the location of the private space and the amenities nearby (proximity to sink, milk storage area, etc.)

Reasonable accommodations shall be made to provide breaks of adequate timing and length to support the ongoing production of breast milk. This may necessitate total break time more than that regularly scheduled on a temporary basis during the breastfeeding experience. Managers and employees will

discuss the requested accommodation and any schedule adjustments needed. Nursing mothers may request a flexible work schedule, subject to approval by management, to address their individual needs (e.g., allow the employee the flexibility to come in early or stay late, or use a portion of their lunch period, to make up time).

4.6.4 Private and Secure Rooms to Express Milk or Breastfeed (Lactation Room)

Federal guidelines provide that a bathroom may **NOT** serve as a lactation room. Lactation rooms shall be:

1. Private (window covering is required).
2. Secure (lockable from the inside, if possible).
3. Accommodating (comfortable seating, a table, and power outlets).
4. Reasonably close to the employee's work area.
5. Provided with a sign to designate the space is in use.

Although not required, when possible, the lactation room should also:

1. Be near a sink with hot water and soap for hand washing and equipment cleaning.
2. Have a place where expressed breast milk can reasonably be stored. This does not mean refrigeration must be provided but employees must be allowed to bring insulated food containers and ensure there is a place to store a pump and containers while they are at work.

Employees in outlying work locations that do not have a designated lactation room should arrange, with their managers, an intermittent or temporary location to be used as a lactation room. Designated lactation rooms may exist at some Mason County worksites; a list of rooms and scheduling information can be found at: <https://masoncountywa.gov/forms/human-resources/lactation-rooms.pdf>

Please contact Human Resources for additional assistance or questions.

4.6.5 Employee Responsibilities

Any necessary equipment (breast pump, storage containers, etc.) should be securely stored at the employee's workstation or other storage area agreed upon by the employee and manager. Employees are responsible for keeping milk expression areas clean, using antimicrobial wipes. Breast milk may be stored in a labeled personal storage cooler or in a tightly closed container in a staff refrigerator.

4.6.6 Education and Support

Employees have access to additional support and education for breastfeeding through the following resources.

1. Health insurance benefits may cover breastfeeding-related resources and services. Employees should contact their specific health insurance provider to inquire about resources available.

Please contact a Mason County Public Health Nurse for additional resource information.

4.6.7 Anti-Discrimination, Harassment, or Retaliation

Mason County is committed to supporting its employees who are nursing mothers. As with any right conferred under the FLSA, nursing mothers who express milk or nurse their infants during the workday are protected from discrimination, harassment, or retaliation. Such an action is a violation of this policy and any employee engaging in such misconduct may be subject to discipline, up to and including termination.

Any county employee who experiences or witnesses what may be discrimination, harassment, or retaliation toward a nursing mother, is strongly encouraged to address it by asking the person to stop the behavior; and/or reporting the alleged incident to the immediate supervisor, member of management, or Human Resources.

4.6.8 Employee Notification

1. Human Resources shall notify all employees of Mason County's Breastfeeding Accommodation Policy and Procedures upon adoption.
2. Employees will receive a copy of the Breastfeeding Accommodation Policy and Procedures during New Employee Orientation.
3. Human Resources or management shall provide a copy of the Breastfeeding Accommodation Policy and Procedures when they become aware of an employee preparing for an approaching childbirth or maternity leave.

(Resolution No. 37-14)

4.7 Call Back

Employees are subject to call back in emergencies or as needed by the County to provide necessary services to the public. Non-exempt employees called back to duty will be paid their appropriate rate of pay for hours worked (the overtime rate for hours worked over the applicable overtime threshold).

4.8 Payroll Records

Official payroll records are kept by the Auditor. Each Elected Official and Department Head shall submit monthly a signed payroll worksheet for all employees within their department, noting hours worked, leave taken, overtime worked, and comp time taken for each employee. Each Department Head shall submit monthly a signed statement noting regular hours worked and leave taken to the Auditor's Office. The Board of County Commissioners will approve at regular board meetings.

Chapter 5 – Compensation

5.1 Salary Classification and Grades

Each regular job title is classified into one of the County's job classifications for salary purposes. Each job classification is designated a particular salary or salary range shown on the County's salary range alignment, which is modified periodically by the Board of County Commissioners, or as specified in the applicable union agreement. Employee's classifications, grades, and changes are to be tracked in the County's MUNIS system to maintain the transparency, professionalism, integrity, accountability, respect, and partnership between Mason County, its departments, and the employees.

5.2 Employee Pay Rates

Employees shall be paid within the limits of the salary range to which their positions are assigned. Usually, new employees will start their employment at the minimum wage rate for their classification. However, a new employee may, upon the written request of the Elected Official or Department Head and approval of the Human Resources Director, be employed at a higher rate than the minimum.

When deemed appropriate, and approved by the Board of County Commissioners, an employee may be compensated at a Y-Rate, which is a rate of pay that either is between steps of the salary range or exceeds the top step of the salary range. A Y-Rate shall remain in effect until such time as a step of the salary range for the employee's job classification equals or exceeds the Y-Rate or the Board of County Commissioners rescinds their authorization for the Y-Rate.

Pay increases are contingent on satisfactory performance. If an employee's performance is consistently unsatisfactory, the Elected Official or Department Head may defer a scheduled pay increase for a stipulated period or until the employee's job performance is satisfactory.

5.2.1 Pay Adjustments

The Board of County Commissioners may grant a pay adjustment from time to time, raising the salaries of all classifications, a defined group of classifications, or a single classification. Such adjustments, if any, will not normally change an employee's pay anniversary date. The actual day of any pay increase shall be the 1st or 16th of the month, except for working out of class, depending on the date of the anniversary day (e.g., if an employee's anniversary date is on January 14, the pay increase will take effect January 1).

5.2.2 Lead Pay

The County may designate an employee as a Lead and assign Lead Pay. This designation is not considered to be a "job vacancy" or "newly created position". An employee may be designated a lead if they are directing, overseeing, or organizing, the work of other employees or specific projects. The County reserves the right to make a Lead designation based on other factors and rationale with the approval of Human Resources. A Lead cannot hire, fire, or discipline employees. Employees acting as Lead will receive an additional ten (10) percent increase over their current rate of pay. Lead pay may be approved by the County Administrator, in conjunction with Human Resources, if no budget adjustments are necessary. Requests requiring a budget adjustment shall be brought to the Board of County Commissioners.

Lead Pay statuses will be reviewed annually as part of the budget process.

5.2.3 Out of Class Pay

An employee who has been assigned to perform all of the significant duties of a higher level job classification, due to the absence of the employee who normally holds that position, and who performs such duties for five (5) or more consecutive days, shall be compensated on that step of the salary range of the higher job class that provides at least a five (5) percent increase over their (the employee working out of class) current rate of pay. Out of class pay may be approved by the County Administrator, in conjunction with Human Resources, if no budget adjustments are necessary. Requests requiring a budget adjustment shall be brought to the Board of County Commissioners.

5.2.4 Transfers and Promotions

Employees that accept a position in another County office or department (a position under a different Elected Official or Department Head) and that position is of a higher classification and salary range than the employee's current position, will preferably be placed on the step which results in a five (5) percent increase over the employee's current salary. If the Elected Official or Department Head determines that significant training is needed for the employee in the new position, the Elected Official or Department head may offer the position at any step in the higher classification and salary range. [RESOLUTION 61-06, 6/20/06] Upon the request of the Elected Official or Department Head and approval of the Human Resources Director, a promoted employee may be placed at a step higher than specified above.

If the Human Resources Director does not concur in a request for advanced step placement for a newly hired, transferred, or promoted employee, the Elected Official or Department Head may appeal that decision to the County Administrator.

5.3 Longevity

5.3.1 Definitions

Eligible Employees: For section 5.3, eligible employees are defined as regular full-time employees, appointed employees, and regular part-time employees.

The County shall provide additional monthly compensation, beginning January 1, 2023, above each eligible employee's base salary to recognize continuous length of service as a County employee, as follows:

<u>Total Years of Service Completed</u>	<u>Additional Pay Increment</u>
1-10 Years	0 %
11-15 Years	1.5 %
16-20 Years	3.0 %
21-25 Years	4.5 %
26 or more Years	6.0 %

Regular part-time employees shall receive longevity pro-rated in proportion to the part-time employee is in pay status during the month as compared to that required of full-time employment.

5.4 Reclassification

A reclassification is a change in the allocation of a position from its current job classification to a different job classification because of changed duties, responsibilities, and/or authority of a position.

Reclassification will be considered when an employee has been permanently assigned to perform the primary functions of a different job classification or has been permanently assigned significantly different duties, which may warrant establishing a new job classification.

Reclassification requests will not be considered for factors such as increased work volume of the same level of work, added duties of a similar nature already covered by the classification, requiring similar skills, education, or experience, duties within the current classification that have not been previously assigned, additional duties assigned in a higher classification unless those duties become a majority of the current position, enhanced technological tools to perform current duties, salary differences for similar jobs in other jurisdictions/departments, reclassifications which occur in other departments, or as a tool to increase compensation outside of normal processes.

Reclassification requests may not be considered for positions covered by a Collective Bargaining Agreement that is in open negotiations.

An employee, Department Head, or Elected Official may request reclassification by submitting a written request to the Human Resources Director using the designated process. The Human Resources Director shall conduct a position analysis and respond with a recommendation in writing within sixty (60) working days.

Recommendations requiring action may then be submitted to the Board of County Commissioners by the Department/Elected Official with supporting documentation for their review. If approved by the Board, the reclassification shall be effective as of the date of Board's action or other date set by the Board in such action. If the Board denies the request, the matter is closed.

The step placement of an employee who has been reclassified shall be the same as if the employee had been promoted, transferred, or demoted, whichever is applicable.

5.5 Paydays

County employees are paid semi-monthly on the 10th and 25th of each month and the payroll will be a direct deposit into the bank of the employee's choice. If a regularly scheduled payday falls on Saturday or Sunday, payroll will be deposited on Friday. If a regularly scheduled payday falls on a holiday, payroll will be deposited on the last regular workday prior to the holiday.

(Resolution No. 04-08 and 89-19)

5.6 Deductions

Some regular deductions from the employee's earnings are required by law; other deductions are specifically authorized by the employee. The County will withhold from the employee's paycheck those deductions required by law and any voluntary deductions authorized by the employee, by applicable union contract, or by statute. All deductions from pay are deducted from the last check of the month. If an employee is overpaid or required deductions were not withheld, the amount overpaid or not withheld will be deducted from future pay on a reasonable basis unless excused by the Board of County Commissioners.

(Resolution No. 150-07)

5.7 Compensation Upon Separation

When employment with the County is terminated, the employee will receive the following compensation on the next regularly scheduled payday:

1. Regular wages for all hours worked up to the time of termination, which have not already been paid.
2. Any overtime or holiday pay due.
3. A lump sum payment for accrued but unused vacation provided the employee has completed six (6) months of employment, comp time and, for eligible employees, accrued but unused sick leave.
4. If applicable, a lump sum payment for accrued but unused sick leave per Article 7.2.18.

(Resolution No. 23-10)

Separating employees entitled to payment for accrued leave time, and in the case of employees of the Sheriff's Department, banked holiday time, may request payment for such time in scheduled payments rather than a lump sum. To be eligible for scheduled payments the amount due must be \$10,000 or more, the scheduled payments must be \$500 or more per month and the employee must agree to conditions established by the county.

(Resolution No. 95-04)

5.8 Uniform Allowance

Compensation for required employee work apparel shall be based on [RCW 49.12.450](#). Non-Represented employees requesting reimbursement, upon presentation of receipt, under this policy, shall be reimbursed for the purchase of a uniform meeting the following conditions:

1. Notwithstanding the provisions of Chapter [49.46 RCW](#) or other provisions of this chapter, the obligation of the employer to furnish or compensate an employee for apparel required during work hours shall be determined only under this section.
2. Employers are not required to furnish or compensate employees for apparel that the employer requires an employee to wear during working hours unless the required apparel is a uniform.
3. As used in this section, "uniform" means:
 - a. Apparel of a distinctive style and quality that, when worn outside of the workplace, clearly identifies the person as an employee of Mason County.
 - b. Apparel that is specially marked with the employer's logo.
4. Except as provided in subsection (5) of this section, if the employer requires an employee to wear apparel of a common color that conforms to a general dress code or style, the employer is not required to furnish or compensate an employee for that apparel. For the purposes of this subsection, "common color" is limited to the following colors or light or dark variations of such colors: White, tan, gray, blue, or black for tops; and tan, black, blue, or gray, for bottoms. The employer is permitted to

require an employee to obtain two sets of apparel to accommodate for the seasonal changes in weather, which necessitate a change in wearing apparel.

5. If the employer changes the color or colors of apparel required to be worn by any of their employees during a two (2) year period, the employer shall furnish or compensate the employees for the apparel. The employer shall be required to furnish or compensate only those employees who are affected by the change. The two (2) year time begins on the date the change in wearing apparel goes into effect and ends two years from this date. The beginning and end of the two (2) year time applies to all employees regardless of when the employee is hired.
6. For the purposes of this section, personal protective equipment required for employee protection under Chapter [49.17 RCW](#) is not deemed to be employee wearing apparel.

(Resolution No. 89-19)

5.9 Personnel Actions

The Personnel Action Form (PAF) is used to report all changes, such as, but not limited to; appointments, terminations, change in status, leave, compensation of an individual employee, and shall be entered into the County's financial system MUNIS.

Since the information on the PAF form can affect employee's paycheck, benefits, and receipt of information such as state retirement and W-2's, it is critical that it be completed by the department in a timely manner, as outlined by Mason County Auditor's Office. Human Resources and Payroll shall receive PAFs from the departments by the established deadline, per the PAF schedule, to ensure timely, accurate, posting and processing payment to employees. All County departments are required to enter PAF's into MUNIS for the following (but not limited to) purposes:

- Hire
- Leave
- Master
- Re-Hire
- Salary
- Terminations

For questions and clarifications please contact Human Resources or Financial Services – Payroll.

Chapter 6 – Benefits

6.1 Retirement Benefits

The County makes contributions to the Social Security System on behalf of all eligible employees in addition to those contributions made by the employee through FICA payroll deductions.

All regular uniformed employees in the Sheriff's Department are covered by the Law Enforcement Officers and Firefighters Retirement System (LEOFF). Benefit levels and contribution rates are set by the State of Washington. All regular full-time and eligible part-time non-uniformed employees are covered under the Public Employees Retirement System (PERS). Benefit levels and contribution rates are set by the State of Washington. Membership in PERS is optional for Elected Officials and the Board of County Commissioners.

Employees intending to retire should notify their Elected Official or Department Head of their intent to retire at least six (6) months prior to the date of retirement.

The County participates in a Section 457 Deferred Compensation Plan which allows employees to make tax deferred contributions up to certain dollar limits defined by the IRS. Contributions and interest earnings from investments are not subject to income tax withholding until time of receipt.

6.2 Workers' Compensation

Most employees are covered by the State Workers' Compensation Program. This insurance covers employees in case of on-the-job injuries or job-related illnesses. For qualifying cases, State Industrial Insurance will pay the employee for workdays lost and medical costs due to job-related injuries or illnesses. All job-related accidents should be reported immediately to the supervisor along with a completed accident/incident report.

When an employee is absent for one or more days or receives medical attention due to an on-the-job injury, they are required to file a claim for Workers' Compensation. If the employee files a claim and is unable to work, the County will continue to pay (by use of the employee's unused sick leave) the employee's regular salary pending receipt of Workers' Compensation benefits unless the employee requests that sick leave not be used. If the employee has no accrued sick leave, they may request the use of vacation leave.

6.2.1 Workers' Compensation Leave

An employee receiving Workers Compensation benefits who has exhausted their sick and vacation leave continues to accrue vacation leave and sick leave for up to six (6) months. The County also continues to pay for the employer's portion of health insurance premiums, provided that the employee continues to pay their share of premiums, if any. After six (6) months, the employee's benefits shall cease unless the Board of County Commissioners makes an exception based on the criteria of these policies. The employee may continue health care benefits by self-paying insurance premiums for the remainder of the time they receive Workers Compensation benefits.

6.2.2 Coordination of Benefits

When the employee receives Workers' Compensation benefits, they are required to repay to the County the amount covered by Workers' Compensation and previously advanced by the County. This policy is to ensure that employee will receive prompt and regular payment during periods of injury or disability

caused by a work-related injury so long as accrued leave is available, while ensuring that no employee receives more than they would have received had the injury not occurred. Upon the repayment of funds advanced, the appropriate amount of leave shall be restored to the employee's account.

The County may require an examination at its expense to determine when the employee can return to work and if they will be capable of performing the essential duties of the position with or without reasonable accommodation.

6.3 Health Insurance Benefits

Regular full-time employees and regular part-time employees working at least eighty (80) hours per month and their dependents are eligible to participate in the County's various insurance programs on the first day of the month following employment, except that if the first day of employment is the first of the month their eligibility shall commence immediately. The programs and criteria for eligibility will be explained upon hire. The County contributes toward the cost of premiums in the amounts authorized by the Board of County Commissioners. The remainder of the premiums, if any, shall be paid by the employee through payroll deduction. The County reserves the right to make changes in the carriers and provisions of these programs at its discretion, with prior notice to affected employees. Employees electing not to take coverage for those insurance programs that the County contributes toward the cost of premiums may be required to sign a waiver of coverage.

Extra help employees will normally not be eligible for insurance coverage.

6.4 Continuation of Insurance Coverage

When certain qualifying events occur, including an employee's termination from County employment, beginning an unpaid leave of absence, or a reduction in hours worked, at the employee's option and expense, the employee may be eligible to continue County health insurance benefits to the extent provided under the federal COBRA statutes and regulations. Covered dependents may also be eligible, at their option and expense, to continue County health insurance coverage. To the extent allowed by law, an administrative handling fee over and above the cost of the insurance premium may be charged to the employee or their dependents who elect to exercise their COBRA continuation rights. An explanation of COBRA rights will be provided to new hires, annually to current employees, and when a qualifying event occurs.

For eligible employees who terminate, retire or are on an approved leave of absence, the County will pay the premium for the month the employee is leaving, provided the employee is on paid status for the eighty (80) hours in the month.

6.5 Unemployment Compensation

County employees may qualify for State Unemployment Compensation after termination from county employment depending on the reason for termination from employment.

Chapter 7 – Leaves

Some leaves listed in Chapter 7 affect an employee's paycheck, benefits, and receipt of information such as state retirement and W-2's, therefore a Personnel Action Form (PAF) may be required to be entered into the County's financial system.

7.1 Vacation Leave

Each regular full-time employee shall accrue paid vacation leave as follows:

<u>Years of Continuous Service</u>	<u>Vacation Days Earned</u>
1-3	12
4-7	15
8-9	18
10-11	20
12-14	22
15-16	23
17-19	24
20+	25

All new employees must satisfactorily complete their probationary period to be entitled to the accrual and use of vacation leave. Regular part-time employees will receive vacation on a pro-rata basis. Extra help employees are not eligible for any vacation benefits. Employees do not accrue vacation benefits during a leave without pay.

Usually, new employees will start their employment at the minimum vacation accrual rate. However, as part of the negotiated compensation package, for an at will position, a new employee may, upon the written request of the Elected Official or Department Head and approval of the Human Resources Director, be employed at a higher accrued vacation rate than the minimum.

Regular full-time employees must work, or be in a paid status, at least eighty (80) hours in a month to accrue vacation for the month. Regular part-time employees must work, or be in a paid status, at least in the same proportion to eighty (80) hours as their regular hours are to full-time employment to accrue vacation for that the month.

(Resolution No. 95-04)

The first day of the month of hire shall be the effective date of subsequent increases in the vacation accrual rate for employees hired between the first and the fifteenth of the month. The first day of the month following the month of hire shall be the effective date for subsequent increases in the vacation accrual rate for employees hired between the sixteenth and the last day of the month.

Each department is responsible for scheduling its employees' vacations without undue disruption of department operations. Leave requests shall normally be submitted at least two weeks prior to taking vacation leave.

The maximum amount of vacation leave that may be accrued at any point in time is four hundred (400) hours. No vacation leave accrued will be added to an employee's vacation leave benefit when the

maximum accrual has been attained, except that the four hundred (400) hours maximum may be exceeded in any given month with prior written approval of the Elected Official or Department Head.

Employees will be paid for unused vacation time upon termination of employment, except in the case of termination during the first six (6) months of employment. Employees who resign their position to assume an Elected Office will be paid for unused vacation time upon termination of employment.

7.2 Sick Leave

Paid sick leave is available for employees to care for their own health and for the health of their family members.

7.2.1 Eligibility Requirements

1. Regular and Part-Time Regular employees are eligible to use sick leave from their date of hire and may use paid sick leave hours as they are earned; and
2. Employees in part-time, on-call and seasonal and non-regular positions will accrue sick leave from the date of hire but are not eligible to use accrued leave until (ninety) 90 days after their hire date.
3. Per [RCW 3.34.100](#) district judges shall be granted sick leave in the same manner as other county employees.

7.2.2 Exempt from Eligibility

1. Elected Officials
2. Any individual engaged in volunteer work for the county, where the employer-employee relationship does not in fact exist or where the services are rendered gratuitously. If the individual receives a reimbursement in lieu of compensation for normally incurred out-of-pocket expenses or receives a nominal amount of compensation per unit of voluntary services rendered, an employer-employee relationship is deemed not to exist for the purpose of this policy (Boards, Commissions, BOE, etc.).
3. Individuals whose duties require that they reside or sleep at the place of their employment or who otherwise spends a substantial portion of their work time subject to call, and not engaged in the performance of active duties (Any on call staff who are not working in the office/field engaged in active duties for their entire shift.)
4. Any resident or inmate of the county correctional, detention, treatment, or rehabilitative institution.

7.2.3 Leave Accrual

All employees shall accrue paid sick leave at the rate of one hour (1) per 40 hours worked, beginning from their date of hire (per [RCW 49.46.210](#)). There is no cap on the number of leave hours that can be accrued during the accrual year.

All regular and part-time regular employees, who are in a paid status, at least eight (80) hours in a month, shall accrue sick leave. Sick leave for all regular part-time employees will be pro-rated based on their full-time equivalency (FTE) percentage.

Sick leave for all regular and part-time regular exempt positions, and those in non-represented positions, shall not exceed eight (8) hours in any given month.

Employees in regular and part-time regular non-exempt positions shall accrue additional sick leave in accordance with the amounts stated in their collective bargaining agreements.

7.2.4 Accrual Year

The leave accrual year is December 16 to December 15.

7.2.5 Carryover of Paid Sick Leave Hours

Unused sick leave as of December 15 in any year, shall be carried over to the succeeding year up to the following maximums:

1. For part-time (less than 80 hours a month), non-regular positions, forty (40) hours will carry over to the succeeding year.
2. Employees in regular exempt, part-time regular exempt positions and non-represented employees will carry over a maximum of one hundred and fifty (150) days or twelve hundred (1,200) hours.
3. For represented employees, the number of hours carried over is stated in the collective bargaining agreement.

7.2.6 Family Member Defined

When using paid sick leave, the following definition of family member shall apply:

1. A child, including a biological, adopted, or foster child, stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status.
2. A biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.
3. A spouse.
4. A registered domestic partner.
5. A grandparent.
6. A grandchild.
7. A sibling; or
8. Other relative or person living in the household of the employee with whom the employee has a familial relationship.

7.2.7 Authorized Uses of Paid Sick Leave

Employees are eligible for sick leave for the following reasons:

1. Personal mental or physical illness, injury, physical disability, or health condition and/or preventative care such as a medical, dental, or optical appointment.
2. Care of a family member with an illness, injury, health condition and/or preventative care such as a medical, dental, or optical appointment.
3. Employees must make a reasonable effort to schedule such appointments at times which have the least interference with the workday.
4. Quarantine of an employee by a physician for exposures to a contagious disease, where on-the-job presence of the employee would jeopardize the health of others.
5. The need to care for a spouse, parent, or child of the employee who is ill or injured and requires the presence of the employee, except that no more than five (5) days of sick leave may be taken for any occurrence unless the condition of the spouse, parent, or child would qualify the employee for FMLA. The employee shall complete and submit FMLA paperwork to Human Resources within fifteen (15) days, as required by law, for any qualified event.
6. Employees who are ill or injured and require more than five (5) days of sick leave for a FMLA qualified event, shall complete and submit FMLA paperwork to Human Resources within fifteen (15) days, as required by law.
7. In the event of a death in the employee's immediate family, the Board of County Commissioners may authorize an additional two (2) days beyond bereavement leave as outlined in the Bereavement Leave section of the Personnel Policy. Leave of absence is not to exceed five consecutive calendar days. Such leave is not included in any Family or medical leave period for which the employee is eligible under the Family Leave section of the Personnel Policy.
8. Use of a prescription drugs which impairs job performance or safety.
9. Actual periods of temporary disability related to pregnancy or childbirth.
10. To attend the birth of and/or to care for a newborn child of an employee.
11. Closure of the employee's place of business or a child's school/place of care by order of a public official for any health-related reasons.
12. If an employee is sent home for signs and symptoms, and quarantine orders of pandemic related illnesses; and
13. If the employee or the employee's family member is a victim of domestic violence, sexual assault, or stalking. Authorized use of paid sick leave for domestic violence, sexual assault or stalking includes:
 - a. Seeking legal or law enforcement assistance or remedies to ensure the health and safety of the employee and their family members including but not limited to, preparing for, or participating

in, any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault, or stalking.

- b. Seeking treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual, assault, or stalking.
- c. Attending health care treatment for a victim who is a member of the employee's family.
- d. Obtaining, or assisting a family member in obtaining, services from: a domestic violence shelter; a rape crisis center; or a social services program for relief from domestic violence, sexual assault, or stalking.
- e. To obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault or stalking in which the employee or a family member of the employee was a victim of domestic violence, sexual assault, or stalking; and
- f. Participating, for the employee or for a family member, in safety planning; or temporary or permanent relocation; or other actions to increase the safety from future incidents of domestic violence, sexual assault, or stalking.
- g. For the purpose of leave allowed for victims of domestic violence, sexual assault, or stalking, [Chapter 296-135-010 WAC](#) defines "family" members as:
 - o any child, biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is under eighteen years of age, or eighteen years of age or older and incapable of self-care because of mental or physical disability.
 - o Spouse means a husband or wife, and individuals in state registered domestic partnerships; See [RCW 49.12.265](#) (6) and [1.12.080](#)
 - o Parent means a biological or adoptive parent of an employee or an individual who stood in loco parentis to an employee when the employee was a child.
 - o Parent-in-law means a parent of the spouse or of a partner in a state registered domestic partnership of an employee; and
 - o Grandparent means a parent of a parent of an employee.

7.2.8 Increments of Use for Paid Sick Leave

Employees may use paid sick leave in 10-minute increments.

7.2.9 Rate of Pay When Using Sick Leave

Paid sick leave hours will be compensated at the base salary rate, excluding any overtime, premiums, or other add to pays. Calculation of overtime shall be based on FLSA rules; therefore, use of paid sick leave shall not count towards the overtime calculation.

7.2.10 Reasonable Notice for Use of Sick Leave

Employees must provide reasonable advanced notice of an absence from work for the use of paid sick leave to care for self or a family member. Reasonable notice shall be provided to the employee's Elected Official, Department Head, or immediate supervisor. Any information provided will be kept confidential.

7.2.11 Foreseeable Absence

If an employee's absence is foreseeable, the employee must provide notice at least ten (10) working days, or as early as possible, before the first day paid sick leave is used.

Employees are required to submit an Employee Notice for Use of Paid Sick Leave form. If possible, notification should include the expected duration of the absence.

7.2.12 Unforeseeable Absence

If an employee's absence is unforeseeable, the employee must contact their Elected Official, Department Head, or immediate supervisor as soon as possible; but no later than one (1) hour before the employee's required start time. Notice should include the expected duration of absence.

In the event it is not possible to provide notice of an unforeseeable absence, a person on the employee's behalf may provide such notice.

Employees are required to complete an Employee Notice for Use of Paid Sick Leave Form on the day following the employee's return from paid sick leave.

7.2.13 Verification for Absences Exceeding Three Days

Employees seeking to use or using paid sick leave for authorized purposes for more than three (3) consecutive days, may be required to provide verification that establishes or confirms that the use of paid sick leave is for an authorized purpose.

1. When an employee or the employee's family member is sick for more than three (3) consecutive days for which the employee is required to work, acceptable verification may include:
 - a. A doctor's note or a signed statement by a health care provider indicating that the use of paid sick leave is necessary to care for the employee or an employee's family member; or
 - b. A written or oral statement from the employee indicating that the use of paid sick leave is necessary to take care of themselves or a family member.
2. When an employee or a member of the employee's family has been a victim of domestic violence, sexual assault or stalking, the employee may provide any one of the following documents or any combination thereof, to verify the use of leave:
 - a. A written statement that the employee, or a member of the employee's family, is a victim of domestic violence, sexual assault, or stalking, and that the leave was taken to address related issues.
 - b. A police report indicating that the employee or a member of the employee's family was a victim of domestic violence.

- c. Evidence from a court or prosecuting attorney showing that the employee or a member of the employee's family appeared, or is scheduled to appear, in court in connection with an incident of domestic violence, sexual assault, or stalking.
 - d. A court order of protection.
 - e. Documentation from any of the following persons from whom an employee or a member of the employee's family sought assistance in addressing the domestic violence situation indicating that the employee or a member of the employee's family is a victim:
 - An advocate for victims of domestic violence, sexual assault, or stalking.
 - An attorney.
 - A member of the clergy; or
 - A medical professional.
3. When an employee is absent due to the closure of a school or a place of care, attended by the employee's child, or by a public official due to health-related reasons. A copy of the notice received by the employee regarding the closure shall be provided.

Verification must be provided within ten (10) calendar days of the first day that paid sick leave is used to care for either the employee or a family member.

7.2.14 Unreasonable Burden or Expense for Verification

If an employee believes obtaining verification for use of paid sick leave would result in an unreasonable burden or expense, please contact Human Resources in writing, prior to the required ten (10) calendar days allotted to provide the verification.

Indicate that the absence is for an authorized purpose and explain why verification would result in an unreasonable burden or expense.

Within ten (10) calendar days of receiving the employee's request, Human Resources will work with the Elected Official or Department Head and employee to identify an alternative for the employee to meet the verification requirement in a way that does not result in an unreasonable burden or expense.

1. Company-provided transportation to the employee's doctor.
2. Sharing the cost of getting a note from a medical provider; or
3. Providing a note of explanation in lieu of other forms of verification.

Mason County may choose not to pay an employee for paid sick leave taken more than ten (10) consecutive days until verification is provided. An employee has the right to contact the Mason County Prosecutor in the event they feel they are being discriminated upon or treated unfairly.

7.2.15 Abusing Sick Leave May Receive Discipline

In the event an employee misuses, falsifies, or abuses sick leave, the employee will forfeit any leave compensation. The employee may become subject to disciplinary action up to and including termination of employment.

7.2.16 Sick Leave Coordinated with Workers' Compensation

An employee receiving worker's compensation disability insurance payments during a medical related leave shall use only the number of sick leave hours that, together with the workers' compensation benefits payments, represents the employee's normal pay for the same period. Financial Services "Payroll" will calculate use of paid sick leave hours on a retroactive basis back to the first day on which the employee was off work. In no event shall the accumulation of sick leave and L&I income result in any employee receiving income more than 100% of their regular straight-time income for the same period.

If the employee elects to use paid sick leave to supplement the employee's earnings, the employee must notify Human Resources at the start of their disability leave. Once the employee elects to use paid sick leave to supplement their earnings, the employee may not reverse the election. An employee may not elect to use only a portion of their accrued sick leave.

Employees who elect to use their accrued sick leave to supplement their wage while on disability shall bring their workers compensation check in to their department payroll to purchase back all or a portion of their leave hours used and paid to the employee during the disability. Once the employee makes payment to Mason County and Financial Services "Payroll" approves the deposit, the employee's number of leave hours will be added back to the accrual record.

Any employee who collects both a full-accrued leave paycheck and a worker's compensation disability insurance payment SHALL remit the worker's compensation disability insurance payment to the county. In the event an employee does not submit, the worker's compensation disability insurance payment to the county may be subject to disciplinary action for misuses, falsifying, or abusing sick leave.

(Resolution No. 89-19)

7.2.18 Sick Leave Cash-Out

Payment for and balance up to the maximum amount allowed, by this policy and all other policies, shall be no greater than 1,200 hours of unused Mason County Sick Leave and shall be made only in the following circumstances:

1. Upon termination of employment with fifteen (15) years of continuous service with Mason County, and the employee's hire date was prior to April 13, 2010; or
2. Upon termination of employment with Mason County, when the termination is contemporaneous with retirement from the applicable Washington State Public Employees Retirement System, and the employee was hired prior to April 13, 2010, with continuous service; or
3. Upon the death of an employee, in which case payment shall be made to their estate, provided the employee was hired prior to April 13, 2010; or
4. Employees who terminate employment to become an Elected Official of Mason County, provided the employee was hired prior to April 13, 2010.

5. Per [RCW 3.34.100](#) a district judge may receive when vacating office remuneration for unused accumulated leave and sick leave at a rate equal to one day's monetary compensation for each four full days of accrued sick leave not to exceed the equivalent of thirty days' monetary compensation. The district judge shall meet the requirements as outlined in items 1-3 of this section to be eligible for a payout.

Terminating employees who are not eligible for payment of unused sick leave shall forfeit all sick leave accrual.

7.2.19 Separation from Employment

When an employee in a part-time, seasonal, extra-help, or on-call, non-regular status position separates from employment, there will be no financial or other reimbursement given to the employee for any accrued, unused Washington paid sick leave at the time of separation.

Employees in regular status positions will be cashed out for Mason County sick leave in accordance with the terms stated in their collective bargaining agreement, and for exempt and non-represented employees, as stated in the Sick Leave Cash-out section of the Personnel Policy.

In the event any employee terminates their position with Mason County and returns within twelve (12) months of separation, only Washington paid sick leave balance shall be restored. If the year has rolled over, prior to the employee's return to employment, and the employee's balance was greater than the forty (40) hours, the employee forfeits any unused balance greater than the maximum amount of forty (40) hours. Mason County sick leave hours shall not be paid out upon termination and will be forfeited unless conditions are met in Section 7.2.13 or otherwise stated in a Collective Bargaining Agreement.

7.2.20 Reinstatement of Employment

If an employee leaves employment and is rehired within twelve (12) months of separation, any accrued, unused Washington paid sick leave up to 40 hours will be reinstated to the employee's accrued leave bank.

Employees in part-time, non-regular positions who are rehired within twelve (12) months of separation, will not be required to wait ninety (90) days to use accrued their accrued sick leave bank if the employee met this requirement in the previous period of employment. If an employee did not meet the ninety (90) calendar-day requirement prior to separation, prior employment time with the County will be counted for purposes of determining the eligibility of the employee for paid sick leave.

If a regular status employee leaves and is rehired within twelve (12) months of separation, any accrued, unused Mason County sick leave not previously paid out was forfeited upon termination of employment and shall not be restored.

7.2.21 Payroll

Employees will be notified of their paid sick leave balance each month on their pay stub. This information will include:

1. Washington paid sick leave & Mason County sick leave accrued since the last notification.

2. Washington paid sick leave & Mason County sick leave used since the last notification; and
3. Current balances of Washington paid sick leave & Mason County sick leave available for use.

7.2.22 Retaliation Prohibited

Any discrimination or retaliation against an employee for lawful exercise of paid sick leave rights is not allowed. Employees will not be disciplined for the lawful use of paid sick leave.

If an employee feels discriminated against or retaliated against, the employee may contact the Human Resources Director.

If an employee is not satisfied with the response received from the Human Resources Director, the employee shall contact the Mason County Prosecutor for resolution prior to filing a complaint to Washington State Department of Labor & Industries.

7.3 Leave without Pay

The Elected Official or Department Head may grant leaves of absence without pay, or authorize a reduced work schedule, for absence from work not covered by any other type of leave or if other leave balances are exhausted. As appropriate for the type of leave requested, paid leave accruals will be utilized prior to unpaid leave, unless Washington Paid Family Medical Leave is utilized. Examples of situations for which leave without pay, or a reduced work schedule may be granted include time off work for personal reasons, such as prolonged illness, parenting, caring for an ill relative, or pursuing an education. Such leave will not normally exceed ninety (90) days.

7.4 Jury and Witness Leave

Jury Duty: The County provides all employees leave for jury service. Regular full-time and part-time employees receive paid jury duty leave each time they are called for jury service. Payment provided by the courts during periods of paid jury duty leave must be paid over to the County, excluding expense reimbursements, such as mileage. Employees must provide their supervisor with a copy of the jury duty summons as soon as possible after receiving it. Upon completion of jury duty, employees are required to provide their supervisor with proof of jury service. Employees who have been released by the court during their period of jury duty service may be required to report to work.

Witness Duty: All employees summoned to testify in court are allowed time off for the period they serve as witnesses. If employees are paid by the County for time testifying, payment provided by the courts during periods of paid witness duty must be paid over to the County, excluding expense reimbursements, such as mileage. In general, witness duty leave is paid unless the employee is a party in the case.

7.5 Administrative Leave

On a case-by-case basis, the County may place an employee on administrative leave with or without pay for an indefinite period. As determined by the County Administrator, in conjunction with Human Resources, administrative leave may be used in the best interests of the County during the pendency of an investigation or other administrative proceeding.

7.6 Military Leave

Based on [RCW 38.40.060](#), the County provides all employees leave while performing military service in accordance with federal and state law. Regular full-time and part-time employees receive paid military leave of up to 21 working days per year for military service. In general, if military service extends beyond 21 working days, the additional leave will be unpaid. All employees who are not eligible for paid military leave are provided unpaid leave for a period of their military service. Military service includes active military duty and Reserve or National Guard training. Employees are required to provide their supervisor with copies of the military orders as soon as possible after they are received. Reinstatement upon return from military service will be determined in accordance with applicable federal and state law.

7.7 Family Leave

The County complies with the Federal Family and Medical Leave Act of 1993 (the FMLA) and all applicable state laws related to family and medical leave. The FMLA provides up to 12 weeks of unpaid, job-protected leave every 12 months to eligible employees for certain family and medical reasons.

Family Leave Eligibility: Employees must have worked for the County for at least one year, and for 1,250 hours over the previous 12 months.

Unpaid FMLA leave is granted for any of the following reasons:

1. To care for an employee's child after birth or placement for adoption or foster care.
2. To care for a spouse, son, daughter, or parent who has a serious health condition.
3. For a serious health condition that makes an employee unable to perform the essential functions of the job.

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

Under such circumstances as allowed by law, FMLA leave may be taken intermittently -- which means taking leave in blocks of time, or by reducing a normal weekly or daily work schedule.

7.7.1 Substitution of Paid Leave

At the employee's or County's request, certain types of paid leave may be substituted for unpaid FMLA leave. Accrued vacation may be substituted for any type of FMLA leave. Accrued sick leave may be substituted only in the circumstances where County policies or state law allow use.

Employees using any sick leave available that may be used for FMLA leave taken, it is the County's policy that employees must use that paid sick leave as part of their FMLA leave. Use of vacation time for FMLA leave, however, is the employee's option.

Employees using paid leave for an FMLA qualifying purpose, it is the County's policy to designate paid leave as counting against the employee's FMLA leave allowance. Employees are required to notify the County if using paid leave for a reason covered by the FMLA so the leave may be properly accounted for.

7.7.2 Advance Notice and Medical Certification

The County requires employees to provide advance leave notice, with medical certification, of the need for a leave related to a health condition, and with medical certification of fitness to return to duty after medical leave. Taking leave, or reinstatement after leave, may be denied if these requirements are not met.

Employees are required to provide a medical certification to support a request for leave because of a serious health condition (own or child's, spouse's, or parent's) whenever the leave is expected to extend beyond five (5) consecutive working days or will involve intermittent or part-time leave. The County may require second or third opinions, at their option, at the County's expense.

The County may require the employee to provide a medical certification of fitness for duty to return to work after a medical leave.

7.7.3 Periodic Reporting

If employees take leave for more than two (2) weeks, the County may require reporting at least every two weeks on the status and intent to return to work.

7.7.4 Health Insurance

If employees are covered by the group health plan (medical, dental or vision), the County will continue to provide paid health insurance during FMLA leave on the same basis as during regular employment. If employees don't return to work after the leave, they will be required to pay back the County's portion of the insurance premiums unless failure to return was beyond the employee's control.

7.7.5 Other Insurance

If an employee is covered by other insurance plans through the County, such as life insurance, those coverages will continue during paid leave on the same basis as during regular employment. If employees take unpaid FMLA leave, they will be responsible during the leave for the premiums normally paid plus the premiums the County normally pays. If an employee doesn't pay these premiums, the County may choose to pay them for the employee, to keep the coverage from lapsing. The employee will be responsible for repaying the County whether they return to work.

7.7.6 Couples Employed

If spouses or domestic partners work for the County and request leave for the birth, adoption, or foster care placement of a child, to care for a new child, or to care for a sick parent, the total annual FMLA leave available to the couple for those purposes is typically (twelve) 12 weeks.

Determining Leave Availability: FMLA leave is available for up to 12 weeks during a 12-month period. For purposes of calculating leave availability, the "12-month" period is a rolling 12-month period measured backwards from the date the employee uses any FMLA leave.

Leave Related to Pregnancy. If an employee takes leave for the disability phase of pregnancy or childbirth while physically unable to work, this time could be counted against the annual 12-week FMLA leave allowance.

Employees are entitled to unpaid leave for the full period of a physical disability resulting from pregnancy and childbirth, even if they are disabled for more than 12 weeks, and even if they don't qualify for leave under the federal law.

7.8 Bereavement Leave

The County provides regular, full-time, and part-time employees with paid bereavement leave for up to three (3) days in the event of the death of an immediate family member. Two additional days chargeable to accrued sick leave will be granted at the request of the employee. Immediate family for purposes of bereavement leave includes only the employee's spouse, parent, grandparent, child, grandchild, sister, brother, grandmother-in-law, grandfather-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, aunt, uncle, nephew, or niece.

7.9 Washington Paid Family and Medical Leave Act

Effective December 31, 2019, Mason County shall remove the Shared Leave Program based on the Washington Paid Family & Medical Leave, which pays employees who qualify for family medical leave based on a qualifying event. Mason County agrees to comply with all provisions of the Washington State Paid Family & Medical Leave statute, per Title 50A RCW.

(Resolution No. 89-19)

Paid Family and Medical Leave is a mandatory statewide insurance program that will provide almost every Washington employee with paid time off to give or receive care.

If an employee qualifies, this program will allow them to take up to 12 weeks, as needed, if they:

1. Welcome a child into the family (through birth, adoption, or foster placement).
2. Experience a serious illness or injury.
3. Need to care for a seriously ill or injured relative.
4. Need 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. For specifics on military-connected paid leave, visit www.dol.gov/whd/regs/compliance/whdfs28mc.pdf

If employees face multiple 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.

7.9.1 Premiums

The program is funded by premiums paid by both employees and employers. It will be administered by the Employment Security Department (ESD). By statute, the premium rates are determined and adjusted by the state of Washington based on premiums contributed and benefits paid during the previous year.

7.9.2 Eligibility and Use

Effective Jan. 1, 2020, employees who have worked eight hundred and twenty (820) hours in the qualifying period (equal to sixteen (16) hours a week for a year) will be able to apply to take paid medical leave or paid family leave. The eight hundred and twenty (820) hours are cumulative, regardless of the number of employers or jobs someone has during a year. All paid work over the course of the year counts toward the eight hundred and twenty (820) hours, including part-time, seasonal, and temporary work. Please go to paidleave.wa.gov for more information on eligibility and applying for benefits.

7.9.3 Returning from Leave

Employees who return from leave under this law will be restored to a same or equivalent job if they work for an employer with fifty (50) or more employees, have worked for this employer for at least twelve (12) months, and have worked one thousand two hundred and fifty (1,250) hours in the twelve (12) months before taking leave (about twenty four (24) hour per week, on average).

Employees can keep their health insurance while on leave. If employees contribute to the cost of their health insurance, they must continue to pay their portion of the premium cost while on leave.

Mason County is prohibited from discriminating or retaliating against employees for requesting or taking paid leave.

(Resolution No. 89-19)

7.10 Washington State Long Term Care Trust Act “WA Cares” Compliance

The parties acknowledge that RCW 50B.04.080 requires premium deductions for the Long-Term Services and Supports Trust Program beginning January 1, 2022. Employees shall be assessed a premium based on the individual’s wages in accordance with RCW 50B.04.080. Mason County and employees will comply with Washington State Long Term Care Trust Act.

7.11 Holidays

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

Holiday	Day Observed
New Year's Day	January 1
Martin Luther King’s Birthday	3rd Monday in January
President's Day	3rd Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	1st Monday in September
Veteran's Day	November 11
Thanksgiving Day	4th Thursday in November
Day after Thanksgiving	Day after Thanksgiving
Christmas Eve Day	December 24
Christmas Day	December 25
(2) Floating Holidays	As scheduled with supervisor

Holidays falling on Saturday will be celebrated on the preceding Friday. Holidays falling on Sunday will be celebrated on the following Monday.

For any holiday to be paid, an employee must be in a paid status on the employee's scheduled workday before and after the holiday.

Employees shall be paid no more than eight (8) hours of holiday benefit pay for that day regardless of their individual work schedule.

The use of floating holiday is to be at the discretion of the employee with the approval of the Supervisor in advance of the absence. Floating holiday(s) must be used by December 15, or will be forfeited, unless denied based on staffing needs by the County. Floating holidays shall be used in whole hour increments. Christmas Eve Day may be taken off based on the operational needs of the County and Public Works, and if this cannot be accommodated, the employee will schedule an alternate date with their supervisor's approval.

(Resolution No. 06-02 and 2020-86)

Non-exempt regular full-time or part-time employees will be given equivalent time off for any time worked on a holiday. Such work on a holiday must be pre-authorized by the supervisor.

7.12 Holidays for Reasons of Faith or Conscience

Employees are entitled to two 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, as pursuant to SB 5173 - 2013-14 (or successor legislation).

The employee may select the days of the two unpaid holidays off with their supervisor's approval. The unpaid holiday may be compensated through utilization of vacation or comp time or by making alternative work schedule arrangements and following the department's process to request approval and scheduling time off. Such requests shall not be unreasonably denied unless the absence would unduly disrupt operations, impose an undue hardship, or the employee is necessary to maintain public safety.

The two holidays allowed by this section must be taken during the calendar year, if at all; they do not carry over from one year to the next.

(Resolution 37-14)

7.13 Benefits for Part-Time and Extra Help Employees

Unless noted otherwise in these policies, benefits for regular part-time and extra help employees are as follows:

Regular Part-Time Employees: All leave, including holidays, are pro-rated. Pro-rated means the ratio between the number of hours in the employee's normal work schedule and forty (40) hours per week. Regular part-time employees working three-quarter (3/4) time or more shall receive the same insurance

premium contribution as regular full-time employees. Regular part-time employees working between eighty (80) hours per month and three-quarter (3/4) time shall receive one-half (1/2) the insurance premium contribution of regular full-time employees. Regular part-time employees, whose hours may drop below the eligibility thresholds referenced above for one or more months during the calendar year due to work requirements, will be eligible for insurance premium contributions for all months if their average hours for the calendar year meet the eligibility criteria.

Extra Help Employees: Extra help employees normally are not eligible to receive benefits, including leaves, and insurance.

7.14 Temporary Modified-Duty Assignments

Mason County may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work modifications or restrictions. A temporary assignment allows the employee to work, while providing the County with a productive employee during the temporary period.

Priority consideration for temporary modified duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. No position shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with County operational needs. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment.

Temporary modified-duty assignments shall generally not exceed a cumulative total of one-thousand and forty (1,040) hours in any one-year period.

7.14.1 Fit-for-Duty

The Department Head or Elected may, at employer expense, require the employee to participate in a fit-for-duty evaluation(s) conducted by a medical professional of the County's choice. A fit-for-duty evaluation may occur before the 1,040 hours in some circumstances, but it will be required in all instances where modified-duty more than 1,040 hours is requested by the employee.

The evaluation will be for the purpose of determining any or all of the following:

1. If the employee is currently capable of safely performing their job as outlined in the job description.
2. If the employee is currently capable of performing a temporary-modified duty assignment and the limitations that may apply.

3. The anticipated duration of modified duty needed before the employee will be able to safely perform their duties as outlined in the job description.
4. Once released to regular duty, any anticipated accommodations needed for the employee to perform their duties as outlined in the job description.
5. If the medical professional believes the employee is not, and will not, be capable of performing their duties as outlined in the job description.
6. Any other factors relevant to determining the employee's overall fitness to perform their duties as outlined in the job description.

Prior to returning to full-duty, employees shall be required to provide certification from their medical professional stating they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

7.14.2 Modified-Duty Requests

Employees seeking a temporary modified-duty assignment should submit a written request to their Department Head or Elected. The request should, as applicable, include a certification from the treating medical professional containing:

1. An assessment of the nature and probable duration of the illness or injury.
2. The prognosis for recovery.
3. The nature and scope of limitations and/or work restrictions.
4. A statement regarding any required workplace accommodations.
5. A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Department Head or Elected will decide if temporary modified-duty assignments are available based on the needs of the County and the limitations of the employee.

7.14.3 Employee Responsibilities

The responsibilities of employees assigned to temporary modified duty shall include, but are not limited to:

1. Communicating and coordinating any required medical appointments in advance with their supervisors.
2. Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professional.

3. Communicate a status update to their supervisor no less than once every thirty (30) days while assigned to temporary modified duty.
4. Submitting a written status report to the Department Head or Elected with the anticipated date of return to full-duty when a temporary modified-duty assignment extends beyond sixty (60) days.

7.14.4 Supervisor Responsibilities

The employee's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified- duty. These responsibilities include, but are not limited to:

1. Periodically updating the Department Head or Elected of the status of the performance of employees assigned to temporary modified duty.
2. Notifying the Department Head or Elected and ensuring the required documentation facilitating return to full duty is received from the employee.
3. Ensuring that employees returning to full duty have completed any required training and/or certification.

7.14.5 Probationary Employees

Probationary employees assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to their assignment to temporary modified-duty.

Chapter 8 – Employee Responsibilities and Conduct

8.1 General Code of Conduct

All County employees are expected to represent the County to the public in a professional manner which is courteous, efficient, and helpful. Employees must maintain a clean and neat appearance appropriate to their work assignment, as determined by their 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: Basic tact and courtesy towards the public and fellow employees; adherence to County policies, procedures, processes, 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.

The County is a relatively small organization. To function as efficiently as possible, employees may be asked to perform duties outside their regular assignments. It is no reflection of an employee's worth to the County, but a necessary arrangement in small organizations.

To make the most efficient use of personnel, the County also reserves the right to change an employee's work conditions and the duties originally assigned. If these arrangements become necessary, employee cooperation is expected.

8.2 Workplace Safety and Violence Prevention

This policy is intended to ensure that all employees adhere to work practices designed to make the workplace more secure and to refrain from verbal threats or physical actions which may create a safety or security hazard for others in the workplace.

The safety and security of the employees of Mason County and members of the public seeking or receiving County services or using County facilities is of the utmost importance. Any prohibited acts committed by employees or members of the public while on premises owned or leased or work sites otherwise occupied by Mason County will be prosecuted as appropriate and/or will cause the use of appropriate managerial, administrative, or disciplinary measures.

8.2.1 Definitions

Unsafe Act: Includes but is not limited to, any deliberate act or behavior which jeopardizes the safety or security of oneself, another person, or County property; or failure to act, where there is a duty to act and/or take safety precautions or where such failure would reasonably be known to jeopardize the safety or security of oneself, another person or County property. An unsafe act may include physical contact, such as "horseplay" and is prohibited, whether an injury, safety violation, or actual harm results.

Acts of Violence: Includes but is not limited to, any deliberate act or behavior which:

1. Results in a physical assault against a person such as hitting, pushing, kicking, holding/restraining, spitting on, or blocking the movement of another person.

2. Constitutes a directly or indirectly communicated or reasonably perceived threat to cause harm, injure, or intimidate another individual.
3. Endangers the safety of oneself or another individual, whether an injury result.
4. Would be reasonably perceived to constitute a threat of inflicting physical harm which in any way interferes with a person's safety or consists of a directly or indirectly communicated or perceived threat to destroy property using a weapon, a firearm, or other means.
5. Would constitute the violation of a protective or restraining order which lists County locations as being protected areas; or
6. Interferes with the orderly conduct of Mason County operations.

An unsafe act and/or act of violence does not include communicated direction by a supervisor to require appropriate performance on the job, the imposition of disciplinary action, or warnings that discipline could occur; or law enforcement employees acting within the scope and authority of their position.

Workplace: Any building or areas constituting the place where work is performed or assigned; common areas such as reception areas, halls and private or personal work areas; and any other area where employees engage in official County business, including field locations, County parking lots, vehicles either employer owned or leased or privately owned when used on County business.

Member of the Public: Any person who has no legitimate employment-related relationship with the County, including: strangers who have no legitimate business relationship with the County; customers or clients who currently or previously have received services from the County or who have or have had a custodial relationship with the County including inmates, criminal suspects or prisoners; and individuals who have or had personal relationships with County employees such as a current or former spouse, lover, relative, friend or acquaintance.

8.2.2 Responsibilities

County employees shall not commit an unsafe act and/or act of violence and employees shall be responsible for reporting any unsafe act and/or act of violence in the workplace, whether physical injury occurs. Employees who believe an unsafe act and/or act of violence has occurred, observe, or are informed of such an act, shall immediately notify their supervisor, department head or management representative. Insofar as possible, any report of an unsafe act and/or act of violence shall include the name of the reporting party, the date, time, and place of the act; the name or identity of the person alleged to have committed the act; a description of the act; and the names of any witnesses.

All employees, including managers and supervisors, are responsible for using safe work practices, for following all directives, policies, and procedures, and for assisting in maintaining a safe and secure work environment.

A. Employee Responsibilities

1. Imminent Threat or Act of Violence

- a. Employees shall take the following steps if a threat of violence or act of violence presents an imminent danger to safety:
- b. Immediately leave the area putting as much distance between themselves and the threat as possible.
- c. Tell others to leave as the area is evacuated.
- d. Call 911 and report the threat/emergency as soon as it is safe.
- e. Provide the 911 dispatcher with identification and the nature and location of the threat/emergency.
- f. Follow all directions from law enforcement.

2. Threat or Unsafe Act

- a. Employees shall take the following steps if a threat or unsafe act does not present an imminent danger to safety:
- b. Notify their supervisor as soon as possible; and
- c. Complete a county incident report form (Incident Report Form) which can be found on the Risk Management website.

3. Employees who obtain a protective or restraining order which lists County locations as being protected areas or which prohibits contact with the employee while at work, shall immediately advise their supervisor, department head or management representative and provide a copy of the granted order and a description of the person identified in the order.

4. Report personal safety concerns or violations of County policy to a supervisor, manager, or department head.

5. Immediately notify a member of management if there is reason to believe they may become or are victim of unsafe acts, threats, or acts of violence in the workplace.

Under no circumstances should employees put themselves at risk in a dangerous situation. Once the situation has been secured by proper authorities, employees shall then cooperate with supervisors, investigators, law enforcement personnel and any others as they conduct follow-up reviews of the incident.

B. Department Heads, Managers and Supervisors' Responsibilities

1. Provide this policy and educational opportunities to their employees about workplace safety and violence prevention and make workplace safety and violence prevention training and education programs available to all employees.
2. Immediately notify the Human Resources Department and their appropriate management of any incidents involving unsafe acts and/or acts of violence.
3. Address employee workplace safety concerns and ensure that such concerns are investigated. Safety concerns, and any other situation where an employee has been subjected to or threatened with an unsafe act and/or an act of violence, should be reported to Human Resources
4. Take immediate steps to diffuse or mitigate any situation that has potential to escalate into an unsafe act and/or an act of violence.
5. Forward a copy of the protective or restraining order to the Human Resources Department.
6. Notify appropriate law enforcement agencies about persons who violate a granted protective or restraining order and require the violator to leave the premises immediately.

C. Human Resources Department Responsibilities:

1. Assess and investigate all alleged unsafe acts and/or acts of workplace violence as may be appropriate.
2. Provide or make available appropriate training and education about workplace safety and violence prevention, how to identify potentially unsafe acts and/or violent situations, and how to deal with them.
3. Maintain confidentiality of complaints and concerns to the extent allowed by law.
4. Receive and investigate all reports of unsafe acts and/or acts of workplace violence, or threats of the same, made by a county employee.
5. Recommend to the Department Head what, if any, administrative or disciplinary action should be taken when an employee is found to have committed an unsafe act and/or an act of violence.
6. Upon completion of any investigation, notify employees affected by the unsafe act and/or act of violence or threat of the same that the matter has been concluded and that appropriate action has or will be taken.

8.3 Outside Employment and Conflicts of Interest

Employees shall not, directly, or indirectly, engage in any outside employment or financial interest which 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:

1. 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.
2. is conducted during the employee's work hours.
3. utilizes County telephones, computers, supplies, or any other resources, facilities, or equipment.
4. is employment with a firm which has contracts with or does business with the County; or
5. may reasonably be perceived by members of the public as a conflict of interest or otherwise discredits public service.

Employees considering or engaged in an additional job, contractual commitment, or self-employment, who are concerned about a conflict of interest should discuss the matter with their Elected Official or Department Head.

8.4 Reporting Improper Governmental Action

In compliance with the Local Government Employee Whistleblower Protection Act, [RCW 42.41.050](#), this policy is created to encourage employees to disclose in good faith, improper governmental action taken by County officials or employees without fear of retaliation. This policy also safeguards legitimate employer interests by encouraging complaints to be made first to the County, with a process provided for speedy dispute resolution.

8.4.1 Definitions

Improper Governmental Action: any action by a County Officer or employee that is:

1. undertaken in the performance of the official's or employee's official duties, whether the action is within the scope of the employee's employment, and
2. in violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety or is a gross waste of public funds.

"Improper governmental action" does not include personnel actions including but not limited to employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployment, performance evaluations, reductions in pay, dismissals, suspensions, reprimands, demotions, violations of the local government collective bargaining and civil service laws, alleged labor agreement violations or any action that may be taken under RCW Chapter [41.14](#) or [41.56](#).

Retaliatory Action: means any (a) adverse change in a local government's employee's employment status, or 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, reduction in pay, denial of promotion, suspension, dismissal or any other disciplinary actions; or (b) hostile actions by other employees toward a local government employee that were encouraged by a supervisor or senior manager or official.

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

8.4.2 Procedure for Reporting Improper Government Action

County employees who become aware of improper governmental action shall follow this procedure:

1. Bring the matter to the attention of the Board of County Commissioners or the Prosecuting Attorney, preferably in writing, stating in detail the basis for the employee's belief that an improper action has occurred. This shall be done as soon as the employee becomes aware of the improper action.
2. The Board of County Commissioners or the Prosecuting Attorney, or their designee, shall respond to the report of improper government action, within thirty (30) days of the employee's report. The employee shall be advised of the County's response.
3. The identity of a reporting employee shall be kept confidential to the extent possible under the law unless the employee authorizes the disclosure of their identity in writing.

An employee who fails to make a good faith effort to follow this policy shall not be entitled to the protection of this policy against retaliation, pursuant to [RCW 42.41.030](#).

In the case of an emergency, where the employee believes that damage to persons or property may result if action is not taken immediately, the employee may bypass the above procedure and report the improper action directly to the appropriate government agency responsible for investigating the improper action.

Employees may report information about improper governmental action directly to an outside agency if the employee reasonably believes that an adequate investigation was not undertaken by the County to determine whether an improper government action occurred, or that insufficient action was taken by the County to address the improper action or that for other reasons the improper action is likely to recur.

Protection Against Retaliation: It is unlawful for a local government to take retaliatory action because an employee, in good faith, provided information that improper government action occurred. Employees who believe they have been retaliated against for reporting an improper government action shall follow the procedure outlined below.

8.4.3 Procedure for Seeking Relief Against Retaliation

1. Employees shall provide a written complaint to the Board of County Commissioners within thirty (30) days of the occurrence of the alleged retaliatory action.
 - a. The written charge shall specify the alleged retaliatory action; and
 - b. Specifies the relief requested.
2. The Board of County Commissioners or their designee shall respond in writing within thirty (30) days of receipt of the written charge.

3. After receiving the County's response, the employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief under the law. The request for hearing must be delivered within the earlier of either fifteen (15) days of receipt of the County's response to the charge of retaliatory action or forty-five (45) days of receipt of the charge of retaliation to the Board of County Commissioners for response.
4. Within five (5) working days of receipt of a request for hearing the County shall apply to the State Office of Administrative Hearing's for an adjudicative proceeding before an administrative law judge. At the hearing, the employee must prove that a retaliatory action occurred by a preponderance of the evidence in the hearing. The administrative law judge shall issue a final decision not later than forty-five (45) days after the date of the request for hearing unless an extension is granted.

The final decision of the administrative law judge is subject to judicial review under the arbitrary and capricious standard. Relief ordered by the administrative law judge may be enforced by petition to superior court.

8.4.4 Policy Implementation

The Board of County Commissioners are responsible for implementing these policies and procedures. This includes posting the policy on County bulletin boards, making the policy available to any employee upon request, and providing the policy to all newly hired employees. Officers, managers, and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility.

8.4.5 Prohibition of Intimidation and Nondisclosure

County Elected Officials or employees may not use their official authority or influence, directly or indirectly to threaten, intimidate, or coerce an employee for the purpose of interfering with that employee's right to disclose information concerning an improper governmental action in accordance with the provisions of this policy.

(Per Resolution No. 27-16)

8.5 Political Activities

County employees may participate in political or partisan activities of their choosing if 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 on County time or in a county uniform or while representing the County in any way.

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

8.6 No Smoking Policy

For health and safety considerations, the County prohibits smoking and vaping by employees on all County-owned, leased, or operated areas and all County property is designated as non-smoking and

vaping free areas. Smoking and vaping are prohibited in all buildings and vehicles owned or leased by the County are offices or other facilities rented or leased by the County.

8.6.1 Definitions

Public Areas: The term “public area” is defined for the purpose of the No Smoking Policy, but not limited to all hallways, conference rooms, elevators, restrooms, lobbies, stairwells, reception areas, and any other areas which are: (1) open to the public, or (2) areas which employees are required to pass through during employment.

Smoking: The term “smoke” or “smoking” is defined for the purpose of the No Smoking Policy, but not limited to; the carrying or smoking of any kind of lighted cigarettes, pipes, cigars, chewing of tobacco, vaping and the use of e-cigarettes, or any other lighted smoking equipment.

Vape: The term “vape” or “vaping” is defined for the purpose of this chapter as inhaling or exhaling the vapor produced by any noncombustible product that may contain nicotine or a marijuana product and that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor or aerosol from a solution or other substance including any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.

County Property: The term “County property” is defined as the grounds and parking lots surrounding county buildings and all County parks. County property does not include:

1. Private vehicles and residences unless otherwise required by individual or group contracts with the County.
2. County roads.
3. Any person passing by or through County property while on a public sidewalk or public right-of-way has not intentionally violated this chapter.

8.6.2 No Smoking Signs and Removal of Ashtrays

The Facilities Department shall post and maintain no-smoking and no-vaping signs in all public areas and county property as defined herein and remove ashtrays from those public areas.

Pursuant to [RCW 70.160.070](#) – Intentional Violators, any person intentionally violating this policy by smoking or vaping in a public place, place of employment or within twenty-five feet of doors, windows that open and ventilation intakes or any person removing, defacing, or destroying a sign required by this policy is subject to a civil fine of up to one hundred dollars. The County Sheriff’s Department shall enforce this policy by issuing a notice of civil infraction to be assessed in the same manner as traffic infractions.

All County employees are encouraged to help educate the public about the non-smoking and vaping policy by reminding violators not to smoke or vape on the property and by adding the policy to all use agreements and event publications. Violators, who refuse to comply with the smoking and vaping policy, may be asked to leave the County property.

The appropriate Department Head or Elected Official is responsible for educating employees about the non-smoking policy and shall resolve intentional employee violations of the policy through disciplinary action.

Interpretation of this chapter shall be in a manner that is consistent with [RCW 70.160](#) Smoking in Public Places, prohibiting smoking in all public places and places of employment.

(Ordinance No. 91-06 and 20-01)

8.7 Personal Possessions and Electronic Communications

The County furnishes desks, closets, and/or lockers for security of employee coats, purses, and other personal possessions. Desks, closets, lockers, cabinets, and furniture are County property for the purpose of County operations.

The County also furnishes computers, voice mail, facsimile (fax) communications, electronic mail (E-Mail), data and file transfers using electronic means and Internet access for use in conducting County business only.

Because these systems are for County business, none of the communications or information transmitted or stored on these systems is private and may be reviewed by the County and be subject to public disclosure. County electronic communications systems are not for personal use.

(Resolution No. 130-04)

8.8 Use of County Equipment

Use of County phones for local personal phone calls should be kept to a minimum; long-distance personal use must be approved in advance by the Elected Official or Department Head. Other County equipment, including vehicles, should be used by employees for County business only. An employees' misuse of County services, telephones, vehicles, equipment, or supplies can result in disciplinary action including termination.

8.9 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 their Elected Official or Department Head. Legally required notices shall not be covered or obscured by other materials on any bulletin board.

8.10 Contact with the News Media

The Board of County Commissioners, Elected Officials or Department Heads authorized by the Board shall be responsible for all official contacts with the news media, including answering questions from the media. They may designate specific employees to give out procedural, factual, or historical information on subjects. Employees not designated should refer media personnel to an appropriate spokesperson.

8.11 Solicitations

Most forms of selling and solicitations are inappropriate in the workplace. They can be an intrusion on employees and citizens and may present a risk to employee safety or to the security of County or employee property. The following limitations apply:

1. Persons not employed by the County may not solicit, survey, petition, or distribute literature on our premises at any time. This includes people soliciting for charities, salespersons, questionnaire surveyors, or any other solicitor or distributor. Exceptions to this rule may be made in special circumstances where the County determines that an exception would serve the best interests of the organization and our employees. An example of an exception might be the United Way campaign or a similar, community-based fundraising effort.
2. Employees may not solicit for any purpose during work time. Reasonable forms of solicitation are permitted during non-work time, such as before or after work, during meal breaks, and/or break periods. Soliciting employees who are on non-work time may not solicit other employees who are on work time. Employees may not distribute literature for any purpose during work time or in work areas. The employee lunchrooms are considered a non-work area under this policy.

8.12 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 Elected Official or Department Head. The County will make every effort to remedy problems as quickly as possible.

In case of an accident involving a personal injury, regardless of how serious, employees shall immediately notify their supervisor and complete an accident/incident report.

Employee safety depends on the safety consciousness of everyone. To facilitate a safe work environment, employees may not bring dangerous weapons to the workplace. This includes, but is not limited to, weapons for which employees have a valid permit. The only exception to this rule involves law enforcement positions for which the job requires possess dangerous weapons.

Employees should consult the County's [Safety Policy and Accident Prevention Program](#) for additional details concerning safety.

8.13 Substance Abuse

The County's philosophy on substance abuse has two focuses: (1) a concern for the well-being of the employee and (2) a concern for the safety of other employees and members of the public.

Availability of Rehabilitation or Treatment: As part of our Employee Assistance Program, we encourage employees who are concerned about their alcohol or drug use to seek counseling, treatment, and rehabilitation. Although the decision to seek diagnosis and accept treatment is completely voluntary, the County is fully committed to helping employees who voluntarily come forward overcome substance abuse problems. In most cases, the expense of treatment may be fully or partially covered by the County's benefit program. Please contact our EAP or Human Resources for more information. Employees who seek advice or treatment will not be subject to retaliation or discrimination.

Substance Abuse Policy for Operators of Commercial Motor Vehicles: County employees who hold Commercial Driver's Licenses (CDL) and who operate commercial motor vehicles (CMV) while employed by the County are subject to additional rules and regulations imposed by the federal government. These regulations require urine drug testing and alcohol breath testing in the following circumstances:

1. Pre-employment.
2. Reasonable suspicion.
3. Post-accident.
4. Return to duty testing.
5. Random testing.

CDL holders who test positive must be removed from service and are subject to disciplinary action, up to and including termination. CDL holders should consult the Mason County Drug and Alcohol Testing Policy and Procedure for Department of Transportation Regulated Employees for additional details concerning these rules.

Drug-Free Workplace: The manufacturing, distribution, dispensation, possession, and use of unlawful or alcohol on County premises or during work hours by County employees is strictly prohibited. Employees also must notify the County within five (5) days of any conviction for a drug violation in the workplace. Employees should consult the Drug-Free Workplace Policy for additional details on this subject.

8.14 Using Position for Personal Gain

No County employee will use their position with Mason County for personal gain from any source. Personal gain is receiving any money, item, or benefit for personal use, which is not available to the public. Exception: Nominal value items (\$10.00 or less) with company logos, given for advertising purposes such as samples, pens, calendars, coffee cups and ball caps are acceptable. Requesting, or knowingly accepting, discounts on purchases, tickets, meals, travel, clothing, etc., for personal use is not acceptable.

Threats or promises of future business or lack of future business with the County to influence personal business will be referred to the Prosecuting Attorney.

(Resolution No. 95-04)

8.15 Performance Evaluations

The purpose of performance evaluation is to help an employee be successful in performance and to understand the standards and goals of their position and department. The evaluation will assess and focus on the employee's accomplishment of their job functions and goals and standards of the position. Where an employee struggles in their performance a plan for correction and training should be developed with the employee.

All regular employees should be formally evaluated in writing by their immediate supervisor and/or Department head or designee during the probationary or trial service period and at least annually

thereafter. Copies of evaluations will be given to the employee and forwarded to HR for inclusion in the personnel file.

Additionally, evaluation of job performance may occur at any time and on an ongoing basis. Evaluation may occur in various ways and may include coaching, counseling, or written assessment.

8.16 Discipline/Corrective Action

The intent of progressive discipline is to assist the employee with performance improvement or to correct misconduct. Progressive discipline may not apply where the offense requires more serious discipline in the first instance. Both the sequence and the steps of progressive discipline are determined on a case-by-case basis. Progressive discipline may include:

- Oral warnings, which will be documented.
- Written warnings, which may also include work performance improvement or corrective action plan for poor work performance or misconduct.
- Suspension without pay.
- Demotion.
- Discharge.

Chapter 9 – Separation

9.1 Layoff

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

In determining who is to be laid off, consideration will usually be given to individual performance and the qualifications required for remaining jobs. Seniority will be considered when performance and qualifications are equal, as determined by the County. Employees who are laid off may be eligible to be re-employed for up to one (1) year after layoff if a vacancy occurs in a position for which they are qualified.

9.2 Resignation

An employee should provide two (2) weeks written notice of resignation to resign in good standing. Management is requested to give at least 30 days' notice. Employee requests to change their separation date must be approved by the Department Head and the Human Resources Director.

9.3 Retirement

Employees should provide six (6) months' written notice of resignation. Employee requests to change their retirement date must be approved by the Department Head and the Human Resources Director.

9.4 Offboarding

Employees separating from the organization shall undergo an offboarding process to mitigate risk and recover assets. An employee placed on paid/unpaid administrative leave or who is out for an extended period on Federal Medical Leave may be subject to all or parts of the offboarding process.

Upon separation from employment, the Department Head or designee is responsible for offboarding an employee using the County Offboarding Checklist. Additional items may be necessary based on department. Offboarding should occur on the employee's last physical day at their workstation.

Chapter 10 – Complaint Procedures

10.1 Complaint Procedures

The County recognizes that sometimes situations arise in which employees feel that they have not been treated in accordance with County policies. For this reason, the County provides its employees with procedures for resolving complaints.

Step 1: Employees should first attempt to resolve any problem or complaint with their supervisor.

Step 2: When normal communication between an employee and the supervisor is not successful, or when an employee disagrees with the application of County policies and procedures, the employee should attempt to resolve the problem with their Elected Official or Department Head. The Elected Official or Department Head will usually respond to the employee in writing within five (5) days after meeting with them, if possible.

Step 3: If the employee is not satisfied with the response in Step 2 above, the employee may submit the problem, using the County Complaint Form to the Board of County Commissioners or their designee and Human Resources.

The form must be filed within ten (10) working days of receiving a response from Step 2 above.

The Board of County Commissioners or their designee and Human Resources may meet with the parties, either individually or together, and will usually respond in writing to the complainant within ten (10) days of the meeting. The response and decision shall be final and binding.

Certain employees may have more than one source of dispute RESOLUTION rights, i.e., the County's Civil Service rules, a collective bargaining agreement, etc. Employees represented by a bargaining unit or who are covered under civil service rules should follow grievance procedures set out in their respective labor contracts or civil service rules, where applicable. In all other cases, the procedures described in this section shall be used. Under no circumstances shall an employee have the right to utilize both this process and any other complaint or appeal procedure that may be available to an employee. Mason County will not tolerate retaliation in any form against an individual who makes a complaint of discrimination, harassment, or retaliation, or against any participant in an investigation. Retaliation is a serious violation of this policy and is considered misconduct subject to disciplinary action up to and including termination of employment.

Employees will abide by any confidentiality requirements relating to complaint and investigation procedures.

Chapter 11 – Educational Assistance

11.1 Introduction

If budgetary considerations permit, the County may reimburse full-time regular employees for education costs for courses approved by their Elected Official or Department Head. Approval for reimbursement will be dependent upon the course and its relevance to the employee's current position. Approval must be obtained prior to commencement of each course per semester. Attendance at all course offerings will be outside the employee's regular duty schedule.

11.2 Objective

The objective of this policy is to assist employees in furthering their education to enhance current skills for the benefit of the County and the public.

11.3 Procedures

1. Educational assistance will be authorized only when the budget of the Office or Department contains sufficient funds to support this policy AND the course of study will be of benefit to the Office or Department. Access to educational assistance will be solely determined by the Elected Official or Department Head, as appropriate.
2. Approval will be sought using the Educational Assistance Request form.
3. If approved, reimbursement for coursework relevant to the employee's current position is subject to the limitations in paragraphs 8 and 9, below. Approval of a course of study by the Elected Official or the Department Head is required prior to approval of the courses required in that course of study. Accordingly, the Elected Official or Department Head will review employee applications for educational assistance on a course-by-course basis.
4. All relevant bachelor's degrees and associate degrees, if the employee does not already have a bachelor's or associate degree, may, upon approval of the Elected Official or Department Head, be reimbursed subject to the limitations in paragraphs 8 and 9, below. This would apply regardless of the position the employee holds.
5. Certificates or continuing education units (CEU) required for continued certification may be reimbursed at 100 percent.
6. A second degree directly relevant to the employee's current position as determined by the Elected Official or Department Head to be in the best interests of the County may be reimbursed subject to the limitations in paragraphs 8 and 9, below, only if: 1) the first degree is not directly applicable to the employee's position; or, 2) it is an advanced degree in a field of study relevant to the employee's current position.
7. There is no limit to the number of credit hours eligible for reimbursement per semester/quarter. Employees are encouraged to be prudent in the selection of the number of courses attempted each semester. Employees must be in paid status when reimbursement is sought. For this policy, paid status is defined as working the employee's regular schedule or on approved vacation leave.

8. Employees must satisfactorily complete the course work to be considered for reimbursement. Satisfactory completion is defined as award of a grade of "C" or higher, or the equivalent, in the coursework for which reimbursement is sought.
9. Reimbursement will be set by the current, lowest tuition rates at either the University of Washington or Washington State University, whichever institution offers the course of instruction concerned. This rate will apply to courses of instruction at private universities, correspondence programs, or other high-cost programs.
10. Initial approval of a course of study does not obligate the County to future/continued approval of courses in that course of study. Course approvals are only valid for the course and semester/quarter given.

Chapter 12 – Equal Employment Opportunity

12.1 Purpose

The purpose of this policy is to provide guidelines to Elected Officials, Department Heads, employees, volunteers, and members of the public to ensure equal employment opportunities regardless of a person's race, color, creed, national origin, gender, gender identity, sexual orientation, religion, age, veteran's status, HIV status, genetic information, families with children, sensory, mental, or physical disability, or any other protected class under federal or state statute. Additionally, the policy provides guidelines for identifying, reporting, and resolving claims of discrimination or related retaliation.

12.2 Policy

It is the policy of Mason County that no person shall be subjected to employment discrimination based upon their race, color, creed, national origin, gender, gender identity, sexual orientation, religion, age, veteran's status, HIV status, genetic information, families with children, sensory, mental, or physical disability, or any other protected class under federal or state statute. No individual shall be subjected to retaliation because they have exercised a right protected under the law such as submitting, assisting with, participating in the resolution or investigation of, a complaint of discrimination or harassment. Any form of retaliation is prohibited, will not be tolerated, and is subject to disciplinary action up to and including termination of employment. The County will incorporate appropriate non-discrimination language in all its contracts and collective bargaining agreements. The words "Equal Opportunity Employer" will be included in employment applications and recruitment materials.

To further promote the Board of County Commissioners' commitment to non-discrimination, the County will conduct periodic training on the Non-Discrimination & Harassment Policy and to clarify management and employee responsibilities for effective implementation. This Non-Discrimination & Harassment Policy will be distributed and reviewed in new employee orientation.

12.3 Prohibition of Discrimination, Harassment, Bullying, and Retaliation

Mason County is committed to a workplace that is free from unlawful discrimination, harassment, bullying, and retaliation. Discrimination, harassment, bullying, and retaliation are strictly prohibited. Complaints of discrimination, harassment, bullying, and retaliation are taken seriously and will be investigated and resolved in a timely manner.

12.3.1 Definitions

Discrimination: The County prohibits discrimination against Elected Officials, employees, and volunteers based on race, color, creed, religion, national origin, ethnicity, age, sex, marital status, veteran status, sexual orientation, disability (known or perceived), or any other protected class under federal or state statute.

Harassment: Harassment is a form of discrimination that is unwelcome verbal or physical conduct directed toward or relating to a person based on the person's race, color, creed, religion, national origin, ethnicity, age, sex, marital status, veteran's status, sexual orientation, or disability (known or perceived), where the conduct is sufficiently pervasive or severe as to alter the terms and conditions of employment. Such conduct can take many forms, including unwelcome slurs, comments, joking, touching, innuendo, gestures, display or

transmission of materials, and other similar conduct. Employees who engage in harassment will be subject to disciplinary action, up to and including termination of employment.

Sexual Harassment: Sexual harassment is a type of harassment that consists of unwelcome verbal or physical conduct directed toward or relating to a person because of their gender that is sufficiently pervasive or severe as to alter the terms or conditions of employment. Such conduct can take many forms including unwelcome slurs, comments, jokes, touching innuendo, repeated request for dates, display or transmission of materials, gestures, compliments, and other similar conduct. Sexual harassment also includes unwelcome conduct based on an individual's gender where submission to the conduct or rejection of the conduct is used as a basis for employment decisions regarding the individual. Employees who engage in sexual harassment will be subject to disciplinary action, up to and including termination of employment.

Bullying: Repeated and unreasonable behavior directed towards an employee or a group of employees, creating a hostile, intimidating, or offensive work environment.

Retaliation: Adverse employment action against employees for complaining in good faith of discrimination, harassment, or retaliation, or for assisting or participating in an investigation of such complaints. Employees who engage in retaliation will be subject to disciplinary action, up to and including termination.

12.4 Employment of Persons with Disabilities

Mason County is committed to providing equal opportunities for current and potential County employees with disabilities. Every reasonable effort will be made to create an accessible work environment to the extent possible without undue hardship to the County. Judgements concerning the reasonableness of providing accommodation shall be made by the County on a case-by-case basis. It is the County's responsibility to determine if the proposed accommodation is effective and reasonable. Employment practices will be administered to allow a person with a disability to participate at the same level as a person without a disability.

It is the responsibility of the person with the disability to disclose the existence of the disability if reasonable accommodation is to be requested.

12.5 Employee Responsibilities

Each employee is responsible for supporting and adhering to this policy. It is the responsibility of all County employees to bring instances of inappropriate behavior to the attention of management. This includes employees who believe they are the recipient of discriminatory behavior as well as those who believe they have witnessed such behavior directed at another employee. Employees should never tolerate inappropriate or harassing behavior. If possible, they should make their feelings known to the offending employee. Whether they confront the harasser or not, employees must promptly report any offending behavior to their Department Head, Elected Official, or to the Human Resources Department. Employees are strongly encouraged to report concerns about discrimination or harassment before behaviors become severe or pervasive. This will assist the County in its efforts to stop discrimination or harassment before it rises to the level of a violation of anti-discrimination laws.

12.6 Supervisor/Manager Responsibilities

When a supervisor, manager, department head or elected official suspects or has reason to believe that discriminatory, harassing, or inappropriate behavior has occurred, they shall immediately notify the Director of Human Resources or the Office of the Prosecuting Attorney and report the incident.

12.7 County Responsibilities

County Management representatives will promptly and thoroughly investigate all reports of discrimination or harassment. Complaints against either the Human Resources Department or the Prosecuting Attorney's Office will be investigated by a non-county agency. Complaints of discrimination and harassment will be handled with sensitivity, discretion, and confidentiality to the extent allowed by the circumstances and the law.

If the County concludes that a violation of this policy occurred, prompt and effective remedial action will be taken. This may include disciplinary action and/or other actions needed to remedy the effects of the discrimination and prevent further incidents.

12.8 Complaint Procedures

Employees who feel that they may have been bullied, discriminated against, or sexually harassed, or are aware of actions against another person that may be in violation of this policy, shall immediately contact either their immediate supervisor, their department official, or the Human Resources Department. Complaints should be submitted using the Mason County Internal Discrimination Complaint Form.

If the complaint is reported to the employee's supervisor or department official, they will notify the Human Resources Department to carry out the investigation. Any person may file a complaint under this policy when the person believes:

1. They have been the target of discrimination or harassment (including bullying);
2. They have personal and first-hand knowledge of behavior believed to be in violation of this policy; or
3. They are being retaliated against for reporting behavior believed to be in violation of this policy.

The complaint must be filed within one-hundred and eighty (180) days of the alleged violation of this policy. The complaint should include a description of the alleged violation, the date it occurred, and the name, signature, address, and phone number of the person filing the complaint. The complaint must include sufficient information to allow for investigation into the allegations.

In addition to filing a complaint with Mason County, an individual may file a written complaint within one-hundred and eighty (180) days of the alleged violation with the Washington State Human Rights Commission and/or the Equal Employment Opportunity Commission. Employees are encouraged to exhaust administrative remedies outlined in this policy before outside agencies are consulted. The use of the County's internal discrimination complaint procedure is not a prerequisite to the pursuit of such statutory remedies.

When an employee or union files both a grievance and an internal discrimination complaint regarding the same alleged acts or incidences, the investigation and processing of one shall be suspended until the other is completed.

Chapter 13 – Vehicle Use Policy

13.1 Vehicle Use and Scope

This policy addresses assignment of county vehicles for business use, for home-to-work commuting and after-hours use, use of personal vehicles for county business, mileage allowances, general motor vehicle safety expectations, and reporting requirements for commercial vehicle operators as per [RCW 46.25.030](#). All employees who operate motor vehicles for county-related business are responsible for operating the vehicle in a lawful, safe, and prudent manner.

This policy applies to:

1. Departments reporting to the Board of County Commissioners.
2. Elected Officials' Offices with the proviso that those officials are responsible for application of this policy, or a comparable alternative, in their departments. All allowances, mileage reimbursement rates, and other cash disbursements require approval of the Board of County Commissioners.
3. Represented and non-represented employees - Where permitted, the policy is applicable to bargaining unit employees depending on the collective bargaining agreement for that unit and the requirements of [RCW 41.56](#).
4. Where provisions of this policy address topics covered in the Sheriff's Office Vehicle Use policy, those rules shall apply.

All users of county vehicles (owned, leased, or rented) or personal vehicles being used for county business purposes, including regular employees, temporary employees, contractors, volunteers, and citizens.

13.2 Definitions

Vehicle: Per [RCW 46.04.670](#) includes every device capable of being moved upon a public highway an in, upon, or by which any persons or property is or may be transported or drawn upon a public highway, including bicycles. This includes motorized or non-motorized vehicles to include boats, aircraft, and utility tractors designed to transport persons or goods on public roadways, waterways, or federal airspace.

Motor vehicle: Per [RCW 46.04.320](#) means every vehicle that is self-propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

Special Mobile Equipment: Per [RCW 46.04.552](#) means every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including but not limited to: ditch digging apparatus, well boring apparatus and road construction and maintenance machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earthmoving carryalls and scrapers, power shovels and draglines, and transportation of persons or property to which machinery has been attached.

Specialized Equipment: Per [WAC 468-38-270](#) certain vehicles are designed and built for unique functions other than transporting persons. The federal highway administration classifies and references some of

these vehicles as specialized equipment in Title 23 C.F.R. Part 658.13(e) and sets minimum and/or maximum parameters for the vehicle to operate. The department adopted these specialized classifications and accepted or further defined the legal parameters for operation on state highways.

Weapon: A tool or instrument used with the aim of causing damage or harm to live beings or artificial structures or systems.

Assigned Take-Home Vehicle: A county vehicle, which is used by a County employee for county business and for regularly commuting to and from the employee's home and workstation.

Assigned Vehicle: A county vehicle assigned to a department or county employee for county business, but not for employee commuting to and from the employee's home and workstation.

Call-Out: A directive to an employee to report to a work site during off duty time or day, and to respond to emergencies, which require immediate response to protect life and property.

Commissioned Officers: All officers commissioned by the Sheriff's Office.

Commute Trip Mileage: The mileage from an employee's home to their regular place of work and back, or the actual daily mileage from home to the first worksite and from the last worksite to home.

Designated Parking Area: A county parking facility or lot, which has been identified by an employee's Elected Official or the Risk Manager as an acceptable overnight location for parking the employee's assigned county vehicle.

Emergency Response: An employee has primary responsibility for immediate response, to protect life and property, and to maintain and enforce law.

Occasional Overnight Usage of County-Owned Vehicles: County employees taking home county-owned vehicles for conducting county business away from the employee's normal place of work and outside an employee's normally scheduled work hours.

13.3 Assignment of County Vehicles

Purpose and Responsibility

It is the responsibility of the Board of County Commissioners (BOCC) to ensure the proper use of public funds concerning the County practice of allowing employees to commute to and from work in County-owned and leased vehicles. The BOCC is to assure all County owned and leased vehicles are used responsibly, and centralized controls are in place to report taxable benefits if applicable. All Take-Home Vehicle assignments for County issued vehicles will be reviewed by the BOCC annually.

The BOCC wishes to restrict the number of county-owned and leased vehicles used by employees to commute to and from work.

Authority and References

[IRS Publication 15-B Fringe Benefit](#)

[IRS Publication 5137 Fringe Benefit Guide](#)

[IRS Substantiation Requirements §1.274-5](#)

Take-Home Vehicles are only to be assigned to those meeting the IRS requirements of Qualified Non-personal Use Vehicles as identified in Publication 5137, or meet the Emergency Response, Specialized Equipment, or Economic Benefit as defined below.

Take-Home Vehicle assignment must be preapproved by BOCC, unless for a temporary assignment.

13.4 Qualified Non-Personal Use Vehicles

1. Clearly marked police, fire, and public safety officer vehicles.
2. Ambulances used as such, or hearses used as such.
3. Any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds.
4. Bucket trucks (cherry pickers).
5. Cement mixers.
6. Combines.
7. Cranes and derricks.
8. Delivery trucks with seating only for the driver, or only for the driver plus a folding jump seat.
9. Dump trucks (including garbage trucks).
10. Flatbed trucks.
11. Forklifts.
12. Passenger buses used as such with a capacity of at least 20 passengers.
13. Qualified moving vans.
14. Qualified specialized utility repair trucks (as defined in Publication 5137).
15. Refrigerated trucks.
16. School buses.
17. Tractors and other special purpose farm vehicles.
18. Unmarked vehicles used by law enforcement officers if the use is officially authorized.
19. Pickup Trucks and Vans that meet the specifications as defined in Publication 15-B.

The use of County vehicles or travel reimbursement is preferred over the assignment of Take-Home vehicles for conducting county business. Assignment of a County vehicle is neither a privilege nor a right of any County employee.

Assignment of a County vehicle shall not be made based on employee merit or employee status. The need for communication access (car radio, telephone, etc.) shall not be considered adequate justification for a County vehicle assignment. Wherever possible, assigned County vehicles shall be picked up and dropped off at designated County parking area, thereby avoiding the assignment of Take-Home Vehicles.

13.5 Emergency Responses

Take-Home Vehicles may be assigned to county employees who:

1. Are called out at least 12 times per quarter, or 48 times a year and have primary responsibility to respond to emergencies which require immediate response to protect life or property; and
2. Cannot use alternative forms of transportation to respond to emergencies; and
3. Cannot pick-up County-owned assigned vehicles at designated sites without impacting the employee's ability to respond to emergencies, which require immediate response to protect life or property.

Emergency response assignments should be supported by data demonstrating the actual number and nature of emergency responses in the prior year and estimates of future emergency responses. There must be an explanation as to why an employee cannot use alternative forms of transportation to respond to emergencies or pick up county-owned or leased assigned vehicles at designated parking areas.

13.6 Special Equipment Vehicles

Take-home vehicles may be assigned if an employee needs specialized equipment or a special vehicle to perform county work outside of an employee's normally scheduled workday.

1. Communication access shall not normally be considered a valid justification for a specially equipped take-home vehicle.
2. Employees must have primary responsibility to respond to emergencies.

Special equipment vehicle assignments shall be supported by information describing the special equipment needed to perform the county work.

13.7 Economic Benefit to the County

Take-Home vehicles may be assigned if employee's private vehicle mileage reimbursement costs are greater than the commuting costs for an assigned county vehicle with overnight vehicle usage.

1. Lost productivity costs, the cost of the time it takes an employee to travel from a designated county parking facility to their workstation, shall not be included in the calculation of economic benefit to the county.
2. There must be an explanation as to why an employee cannot use alternative forms of transportation or pick up county-owned or leased vehicles at designated parking areas.
3. Tax treatment of all vehicle assignments shall be subject to current regulations.

13.8 Temporary Take-Home Vehicle Assignment

Occasional overnight usage of County-owned or leased vehicles is permitted. Such occasional usage of County vehicles may occur when an employee conducts County business away from the employee's normal place of work, and outside an employee's normally scheduled workday. Other types of occasional overnight usage are permitted when the following conditions exist:

1. Inclement weather conditions: When an employee is on-call and has primary responsibility to respond.
2. Emergency preparedness or seasonal assignment: County-owned or leased vehicles are permitted when an employee is on-call and vehicle is taken home less than 12 times per quarter on average.
3. Collective Bargaining Agreement: Authorization for take-home assignments may be granted to employees represented by collective bargaining agreements with language that provides for take-home vehicle assignment.

13.9 Board of County Commissioners' Responsibilities

The BOCC will evaluate, authorize, or deny the current Take-Home vehicle assignments and any new requests from all departments and elected offices by October 31st of each year.

Take-Home vehicle authorization shall be for the following periods of time: January 1st to December 31st of each year, unless otherwise specified by a collective bargaining agreement.

13.10 Budget Management Responsibilities

Budget Management shall be the department in charge of the following provisions:

1. Maintaining the listing of BOCC approved Take-Home vehicle assignments.
2. Maintain the supporting documents for each Take-Home vehicle assignment. Documents will be compiled, calculated, and submitted to payroll for fringe benefit, per the IRS rules and regulations.
3. Provide Fair Market Value of vehicles for auto fringe benefit calculation if applicable.
4. Develop and maintain records of all Take-Home vehicle assignments for Budget Management provisions.

13.11 Department Heads and Elected Officials' Responsibilities

Department Heads and Elected Officials shall prepare a Vehicle Take-Home Authorization Request Form and submit to Budget Management for presentation to the BOCC. These forms should be submitted by September 30th of each year or when a new Take-Home assignment is issued to Budget Management. Each department and office shall maintain a list of authorized Take-Home Vehicles. The updated list shall be transmitted to Risk Management annually, or upon request by the Budget Manager. This list shall include:

1. Employee name
2. Rank or Title
3. Work location

4. Vehicle number
5. Vehicle type
6. County of residence
7. Miles outside the County, if applicable

The following standards and criteria shall be applied for proposing Take-Home assignments for all departments, except for the Sheriff's Office.

The employee shall reside within Mason County. The elected may propose a take-home vehicle assignment for employees residing outside the county if **both** the residence is within 15 miles of the county line and a reasonable 30-minute response time can be met. In addition, there are reasonable and compelling justifications and if such requests are met, the criteria contained in sections 1 through 6 found below.

1. The employee commute mileage shall not be greater than the business mileage.
2. In cases where the Take-Home Vehicle Assignment requests are based on Emergency Response or Special Equipment, the Elected must show that emergency response outside of the employee's normal working hours is necessary due to an eminent threat to life or property.
3. The employee must provide historical data showing the number of emergency responses made during the same time in the previous year.
4. There must be no other employees on duty and available to respond or perform the emergency work during their normal work shift.
5. Before approving Take-Home Vehicle Assignment, the Elected shall first consider whether occasional overnight assignment, temporary on-call status, or reimbursement for the use of a private vehicle will be of greater economic benefit to the county than a Take-Home Vehicle Assignment.
6. The employee has primary countywide custodial control of resources used during emergency response, and who must be available for all emergencies.

Commissioned employees of the Sheriff's Office are exempt under, however, for Non-Commissioned employees, this is considered a fringe benefit and may create a tax liability.

13.13 Employee's Responsibilities

A County owned or leased Take-Home vehicle is a fringe benefit that may generate a tax liability. If a request for a Take-Home Vehicle is approved, it is the responsibility of the employee to contact payroll and determine the tax liability.

The employee is also responsible for submitting the monthly mileage report to Budget Management by the 5th working day of the month. Monthly mileage reports are required for all Take-Home assignments, except for Commissioned Officers of the Sheriff.

13.14 Financial Services – Payroll Responsibilities

Payroll will update fringe benefit data in the payroll system.

(Resolution No. 19-17)

13.15 Drivers License and Insurance Requirements

The County has auto liability coverage on its Mason County vehicles. Authorized employees appointed or authorized representatives and persons, or volunteers driving Mason County vehicles are covered under the County's liability coverage. However, employees using their personal vehicles for County business are not included in the County's insurance coverage and, therefore their personal vehicle insurance is responsible for accidents, regardless of whether the accident occurred while they were on County business. The mileage reimbursement received by employees for approved use of personal vehicles includes, in part, a reimbursement for personal insurance coverage. Employees should consult with their insurance agent/company to inquire about what coverage exists while using their personal vehicles for County business.

1. Employees shall provide valid proof of automobile liability/property damage insurance with policy coverage limits that meet the Washington State minimum requirements.
2. When an employee is using their privately-owned vehicle pursuant to County policy, the individual's insurance shall be considered the primary insurance coverage with County coverage potentially available for secondary or excess coverage.
3. Job applicants who have reached the final interview stage of the employment selection process will provide the county with a "Driving Record" prior to being offered the position. This applies to both internal and external applicants and only to those applicants whose job would require them to operate county owned or leased vehicles on a regular (routine) basis.

13.16 Use of Personal Vehicles for County Business

Employee's use of personal vehicles for county business travel purposes is subject to the approval of the department head or elected official. Employees may be required to utilize a county vehicle based on cost or safety considerations. Authorization to use private vehicles may be given on a trip-by-trip or standing approval basis. Upon request, employees are required to provide their supervisor with proof that they possess a valid motor vehicle operator's license, proof of current vehicle liability insurance and a current Vehicle Use Agreement on file with Human Resources.

Private vehicles utilized for county business are considered official vehicles and must conform to the following requirements:

1. The vehicle must meet legal requirements to operate on a public highway.
2. The vehicle must be in sound mechanical condition and present no safety risks.
3. Employees must submit a mileage reimbursement form, to receive reimbursement based on the county's current mileage rate allowance. The standard mileage rate reimbursement covers gas, maintenance, repairs, and insurance for work related driving.

13.17 Use of County Vehicles for Personal Business

Employees using county vehicles on a continuing assignment or trip-by-trip basis are prohibited from using vehicles for personal business except as provided herein. Unauthorized personal use of a county vehicle may result in disciplinary action, up to and including termination of employment.

All employees should exercise reasonable judgment regarding the use of a county vehicle for personal purposes. Personal use of a county vehicle may be permitted, subject to the approval of the applicable department head or elected official, when the use serves the county's interests, results in negligible expense, and/or is justified by compelling circumstances and doesn't pose a "bad appearance" even if on personal time — (e.g., at a bar or liquor store).

13.18 Incidental Travel and Stops

Employee drivers should remember that public perception of county employees is important and influenced by how and where the public observes county vehicles being used. Employee drivers should not make incidental stops at locations the public would generally perceive as inappropriate.

13.19 Political Use of County Vehicles

No employee or person may use any vehicle owned, leased, or operated by the county for any trip which is exclusively for the purposes of campaigning in support of, or in opposition to, any candidate or cause for national, county, or local office, unless use of the vehicle is required for purposes of security protection provided by the county or local governmental unit.

13.20 Use of County Vehicles by Other Individuals

Use of county vehicles by temporary employees or volunteers requires authorization from the department head or elected official. Temporary county employees and volunteers are subject to the applicable provisions of this policy, including signing the Vehicle Use Agreement and providing proof of a valid driver's license.

Interagency use of a county vehicle requires authorization from the county's elected official. Use of a county vehicle under an interagency agreement is subject to the provisions mutually agreed upon by the agencies involved.

13.21 Permitted and Prohibited Uses of County and Personal Vehicles for County Business

The following policies govern all vehicle use for county business:

1. All drivers and passengers must comply with all the motor vehicles laws of the state of Washington or any other state in which the vehicle is operated, including seatbelt and cell phone laws.
2. Vehicles shall be locked when unattended with the engine turned off. Keys shall not be left in the ignition unless authorized by the department head or elected official.
3. No person may use a county vehicle, or permit the use of a county vehicle, or operate a personal vehicle for county business in the following prohibited manners:

- a. The driver is impaired by fatigue or any other known mental or physical condition that affects the safe operation of the vehicle.
- b. The driver is impaired because of prescribed appliances (e.g., cast, sling, brace), prescribed or over-the-counter medications that cause or result in adverse side effects (e.g., drowsiness or impaired reflexes or reaction time). As described in Policy 8.13- Substance Abuse, employees are responsible for informing their supervisor of the possible effects of the medication and expected duration of its use.
- c. Tobacco use (smoking and non-smoking products and devices) is prohibited in county-owned or leased vehicles. This does not include smoking in personal vehicles used for county-related business.
- d. Transporting non-county employee passengers, including family members, is not permitted unless authorized by the employee's department head or elected official.
- e. Permitting non-authorized individuals to drive a county-owned/leased vehicle unless it is for a bona fide emergency purpose.
- f. Drivers of motor vehicles are prohibited from reading, manually writing, or sending a message on an electronic wireless communications device or holding a wireless communication device to their ear while the vehicle is moving. Exceptions to this section include operators of an authorized emergency motor vehicle; a driver using a wireless communications device in the hands-free mode; using devices to report illegal activity or summon medical aid or other emergency assistance or to prevent injury to a person or property; using hearing aids.
- g. Use for personal gain, such as delivering goods or services.
- h. Modifications including affixing signs, stickers, antennas, bike racks, ski racks, etc. Modifications to county vehicles may be undertaken only with the prior written consent of the department head or elected official. The County Shop or its designee will perform any modification to a county-owned or leased vehicle.
- i. Transporting of animals — Allowed only with prior written consent of the department head or elected official - (excludes Animal Control activities and transportation and use of canines or other animals by the Sheriff's Office).
- j. Hauling loads that exceed the rated capacity of the vehicle or that could cause damage to the vehicle (i.e., hauling firewood or gravel in a passenger vehicle).
- k. Use of trailer hitches and towing – allowed only with prior approval by either the County Shop or Motor Pool Manager. The County Shop or Motor Pool must evaluate hitches and lights.
- l. Installation or use of any radar or speed detection devices.
- m. Transporting hitchhikers.
- n. Use or consumption of alcohol and/or illegal drugs is prohibited while operating a county-owned/leased vehicle or personal vehicle for county business.
- o. Use for vacations, side trips or any other use not expressly authorized by this policy or department head or elected official.

Drivers with questions regarding the appropriate use of a county vehicle or a personal vehicle while in use for county business should consult with their supervisor, department head, elected official, or the Risk Management Office.

13.22 Vehicle Use Agreement (VUA)

The purpose of the VUA is to ensure employees are licensed to operate a motor vehicle and possess auto liability insurance to operate their personal vehicle for county business. Use of a county (owned, rented, or leased) or personal vehicle for business purposes is contingent upon the following conditions and requirements:

1. Vehicle Use Agreement - Each department head and elected official or their designee will acquire a signed Vehicle Use Agreement (VUA), every three years or if the employee has any changes or updates to their driver's license or personal auto insurance coverage, from each of their employees that operate a personal or county-owned/leased vehicle for business purposes. This includes those employees required to hold a Commercial Driver's License (CDL).
2. Motor Pool User Agreement – Each department head and elected official or their designee will acquire a signed Motor Pool User Agreement (MPUA), annually from each of their employees that operate a motor pool county-owned/leased vehicle for business purposes.
3. Driving Record Request
 - a. Employees who are required to operate a vehicle on a regular (routine) basis to perform their job shall, as part of the Vehicle Use Agreement, authorize Mason County to acquire a copy of their driving abstract from the Department of Licensing per [RCW 46.52.130](#).
 - b. All other employees who may drive a county vehicle or a personal vehicle for the use of county business may have their driver abstract requested from the Department of Licensing per [RCW 46.52.130](#) if requested by their department head, elected official and/or the Risk Management Office.
4. Driver Safety - Annual Defensive Driving training, provided by Risk Management.

13.23 Driver Disqualification and Review

County employees and other authorized agents of the county may become disqualified as a driver for county business for any of the following conditions:

1. Three or more moving violations in the past three years.
2. Two accidents, if one or more results in injury, loss of life or significant property damage. Note: This includes only accidents where the driver was substantially at fault.
3. Suspension or revocation of driver's license.
4. Any change in the status of an employee's driver record resulting in disqualification or the failure to report such a change may also result in disciplinary action up to and including termination.

Drivers denied the use of a county vehicle based on an unsatisfactory driving record may request a review of the denial through their department head or elected official. The Risk Management Office should be consulted regarding any requests for review.

Drivers must immediately inform their supervisor, department head, or elected official in writing if they become disqualified under this policy.

A requested review will be investigated by the department head or elected official, and the Risk Management Office then approved or denied by the elected official in writing. Approval or denial will be documented and kept on file in the Risk Management Office.

13.24 Accidents and Citations

Employees are fully responsible for operating vehicles on county business in a legal, safe, and prudent fashion and are subject to appropriate corrective action for failure to do so, up to and including termination.

1. Employees shall immediately report all traffic accidents and/or damage to their vehicle to their supervisor or department head or elected official while operating a personal or county-owned/leased vehicle while on county business. In addition to any state required accident reports, employees shall complete the form within the first business day following the accident. The report will be forwarded to Risk Management. A review by the department head or elected official may be convened to evaluate the accident depending on the severity.
2. Drivers are personally responsible for the cost of all traffic citations, parking tickets, etc. Passengers are personally responsible for the cost of any traffic citation they may receive while riding in a county-owned/leased vehicle or a personal vehicle being used for county business - (i.e., seatbelt violations, parking violations, throwing object from vehicle). The offending employee shall pay citation fines promptly.
3. Employees shall report moving violation citations that occur while operating a vehicle for county business within the first business day of the issuance of the citation. Employees will notify their immediate supervisor, who in turn will forward the report to the Risk Management Office.

13.25 Commercial Driver License

In addition to the conditions and requirements for all motor vehicle operators, employees who hold a commercial driver's license (CDL) are subject to all requirements applicable to state and federal laws.

13.26 County Vehicle Related Purchases

Supervisors shall inform employees of acceptable vendors, gas stations, and other services that may be utilized for county vehicle related purchases. Repair and towing services are primarily acquired through county contracts. If services are needed while traveling out of the county, the employee should contact the County Shop for Public Works vehicles, the Facilities manager for motor pool vehicles, or use their best judgment if outside of work hours.

13.27 ER&R Vehicles Fuel Policies and Fuel Credit Card Uses

Public Works vehicles should use the county-owned fuel dispensers whenever possible. There is one fill up per fuel card use. No doubling up on one card with more than one respective, associated vehicle is permitted. Department supervisors should provide directions to those locations and instruct their assigned drivers on the uses of these dispensers.

Public Works vehicles may use public self-service, regular unleaded and diesel dispensers if county fuel dispensers are not available. The most cost-effective vendor should be used whenever possible. Receipts must be submitted for reimbursement.

The use of premium grades of fuel is not authorized, unless required by the vehicle's owner's manual.

13.28 Motor Pool Repairs and Preventative Maintenance

Motor pool vehicles should use the assigned WEX Fleet card to purchase fuel from any authorized gas station (Shell or Chevron). Arco and AM/PM gas stations are not authorized vendors. There is one fill up per fuel card use. No doubling up on one card with more than one respective, associated vehicle is permitted. Department supervisors should provide directions to those locations and instruct their assigned drivers on the uses of these dispensers.

Motor pool vehicles may use public self-service, regular unleaded and diesel dispensers for emergency situations only. The most cost-effective vendor should be used whenever possible. Receipts must be submitted for reimbursement.

The use of premium grades of fuel is not authorized, unless required by the vehicle's owner's manual.

13.29 Repairs and Preventative Maintenance

When a vehicle is assigned to an employee or department, the driver or department supervisor is responsible for ensuring that all preventative maintenance is performed on schedule and the vehicle is serviced in a timely manner when notified by either the Facilities department or the County Shop.

13.30 General Motor Vehicle Safety

In the interest of safety, supervisors may elect to have assignments, jobs or tasks delayed or postponed during inclement weather until driving conditions improve. Only essential vehicles equipped with necessary traction devices should be required to operate during hazardous conditions (e.g., Sheriff's vehicles, snowplows, sanding trucks, etc.). Vehicles used during inclement weather may require the use of tire chains. It is the responsibility of the vehicle/equipment operator to install tire chains when needed.

Operators shall conduct a safety check of the vehicle each day. The minimum operator's check should consist of a check for body damage, mechanical problems (tire inflation & tread, brakes, steering, turn signals, wipers, horn, etc.) and verification that all lights are functioning, and windows are cleaned to present a clear field of view. All items requiring repair shall be reported to the immediate supervisor and the County Shop for Public Works vehicles, or by submitting a [maintenance support ticket](#) to the Facilities Department for motor pool vehicles.

County departments may have additional requirements for the safe operation of motor vehicles and equipment.

13.31 Safety

In the event a county officer, employee, or volunteer is involved in an accident while operating a county vehicle or their own vehicle and conducting county business, the driver shall follow these safety rules:

1. Immediately provide first aid (if possible and if necessary) to any injured person. It is recommended that employees providing first aid/CPR have a valid first aid/CPR card.

2. The county employee/driver shall then immediately notify their supervisor and the appropriate law enforcement agency. No vehicles shall be moved from the accident scene until law enforcement arrives unless a greater safety hazard would be created by not moving the vehicle(s).
3. The county employee/driver shall exchange information regarding driver's license, vehicle registration, and insurance information with the operator(s) of the other vehicle(s).
4. If possible, the county employee/driver shall gather the names and addresses of all potential witnesses including passengers in all vehicles involved.
5. If possible, take photos of both the county vehicle and the other injured parties' vehicle, equipment, or the scene itself.
6. The county employee/driver shall complete the vehicle accident checklist located in the glove compartment of each county vehicle. If the accident results in death, personal injury, or property damage in excess of five hundred dollars, complete the State of Washington [Uniform Collision Report Form \(WSP 161\)](#) within twenty-four hours of the accident.

Chapter 14 – Travel

Mason County recognizes that out-of-town travel and related business expenses can be an integral and necessary component of the operation of local government. This policy is intended to establish equitable standards and to provide consistent and fair treatment to all employees who incur such expenses. It is also intended to establish and maintain effective controls over those expenses.

County officials (department heads and elected officials) and County employees are expected to exercise prudent judgment when incurring travel expenses on behalf of the County doing official County business. The failure of employees to follow this policy, or incur excessive expenses, may be cause for disciplinary action. Non-business-related expenses and/or expenses not made in accordance with this policy will not be approved or reimbursed.

14.1 Travel Expense Reimbursement

All travel and associated expenses must be approved in advance by the department head or elected official. Employees will be reimbursed for reasonable and customary expenses incurred in connection with doing business on behalf of the County. These may include meals, lodging, transportation, and other necessary expenses while away from the office. These expenses may not include alcoholic beverages; tobacco; tips exceeding 15%; meals, lodging or transportation provided for the employee by an outside entity as part of the employee's participation; any expenses for a person(s) traveling with the employee; any expenses incurred that are not in connection with the business of the County.

All requests for payment of travel must be submitted to the Auditor's Financial Services department on forms approved and provided by the Auditor. All required documentation must also be submitted on the approved travel document form. Required travel documents include all itemized receipts, conference/seminar agendas, and all proof of costs incurred while doing business on behalf of the County. Travel documents should be presented to the Auditor's Financial Services department in the month the charges occur.

If an employee chooses to travel to a destination in advance of the necessary time for arrival or remain at the destination following the official closing of the event, there will be no additional per diem, lodging or miscellaneous expenses paid to the employee.

All requests for payment must be signed by the department head or elected official and the employee that is requesting reimbursement. An employee may not request reimbursement on behalf of another employee.

If an employee is compensated by an outside entity for any travel costs while traveling on behalf of Mason County, the employee will deposit those funds with the Mason County Treasurer. The employee will provide the Auditor's Financial Services department with a copy of the Treasurer's deposit receipt and a detail of the expenses covered.

Any member of a board, committee or commission that is not a Mason County employee but is an appointed member to do business on behalf of Mason County is subject to all travel rules and documentation noted herein.

14.2 Per Diem (Meal Reimbursement)

All requested meal reimbursement must have a detailed receipt. Meals will be reimbursed, minus any alcohol or a tip exceeding 15%, using the Washington State Office of Financial Management (OFM) per diem rates and, for out of state travel, the U.S. General Services Administration (GSA) per diem rates. The meals will be reimbursed up to the allowable rate for the location and meal type per GSA per diem rates. Per diem will be reduced for any meals provided through conference registration, seminars, or similar events. Reimbursement will not be made if the employee chooses not to eat the meal provided and eats elsewhere.

14.2.1 Single Day Per Diem

Single day per diem occurs when no overnight stay is required. Single day meal reimbursements are considered taxable wages according to the IRS and will be included as gross taxable income of the employee. An employee must use the single day per diem form and include it with their payroll timesheet information. The department supervisor will forward the per diem form to the Auditor's Financial Services department. The meal will be added to their taxable gross wages and taxed accordingly.

14.2.2 Per Diem While in Overnight Travel Status

If an overnight stay is required, per diem will be based on GSA rates for each day the employee is in full travel status. The per diem rate will be based on the location the employee is in for that meal. On days of departure and return, an employee will apply the Three-Hour Rule (see rule below).

14.2.3 Per Diem Three Hour Rule

If an employee is in travel status for three hours beyond their regular work schedule for a single day, they may receive meal reimbursement. The three hours may consist of hours occurring before, after or a combination of both before and after the employee's regular work schedule for the day. The employee may not stop for a meal just to meet the three-hour rule.

14.3 Advance Travel

If an employee will be in training on behalf of the County and staying at the training location for four consecutive weeks or more, they may request advance travel. All requests for payment of advance travel must be submitted to the Auditor's Financial Services department on forms approved and provided by the Auditor. Documentation of the training must be submitted with the approved advance travel request that includes the location and the training calendar. It is the responsibility of the employee to submit the advance travel request two weeks prior to travel to allow for processing the request.

Per diem will be used for only advance travel using the Washington State Office of Financial Management (OFM) per diem rates and, for out of state travel, the U.S. General Services Administration (GSA) per diem rates. There is no requirement to provide receipts.

All advance travel requests must be signed by the department head or elected official and the employee that is requesting the advance travel.

14.4 Special Circumstances

During emergency situations such as, but not limited to, initial crime scene investigations, major crimes, emergency weather situation, natural disasters, etc., when employees are working extended hours and

stopping for a meal break could worsen the emergency or increase costs to the County, departments may provide an on-scene meal of nominal cost. A detailed receipt, including the names of all employees/volunteers involved, must be provided. All receipts and pertinent information involving the emergency must be included on the claim for payment voucher submitted to the Auditor's Financial Services department. An employee may not claim a per diem meal reimbursement if their County department is also submitting a claim for payment voucher for the same incident.

14.5 Lodging

All lodging is to be reserved using a government, or most economical, rate whenever possible. County credit cards may be used to secure lodging for a county employee. Reimbursement for lodging is allowed when the temporary duty station is located more than fifty (50) miles, using the most direct route, closer to either the traveler's official residence or official workstation.

Reimbursement will be made for the actual lodging expense and any applicable taxes. If there are additional charges for a person(s) traveling with the employee, who is not traveling on behalf of County business, the employee is responsible for all charges for that additional person(s) and it will not be reimbursed. An itemized statement is required for all charges.

If an employee shares accommodation with another employee or an employee of another entity who is attending the same event, an equal share of the double room rate will be paid on behalf of the Mason County employee. Each employee must submit an original invoice showing the lodging charge for their portion of the room rate.

Not eligible for reimbursement on a lodging receipt are, but not limited to laundry services; valet service; entertainment expenses; athletic room (gym) charges, internet charges (unless required by their supervisor).

14.6 Transportation

Any employee driving a vehicle (either County car or personal vehicle) must have and must be able to provide proof of valid car insurance.

Employees are encouraged to reserve and use a pool car as much as possible. All county vehicles shall be used in accordance with Chapter 13, Mason County Vehicle Use Policy.

If a personal vehicle is used, the mileage will be based on the current IRS standard POV rate. Mileage will be prohibited for normal travel between the usual place of business and employee's main place of residence. When traveling on behalf of the County, mileage will be paid from either the official workstation or the employee's main residence, whichever is the closer and most direct route of the two, to the travel destination.

Mileage shall not exceed the sum of a round trip coach airfare from a common carrier, any needed local ground transportation, and other related costs for that destination.

Airfare (coach rate), car rentals, trains, ferry, tolls, shuttle/taxi, etc. will be reimbursed with a receipt and paid at actual costs. Personal travel insurance will not be reimbursed. Tickets purchased with an employee's individual frequent flyer miles will not be reimbursed.

(Resolution No. 82-12)

Chapter 15 – Electronic Information Acceptable Use Policy

15.1 Electronic Information Policy

Mason County provides a communications and data network capable of offering Electronic Mail (e-mail), Voice Mail, Internet access, data storage and data processing to employees to assist and facilitate legitimate Mason County business operations. Mason County information and information resources shall be used in an approved, lawful manner to avoid loss or liability to Mason County and/or loss of public confidence in the operation of Mason County.

Utilization of these systems is a privilege. Employees should never put information on or access services unless they would be comfortable with the information associated with their name in public. By using Mason County's communications and data systems, employees agree that they are aware of, understand and comply with the provisions of this policy.

15.2 Definitions

Computers Systems: Includes individual desktop and laptop computers (PCs), e-mail system, internet access, file servers, digital media such as floppy disks, Compact Digital disks (CDs) and Digital Video disks (DVDs), and all other components of Mason County's computer systems.

E-Mail: The County's e-mail system.

Intranet: Web site containing content for internal use.

Internet: The worldwide network of computers.

Software: The digital programs that perform functions on the PCs and network. All software normally has a copyright and is licensed.

Streaming Audio (or Video): Technology used to "play" or view audio/video on a PC from a remote source or Web site over the network. Can be used for music, voice, lectures, videos, and other audio/video material. It generally consists of a continuous stream of data coming over the network.

Web Browsing: Use of a software tool to access Web sites on the Internet.

15.3 Roles and Responsibilities

Mason County owns all information services resources; use of such resources constitutes consent to monitor, inspect and audit any data or information resident on those resources without permission or further notice.

The Board of County Commissioners shall approve the Acceptable Use Policy.

Elected officials and Department Heads shall be responsible for the following:

1. Informing their personnel of acceptable use policies and acceptable use of information resources.
2. Ensuring that personnel under their supervision comply with these policies.
3. Ensure the contract personnel under their supervision comply with these policies and procedures.

15.4 Equipment and Programs

15.4.1 Acquiring Hardware and Software

To prevent the introduction of malicious code and protect the integrity of County information resources, all hardware and software shall be obtained through or with the advice of Information Services.

15.4.2 Complying with Copyright and Licensing

All software utilized shall be procured by Mason County and shall be licensed and registered in the name of Mason County. All personnel shall abide by software copyright laws and shall not obtain, install, replicate, or use software except as permitted by the software licensing agreements.

15.4.3 Using Personally Owned Software

To protect the integrity of County resources and licensing requirements, personnel shall not use personally owned software on Mason County information systems. This includes, but is not limited to, personally purchased and licensed applications and shareware. Exception: Personally, owned Personal Digital Assistant (PDAs) that are compatible with the County systems, may be installed with the authorization of the Elected Official or Department Head. The software licensing that accompanies the PDA must allow concurrent home and business use.

15.5 E-Mail and Voice Mail (Electronic Communication)

15.5.1 Acceptable Use

Mason County provides electronic communications to facilitate the conduct of government business. Occasional and incidental personal electronic communications use shall be permitted if it does not interfere with the government's ability to perform its mission. However, while they remain in the system, personal messages shall be in the possession and control of Mason County and shall be deemed public information, unless specifically protected by law.

15.5.2 Prohibited Use

Prohibited activities when using government electronic mail shall include, but not be limited to, sending, or arranging to receive the following:

1. Information that violates county, state or federal laws and regulations.
2. Any material that may defame, libel, abuse, tarnish, or portray in false light, the recipient, the sender, or any other person.
3. Pornographic, racist, sexually oriented, offensive material, chain letters, unauthorized mass mailings, or malicious code.

15.5.3 Encryption

Encrypting electronic mail, messages or data shall comply with the following:

1. Use of encryption will be approved by the Commissioners.
2. Place the key or other similar file for all encrypted electronic mail in a directory or file system that can be accessed by the responsible Elected Official or Department Head prior to encrypting email.

3. Supply the key or other device needed to decrypt the electronic mail upon request by authorized management.
4. Use of encryption without prior authorization will be considered violating this policy.

15.6 E-Mail Management

Recognizing that e-mail messages that meet the definition of a public record must be managed according to approved records retention periods, Mason County has implemented a process to support the proper management of e-mail records. It is the responsibility of all County employees to manage records according to retention requirements mandated by federal, state and/or local statute, grant agreement, and/or other contractual obligations and Mason County's policies and procedures.

Storing every email is not the same as managing public records created and/or received as emails. Such a strategy is unlikely to be sustainable in the long run, will make it harder to locate the public records that do need to be retained and may not be the most efficient use of agency resources.

Mason County supports appropriate management of e-mail messages through:

1. Implementation of an email archiving solution that provides central storage and access of e-mail messages that meet the definition of a public record.
2. Development of user procedures and guidelines.
3. Training for email storage is available to *all* employees through the Secretary of State <https://www.sos.wa.gov/archives/recordsmanagement/managing-emails.aspx>. Please contact the department's records retention staff for assistance.

15.6.1 Policy

All e-mail messages sent or received that are related to the conduct of County business must be evaluated for the function and content of the record. The function/content of each e-mail message should be evaluated against the following criteria of a public record:

- Was the email created while doing County business?
 - Was the email received for action?
 - Does the email document County activities, decisions, or actions?
 - Is the email mandated by statutes or regulations?
 - Does the email support financial obligations or legal claims?
 - Does the email communicate County requirements?
1. Email messages that meet the definition of a public record must be managed according to their approved retention period in their native format. <https://www.sos.wa.gov/archives/recordsmanagement/local-government-records-retention-schedules---alphabetical-list.aspx>
 2. All email messages sent or received from a County email address will be retained for a minimum of 90 days by the County's email system.

3. Employees have 90 days from the date an email message was created or received to determine if an email meets the definition of a public record. All emails that are public records must be retained in their native format for their approved records retention period. Retention periods are based on functional use of the information contained in each message.
4. Employees shall place email messages in email storage folders for the appropriate retention period as approved by the Washington State Local Records Committee Records Retention Schedule. The email archiving system will retain email based on folder designation. It is critical to use the appropriate email storage folder.
5. 90 days after the received date, e-mails will be purged from the County's email system (Outlook). E-mails in an employee in-box will be retained by the county's archiving system (Retain) for two years and deleted e-mails will be retained for one year. This process will purge archived emails that have met their required retention period and junk e-mails. Purged means deleted and unrecoverable.
6. To comply with records management requirements and the Washington State Public Records Act ([RCW 42.56](#)) email messages that meet the definition of a public record must be stored within technology systems supported by the County. The County's email archiving solution is considered the official system of record for County email messages. Requests for alternative methods for retaining emails must be submitted to the Information Technology Department for approval.
7. The creation of new Microsoft Outlook Personal Storage Table (.pst) files is prohibited.

15.6.2 Definitions

Public Record: Information in any format that has been made by or received by Mason County in connection with the transaction of public business.

Transitory Record: A public record with minimum retention value. These records can be deleted "as soon as no longer needed for agency business". They are subject to public disclosure while they exist.

Non-Record: Non-records may be created or maintained by County employees, but do not document the organization, functions, policies, decisions, procedures, operations, or other activities of Mason County.

(Resolution No. 68-19)

15.7 Internet Access

Access to the Internet is available to employees, contractors, whose duties require it for the conduct of government business. Since Internet activities may be monitored, all personnel accessing the Internet shall have no expectation of privacy.

15.7.1 Acceptable Use

Mason County provides Internet access to facilitate the conduct of government business. Occasional and incidental personal internet use shall be permitted if it is not a Prohibited Use activity, is not conducted during county work time and does not interfere with the government's ability to perform its mission. Elected officials and Department Heads shall determine when usage is acceptable for their employees.

15.7.2 Prohibited Use

Prohibited activities when using the Internet include, but are not limited to, the following:

1. Browsing explicit pornographic or hate-based web sites, hacker or cracker sites, or other sites that Mason County has determined to be off-limits.
2. Posting, sending, or acquiring sexually explicit or sexually oriented material, hate-based material, hacker-related material, or other material determined to be off-limits.
3. Posting or sending sensitive information without management authorization.
4. Accessing outside personal e-mail accounts such as Hotmail or Yahoo mail. Downloads or attachments from these accounts could bypass the County e-mail virus software. Information needed from these accounts should be forwarded to the employee's County e-mail address.
5. Using other services available on the Internet, such as FTP or Telnet, on systems for which the user does not have an account, or on systems that have no guest or anonymous account for the service being used.
6. Posting commercial announcements or advertising material.
7. Promoting or maintaining a personal or private business.
8. Receiving news feeds and push data updates unless the material is required for government business.
9. Using non-work-related applications or software that occupy excess workstation or network processing time (e.g., processing in conjunction with screen savers, streaming audio, or video feeds).
10. Conducting fund-raising, endorsing any product or service, lobbying, or participating in any political or campaign activity.

15.8 Generally Prohibited Uses of Information Resources

Generally prohibited activities when using government information resources shall include, but are not limited to, the following:

1. Stealing or copying electronic files without permission.
2. Violating copyright laws. This includes downloading copyright music or video files.
3. Browsing the private files or accounts of others, except as provided by appropriate authority.
4. Performing unofficial activities that may degrade the performance of systems or waste employee time, such as the playing of electronic games.

5. Performing activities intended to circumvent security or access controls of any organization, including the use of hardware or software tools intended to defeat software copy protection, discover passwords, identify security vulnerabilities, decrypt encrypted files, or compromise information security by any other means.
6. Writing, copying, executing, or attempting to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of or access to any computer, network, or information.
7. Accessing the County network via modem or other remote access service without the approval of management.
8. Promoting or maintaining a personal or private business or using County information resources for personal gain.
9. Using someone else's logon ID and password.
10. Disclosing any County information that is not otherwise public.

15.9 Monitoring, Auditing, and Inspection

Elected Officials and Department Heads may monitor, inspect, or audit the e-mail, data, or information their employees create or utilize on the County information services resources at any time.

System administrators and other personnel with unrestricted access to email, files, data, and similar services shall receive approval from the supervising Elected Official or Department Head prior to decrypting, opening, or reading the e-mail, data, or information of their employees.

If due to unusual circumstances, such as result of viruses, malicious programs, equipment failure or error, employee e-mail, data or information is read or intercepted, then system administrators and other employees that intercept, read, or view the information shall inform the responsible Elected Official or Department Head at the first opportunity.

An Elected official may only be monitored, inspected, or audited only with the express authorization of the Prosecutor.

Chapter 16 – Social Media Policy

To address the fast-changing landscape of the Internet and the way residents communicate and obtain information online, Mason County departments may consider using social media tools to reach a broader audience. The County encourages the use of social media to further the goals of the County and the missions of its departments, where appropriate. This policy is not meant to address one form of social media; rather social media in general, as advances in technology will occur and new tools will emerge. Mason County personnel will approach the use of social media tools as consistently as possible, County Government wide.

All Mason County social media sites shall comply with all appropriate RCW, Mason County policies and standards, including but not limited to:

1. Mason County Electronic Information Acceptable Use Policy (Revision F)
2. Mason County Blogging Policy
3. Mason County Electronic Communications Policy
4. Mason County Personnel Policy
5. [RCW 42.52](#) Ethics in Public Service
6. Mason County Social Media Standards for Facebook and Twitter
7. State of Washington public records laws

Mason County has an overriding interest and expectation in deciding what is "spoken" on behalf of the County on social media sites. This policy establishes guidelines for the use of social media.

16.1 Definitions

Blog: A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for "Web log."

Blog article: An original posting of content to a Mason County blog site by a Mason County blog author.

Blog commenter: A member of the public who submits a comment for posting in response to the content of a particular Mason County blog article.

Blog comment: A response to a Mason County blog article submitted by a blog commenter.

Mason County blog author: An authorized Mason County employee/official that creates and is responsible for posted blog articles (see blog article below).

Mason County blog moderator: An authorized Mason County employee/official, who reviews, authorizes, and allows content submitted by a Mason County blog authors and public commenters to be posted to a Mason County blog site.

Page: The specific portion of a social media website where content is displayed and managed by an individual or individuals with administrator rights.

Post: Contents an individual share on a social media site or the act of publishing content on a site.

Profile: Information that a user provides about themselves on a social networking site.

Social Media: A category of Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, MySpace), micro-blogging sites (Twitter, Nixle), photo- and video-sharing sites (Flickr, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit).

Social Networks: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

Speech: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

Web 2.0: The second generation of the World Wide Web focused on shareable, user generated content, rather than static web pages. Some use this term interchangeably with social media.

Wiki: Web page(s) that can be edited collaboratively.

16.2 Administration of Social Media

The Mason County Information Services Department will maintain a list of social media tools which are approved for use by County departments and staff.

The Mason County Information Services Department will maintain a list of all Mason County social media sites, a list of logins and passwords will be supplied by department / Office directors / managers. (The Mason County Information Services Department must be able to immediately edit or remove content from social media sites.)

The Official Mason County logo must appear somewhere on the “cover page” of the social media site. Mason County personnel use of personally owned devices to manage the County's social media activities or in the course of official duties is prohibited without express written permission by their Department Head.

Mason County personnel shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

For each social media tool approved for use by the County the following documentation and financial planning will need to be developed and adopted by each department/office:

- Standards and processes for managing and administration of accounts.
- Written operational and use guidelines.
- Secured budgeting for the approved retention and archiving program.

The following social media sites and networks have been approved for use by Mason County:

- Twitter – Mason County Twitter Standard
- Facebook – Mason County Facebook Standard

All additional social media tools proposed for County use will be forwarded to Information Services for review and processing for approval.

16.3 Mason County Website

The Mason County website (<https://masoncountywa.gov/index.php>) will remain the County's primary and predominant internet presences. The best, most appropriate Mason County uses of social media tools fall generally into two categories:

1. As channels for disseminating time-sensitive information as quickly as possible (example: emergency information).
2. As marketing/promotional channels which increase the County's ability to broadcast its messages to the widest possible audience.

Wherever possible, content posted to Mason County social media sites should contain links directing users back to the County's official website for in-depth information, forms, documents, or online services necessary to conduct business with Mason County.

As is the case for Mason County's web site, assigned department staff will be responsible for the content and upkeep of any social media sites their department may create.

16.4 Social Media Public Records

Mason County's social media sites are subject to State of Washington public records laws ([RCW 42.56](#)). Any content maintained in a social media format that is related to County business, including a list of subscribers, and posted communication, is a public record. The Department maintaining the site is responsible for responding completely and accurately to any public records request for public records on social media. Content related to County business shall be maintained in an accessible format so that it can be produced in response to a request utilizing an approved retention and archiving program. Wherever possible, such sites shall clearly indicate that "any articles and any other content posted or submitted for posting are subject to public disclosure". Users shall be notified that public disclosure requests must be directed to the relevant departmental public disclosure officer.

Washington state law and relevant Mason County records retention schedules apply to social media formats and social media content. Unless otherwise addressed in a specific social media standards document, the Department maintaining a site shall preserve records required to be maintained pursuant to a relevant records retention schedule for the required retention period on a County server in a format that preserves the integrity of the original record and is easily accessible through the approved retention and archiving program. Appropriate retention formats for specific social media tools are detailed in the Mason County Social Media Standards for Facebook and Twitter.

16.5 Users and Visitors of Mason County Social Media

Users and visitors to social media sites shall be notified that the intended purpose of the site is to serve as a mechanism for communication between Mason County departments and members of the public. Social media pages should state, where possible, that "Opinions expressed by visitors to the page(s) do not reflect the opinions of Mason County".

Pages shall clearly indicate that posted comments will be monitored and that the department reserves the right to remove obscenities, off-topic comments, and personal attacks. Mason County social media site articles and comments containing any of the following forms of content shall not be allowed:

1. Comments not topically related to the particular social medium article being commented upon.
2. Comments in support of or opposition to political campaigns, ballot measures or pending action items.
3. Profane language or content.
4. Content that promotes, fosters, or perpetuates discrimination based on race, creed, color, age, religion, gender, marital status, status about public assistance, national origin, physical or mental disability or sexual orientation.
5. Sexual content or links to sexual content.
6. Solicitations of commerce.
7. Conduct or encouragement of illegal activity.
8. Information that may tend to compromise the safety or security of the public or public systems;
or
9. Content that violates the legal ownership interest of any other party.

These guidelines must be displayed to users or made available by hyperlink. Any content removed based on these guidelines must be retained, including the time, date, and identity of the poster when available.

Mason County Information Services Department reserves the right to restrict or remove any content that is deemed in violation of this social media policy, or any applicable law posted on a Mason County social media site.

16.6 Blogging Policy

Mason County departments Facebook and Twitter accounts, commonly referred to as "blog" sites, provide County officials the ability to post short articles, exchanges of information, post status updates and photos, and receive notifications related back to those postings. County blogs facilitate further discussion of those articles by providing members of the public the opportunity to submit comments regarding the articles. Comments submitted by members of the public must be directly related to the content of the article. Submission of comments by members of the public constitutes participation in a limited public forum.

16.6.1 Procedures

All County blogs shall be:

1. Approved and reviewed by the Mason County department/office Elected Official and the Mason County Information Services Manager.
2. Published using the approved County blog sites (see Social Media Policy).
3. Administered by the Mason County Information Technology Department (except Mason County Sheriff's Office).

All Mason County blogs shall adhere to the following Revised Codes of Washington and County policies:

1. Mason County Electronic Information Acceptable Use Policy (Revision F)
2. Mason County Electronic Communications Policy
3. Mason County Personnel Policy
4. [RCW 42.52](#) Ethic in Public Service
5. Mason County Facebook Standards
6. Mason County Twitter Standards

The Mason County department/office or Information Services Department reserves the right to restrict or remove any content that is deemed in violation of this blogging policy or any applicable law.

1. Mason County blogs are subject to State of Washington public records laws. All blog sites shall clearly indicate that any content posted or submitted for posting is subject to public disclosure. All blog sites shall include a notification on the home page that public disclosure requests must be directed to the department's public disclosure officer. (See Mason County Social Media Policy)
2. Relevant Mason County records retention schedules apply to blogs and blog content. Records required to be maintained pursuant to a relevant records retention schedule shall be maintained for the required retention period in a format that preserves the integrity of the original record and is easily accessible using the approved retention and archiving program. Content submitted for posting that is deemed not suitable for posting on a Mason County Blog by a moderator because it is not topically related to the particular blog article being commented upon or is deemed prohibited content based on the criteria in Section 7 of this policy, shall be retained pursuant to the records retention schedule along with a description of the reason the specific content is deemed not suitable for posting.
3. Each County blog shall include an introductory statement which clearly specifies the purpose and topical scope of the blog.
4. County blog articles and comments containing any of the following forms of content shall not be allowed for posting:
 - a. Comments not topically related to the blog article being commented upon.
 - b. Profane language or content.

- c. Content that promotes, fosters, or perpetuates discrimination based on race, creed, color, age, religion, gender, marital status, status regarding public assistance, national origin, physical or mental disability or sexual orientation.
 - d. Comments that support or oppose political campaigns or ballot measures.
 - e. Sexual content or links to sexual content.
 - f. Solicitations of commerce.
 - g. Conduct or encouragement of illegal activity.
 - h. Information that may tend to compromise the safety or security of the public or public systems.
 - i. Content that violates a legal ownership interest of any other party
5. Mason County blog moderators shall allow blog comments that are topically related to the blog article being commented and thus within the purpose of the limited public forum, except for the prohibited content listed above.
 6. All Mason County blog moderators shall be trained regarding the terms of this Mason County Blogging Policy, including their responsibilities to review article content submitted for posting to ensure compliance with the Policy.
 7. All blog sites shall clearly indicate that they are maintained by a particular Mason County department/office and shall have the Mason County department's/office contact information prominently displayed.

16.6.2 Author and Commenter Identification

All Mason County blog authors shall be clearly identified by entering their name at the end of the post.

Public commenters shall be accompanied by valid contact information including the poster's Facebook or Twitter I.D. Anonymous posting shall not be allowed.

Authentication credentials used for posting blog articles and blog comments by authorized Mason County department/office blog authors shall conform to the County's password standard.

16.6.3 Ownership and Moderation

The content of each Mason County blog shall be the sole responsibility of the department/office producing and using the blog.

Comments submitted to a Mason County blog shall be moderated by an authorized blog moderator that has been trained and assigned by the department/office manager.

16.6.4 Blog Comments and Responses

All blog articles submitted with attached content shall be scanned using antivirus technology prior to posting.

The linked content of embedded hyperlinks within any Mason County blog articles or blog comments submitted for posting shall be evaluated prior to posting. Any posted hyperlinks shall be accompanied by a disclaimer stating that "Mason County guarantees neither the authenticity, accuracy, appropriateness nor security of the link, web site or content linked thereto."

16.7 Facebook Standards Policy

Facebook is a social networking site. Businesses and governments have joined individuals in using Facebook to promote activities, programs, projects, and events. This standard is designed for County departments / Offices looking to drive traffic to the Mason County Web sites (www.masoncountywa.gov) and to inform more people about County's activities. These standards should be used in conjunction with the County's Blogging Policy and Social Media Policy. As Facebook changes, these standards may be updated as needed.

16.7.1 Establishing a Page

When a department determines it has a business need for a Facebook account, it will submit a request through their chain of command to the Elected Official or Division Director. Once approved by their Elected Official or Division Director, the department social media personnel will create the page which will include the official County logo.

16.7.2 Content

1. Type of 'pages'
 - a. The County department will create "pages" on Facebook not "groups". Facebook "pages" offer distinct advantages including greater visibility, customization, and measurability. Related community pages are unofficial representations of county business created by Facebook. Community pages will currently be accepted as is unless there is a copyright/trademark issue.
 - b. For "type" description, choose "government".
2. Page Design Requirements
 - a. The Mason County logo is to be added to the cover photo.
 - b. Departments will complete the Page Info section as fully as possible.
 - c. If comments are turned on, the Facebook page should include a tab/link to a Comment Policy tab with the following disclaimer:

Comments posted to this page will be monitored. Under the Mason County blogging policy, the County reserves the right to remove inappropriate comments including those that have obscene language or sexual content, threaten, or defame any person or organization, violate the legal ownership interest of another party, support or oppose political candidates or ballot propositions, promote illegal activity, promote commercial services or products, or are not topically related to the particular posting.
3. Link to the Mason County Website
 - a. Link to (www.masoncountywa.gov) will be included on the "Page" information section.
 - b. County department and project pages should be page favorites of other County Facebook pages.
4. Page Naming
 - a. Page name should be descriptive of the department.
 - Departments will choose carefully with consideration for abbreviations, slang iterations, etc.
 - The Division Director will approve proposed names.
5. Page Administrators

- a. A successful page requires "babysitting." Each department communications officer is responsible for monitoring the Facebook page. Posts should be approved by the Division Director or a designated alternate.
 - b. The department communications officer is responsible for making sure content is not stale. Departments will designate a back-up editor in communications officer's absence.
 - c. The Information Service department will be provided logins, passwords and editing rights by the Division Director or Elected Official for emergency editing.
6. Comments and Discussion Boards
- a. Comments to department / office postings generally will be allowed but will be monitored by department / office communications officer for proper content.
 - b. Discussion boards will be monitored by the communications officer for proper content.
7. Style
- a. County Department Facebook cover page will display the official County logo. The Information Services Department will provide departments with the official county logo.
 - b. Departments will use proper grammar and standard Associated Press (AP) style, avoiding jargon and abbreviations. Facebook is more casual than most other communication tools but still always represents the County.
8. Applications and Security
- a. There are thousands of Facebook applications. Common applications can allow users to stream video and music, post photos, and view. While some may be useful to the page's mission, they can cause clutter and security risks.
 - b. An application should not be used unless it serves a business purpose, adds to the user experience, comes from a trusted source, and is **approved** by the Elected Official or Division Director.
 - c. An application may be removed at any time if there is significant reason to think it is causing a security breach or spreading viruses.
 - d. For security purposes, all Facebook accounts logins and passwords will be kept by the assigned department communications officers, Division Director / Elected Official, and Information Services.

16.7.3 Archive

Each Facebook page will be set up in conjunction by Information Services to a designated county account. Mason County's social media sites are subject to State of Washington public records laws [RCW 42.56](#).

Content that cannot be retrieved from Facebook via the approved retention and archiving program, but need to be retained as a record, will be printed, and maintained according to the County's records retention policy by that individual department / office utilizing the account.

16.8 Twitter Standards Policy

Twitter is a micro blogging tool that allows account holders to tweet up to 140 characters of information to followers. By procuring and maintaining Twitter accounts, County departments will communicate

information directly to their Twitter followers, alerting them to news and directing them to the Mason County Website (www.masoncountywa.gov) for more information. These standards should be used in conjunction with the County's Social Media Policy.

16.8.1 Content

1. Department communications officer shall hold and maintain their department's Twitter account.
 - a. Each department will have only one Twitter account, unless otherwise approved by the Elected Official or Division Director. Account information, including usernames and passwords, shall be registered, and updated with the department Communications officer, Division Director, and Elected Official. The Information Service department will be provided logins, passwords and editing rights by the Division Director or Elected Official for emergency editing.
2. All Mason County department's Twitter bio will read: (Department name) Comments, list of followers subject to public disclosure ([RCW 42.56](#)). If appropriate the following will be added: This site is not monitored. Call 911 for emergencies.
3. Twitter usernames shall begin with "Mason" (MasonParks, MasonPW and MasonPH). In cases where the username is too many characters, begin with "MC" (MCProsecutor).
4. Department Twitter account backgrounds will share an official Mason County logo provided by the Information Services Department.
5. Twitter accounts shall serve three primary purposes:
 - a. Get emergency information in/out quickly.
 - b. Promote County-sponsored events.
 - c. Refer followers to content hosted at www.masoncountywa.gov
7. Information posted on Twitter shall conform to the policies and procedures of the County Social Media Policy and the department / office posting the information. Tweets shall be relevant, timely and informative.
8. Twitter content is a short synopsis of information presented on the Mason County Website and other existing information dissemination mechanisms. Department communications officer shall ensure that information is posted correctly the first time. Twitter does not allow content editing.
9. Department communications officer shall be responsive to those citizens who communicate via Twitter's @reply or direct message functions. Communication with followers will be timely and consistent with existing protocols.
10. Mason County Information Services Department shall have the right to suspend or close a Twitter account for improper usage in alliance with the Mason County Social Media Policy.

16.8.2 Archive

The Department communications officer shall be responsible for archiving Twitter posts. Initial policy will be to archive Twitter postings with the approved retention and archiving program selected by the Information Services in accordance with [RCW 42.56](#). In the retention and archiving program Twitter archives may not be visible to the public but will be accessible for public document retention purposes.

Chapter 17 – Cellular Telephone Policy

This policy applies to all employees of Mason County, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

17.1 Definitions

Cellular Telephones: This includes but is not limited to: Mobile devices that can be used for phone calls and/or text messages, internet, and network features.

Electronic Files: Information stored electronically residing on storage media containing data, images, programs, or other information. This includes all files produced or copied onto County-owned or operated hardware, or files produced or copied either to or from other information systems on behalf of the County.

Text Messages: The act of composing and sending brief, electronic messages between two or more mobile phones, or fixed or portable devices over a phone network.

Internet: Refers to connectivity with other agencies, networks and/or services outside local area networks established and maintained by Mason County.

17.2 County Owned Cellular Phones

It is the policy of Mason County to provide employees with efficient, cost-effective telephone communication equipment and services. The purchase and utilization of cellular telephones shall be limited to the requirement and specification contained in this policy.

The acquisition of cellular telephones shall be limited to those instances in which there is a demonstrated need for such equipment to perform essential County business or to improve safety, increase productivity, increase service to the public, or in situations in which necessary communications cannot be provided by any other means. The purchase of cellular telephones shall be subject to approval by the Department Head and completed by Mason County Information Services.

The County Information Services Department shall install, service, and support cellular telephones software connected to the County's network system. All equipment purchases, including hardware (phones) or software (applications), shall be approved, in writing, by the department head prior to purchase or installation on to cellular phone or communications equipment by Information Services.

Additionally, electronic communication equipment purchased and owned by employees with the intent of using it for County purposes will not be eligible for County reimbursement or to be placed on the County's network system.

17.3 Use of Cellular Phones

Discretion is to be used in discussing confidential information using cellular communication. Cellular transmissions can be overheard by others. Employees are responsible for taking reasonable precautions to prevent theft and/or vandalism of cellular equipment. In the event an employee fails to use reasonable precautions, the county may require the employee responsible for such cellular telephone to reimburse the county for the reasonable cost to replace such telephone.

17.4 Personal Use of Cellular Phones

The County recognizes that occasions arise in which personal calls or text messages need to be made or received on a cellular telephone. However, it is intended that cellular telephones be used for County business-related purposes. Personal calls and text messages are to be minimized. Calls or text messages home or to the family, etc., by County staff when required to work extended hours shall be considered business calls or texts.

Making and receiving personal calls or text messages should be limited. Use of personal cellular telephones and/or County telephone equipment and services should not result in additional costs to the County and should not interfere with performance of official duties or normal business operations. Employees are trusted to exercise good judgment in both the duration and frequency of such calls and text messages. The County reserves the right to monitor the billing and use of all County owned cellular telephones. The County normally does not reimburse employees for calls made on personal cellular phones.

17.5 Termination of Use of County Owned Cellular Phones

If the conditions of this policy are violated by the employee, the department head may restrict or terminate the use of County owned cellular phones by the employee.

17.6 Records Retention of Cell Phone Record

The County Auditor's Office will retain copies of the County cellular telephone billing records. These billing records must include call history (all numbers called and text messages) in accordance with the laws set forth by the State of Washington. Billing records sent to the Auditor's Office without the call history will not be paid and sent back to the department due to lack of information. Text message contents will be retained in the same fashion as the County's e-mails.

Cellular phone calls, text messages, e-mails, electronic files, and internet usage made on County owned phones are subject to the Public Records Act ([RCW 42.56](#)), and the Washington Court Rules and specifically General Rules (GR) 22, 31 and 31.1 for courts. Therefore, there is an extremely narrow scope of expectation of privacy. All calls and text messages are open to public records requests. Information Services will provide text message management; install the application for and storage of text messages.

17.7 Service Billing

Information Services will manage and administer all County cellular phone contracts to include service plans, maintenance agreements and upgrades. The retention software will be purchased and funded by Information Services.

The cellular company will provide Information Services with individual department statements of monthly services. Information Services will provide individual departments with a copy of their monthly statements. Each county department/office will be responsible for yearly budgeting and Support Services will voucher payment from the individual departmental budgets.

The consolidated contract's services will be shared by all County owned cellular telephones and will be subject to review by Information Services of individual's usage. If individual's usage exceeds the County's

average usage and an overages fee is charged, those individual's departments will be responsible for the payment of the overage fee.

If an individual's usage is determined to be for non-county use, the individual shall be personally responsible for the overages fee.

Chapter 18 – Telework Policy

18.1 Purpose

To establish guidance and direction for when there is a determined need for qualified employees to conduct County business from a location outside the normal work location.

18.2 Eligibility

Teleworking may be used on specific occasions or more often depending on the need. Qualified employees may request approval to telework, but all may not be eligible. Their work must:

1. Require minimal face-to-face interaction with co-workers, supervisors, and customers. Writing, reading, telephoning, data analysis, computer programming, word processing and certain data entry functions are all tasks amenable to teleworking.
2. Have a minimal need for specialized material, equipment, or supervision.

An employee's request to telework will be considered considering the objectives of the office or department and must be approved by the Elected Official/County Administrator/Department Head for the office or department.

Approval is discretionary and will be based on the following factors:

1. Office/Department needs, e.g., emergencies, special projects, critical position, etc.
2. Employee's job performance history.
3. Nature of work.
4. Effect on service to clients and effect on office workload.
5. Competing work schedule or leave requests.

Approval for teleworking under this policy is for remote work performed in Washington State only. Employees wanting to temporarily work remotely outside of Washington State must receive approval from Human Resources and their Department Head/Elected Official.

18.3 Job Responsibilities and Conditions

1. Employee salary, job responsibilities, benefits and insurance coverage will not change.
2. Professionalism in terms of job responsibilities, work, output, and customer service will continue to follow the high standards set by County policies.
3. Teleworkers are responsible for maintaining effective workflow among clients, coworkers, and the Elected Official/County Administrator/Department Head.
4. The amount of time an employee is expected to work will not change. Overtime hours will not be permitted unless requested and authorized in advance by the supervisor.

5. Teleworking is not a substitute for dependent care.
6. Teleworkers may withdraw or be withdrawn by the Elected Official/County Administrator/Department Head from the program at any time with three (3) days written notice, or sooner if there is an immediate need.

18.4 Telework Site

The Teleworker must designate and maintain a clean, safe, and productive workspace that is adequate for accomplishing necessary tasks and free of obstructions and distractions. The site must also be ergonomically correct based upon Labor & Industries guidelines to prevent occupational disease or injuries.

1. Employees telework sites are considered an extension of the office/department for limited purposes while employee is in official telework status. All County policies are in effect.
2. The County owned computing device, or any other equipment assigned to the employee while teleworking shall not be used for personal business.
3. The County may make on-site inspections of the telework work site and any County-owned equipment, at a mutually agreed upon time.
4. The County may electronically monitor employee's activities while connected to County network.
5. Teleworkers will take precautions necessary to secure proprietary and confidential information and prevent unauthorized access to any County systems or paper files.
6. Employees in telework status shall be available during the approved work schedule for telephone calls.
7. The county will not pay for a telework site (physical facility), telephone lines, or internet connection.
8. A Teleworker must not conduct in-person meetings with customers or co-workers while working from home.

18.5 Computers, Software, Supplies, and Support

1. Any hardware or software furnished by the County remains the property of the County and will be returned should a teleworking agreement be terminated. Information Technology (IT) will coordinate all transfers of equipment according to established procedures.
2. County owned software may not be duplicated except as formally authorized by the manufacturer's licensing agreement.
3. Any requests for PCs or terminals with access to County networks, mainframes, or other applications must be reviewed and approved by the IT Department.

4. County equipment (computers, printers, modems, telephones, etc.) furnished to the teleworking employee is to be used only by authorized persons for official County business.
5. Supplies required to complete assigned work at the telework work site shall be obtained during the teleworker's in-office work periods.
6. IT shall be responsible for any County equipment maintenance, installation of software, security access, or support.
7. Only County approved software will be installed on County approved teleworking equipment.
8. Teleworkers requiring access to the County's Virtual Private Network (VPN) must contact IT Help Desk at 360-427-9670 ext. 558, via the County's IT Support Ticket System at <http://helpdesk.mason.local/tickets/> to request an account.

18.6 Workers' Compensation

During Telework hours, the Teleworker is covered for any injury arising out of and in the course of employment pursuant to the Washington State Workers' Compensation Act. A Teleworker injured while working at the Teleworker's residence or other Remote Work Locations is required to follow established County procedures for reporting on-the-job injuries. This can be found on the Human Resources website: <https://masoncountywa.gov/forms/human-resources/Employee-Injury-Illness-Incident-Report.pdf>

18.7 Overtime, Leave, and Compensation

In accordance with the County's overtime policy, overtime must be approved in advance to preclude any unintended liability for premium pay. Teleworkers must receive supervisory approval prior to working beyond their normal hours of duty. Failure to obtain supervisory approval may result in the termination of the Telework Arrangement and possible disciplinary action.

Procedures for requesting leave will remain unchanged. The teleworker is responsible for obtaining leave approval in advance and keeping appropriate personnel informed of leave usage in accordance with either the Personnel Policy or applicable Collective Bargaining Agreement policy and procedures.

Teleworkers working at their Remote Work Location will be granted the same holidays as employees working at the Main Worksite.

If a Teleworker becomes sick at any time while Teleworking, the Teleworker must immediately notify their manager and use sick leave to cover those hours not worked. If a Teleworker must take some other form of leave, the Teleworker must request leave from their manager immediately and use the leave to cover those hours not worked. A Teleworker's compensation and benefits will not change due to participation in the Telework Program.

A Teleworker must submit timesheets and leave requests in accordance with the normal policies and procedures.

18.8 Liability

The County will defend and indemnify a Teleworker who is Teleworking at their residence or other approved Remote Work Location for all claims arising out of and with the Teleworker's scope of employment consistent with the provisions for the Local Government Tort Claims Act and other applicable laws and in accordance with Mason County's Policy and Procedure for Defense and Indemnity of Employees, Ordinance No. 06-18.

Mason County is not liable for any loss, destruction, or damage to property or for any injury or loss to third persons occurring at or around the Teleworker's residence or other approved Remote Work Location.

18.9 Inclement Weather

It is a County priority to ensure continuity of operations during inclement weather or other emergency conditions. In the event of a County declared general, weather-related, or other public health emergency closes the Teleworker's Main Worksite, a teleworking employee scheduled to Telework will be required to continue working remotely, unless it is impossible (power outage).

County closures, or limited operation changes, are typically to accommodate the safety of employees who are risking the travel to and from the worksite. Teleworking is a privilege and does not include a risk of traveling to and from the worksite.

18.10 Confidentiality

A Teleworker is responsible for protecting the confidentiality, integrity, and availability of data, information, and paper files used when Teleworking. A Teleworker must follow all applicable County, federal, state, and departmental policies, laws, and regulations to protect data, accessed or maintained while Teleworking. In addition, Teleworking employees must adhere to the following:

1. Protecting information assets from unauthorized access and use by others, including family members, friends, and other visitors.
2. Leaving information assets only in secured locations and not in unattended or unlocked vehicles, or other locations where they may be easily stolen.
3. Ensuring that any County issued equipment, such as cell phones, hot spots, or computers passwords are protected from unauthorized access and use by the Teleworker's personal equipment (i.e., County issued hot spot hooked up to personal laptop or cellphone, etc...) or used by others, including family members, friends, and other visitors. Costs incurred by personal use shall be paid by the Teleworker.

18.11 Application and Renewal

Employees may apply for Telework using the approved form. Requests will be considered on an individual basis.

Telework requests will be reviewed, at a minimum, annually to validate arrangements are still effective and in the best interest of the County.

Chapter 19 – Artificial Intelligence (AI) Policy

19.1 Purpose

This policy outlines the principles and procedures for the use of Artificial Intelligence (AI) tools by Mason County employees, contractors, and partners. It aims to ensure responsible, ethical, and transparent application of AI while maximizing its potential for public benefit.

19.2 Scope

This policy applies to all Mason County elected officials, personnel, contractors, and partners who utilize AI tools for official county purposes, including service delivery, research, operational improvement, and communication.

19.3 Principles

Mason County acknowledges both the benefits and potential risks associated with AI in the public sector. The county commits to using AI in a manner that upholds the following principles:

- **Accountability:** Individuals using AI are accountable for their actions and decisions involving these tools. They must comply with applicable laws, regulations, policies, and best practices. Any issues or incidents involving AI must be reported to supervisors or designated authorities.
- **Transparency:** The purpose, function, and limitations of AI tools should be transparent to the public and stakeholders. Clear and understandable explanations of how AI works and its outputs are crucial.
- **Fairness:** AI tools should be utilized in a fair and unbiased manner. Algorithmic bias and discriminatory results based on protected characteristics must be avoided. Regular monitoring and evaluation of AI performance and impact are essential to address potential unfairness.
- **Privacy:** The privacy of individuals whose data may be used by AI tools must be respected. Consent must be obtained before collecting or processing personal or sensitive data. The confidentiality and security of such data are paramount.
- **Quality:** High-quality and accurate AI tools are crucial. Reliable data sources and effective testing and validation procedures are essential to ensure accurate and reliable outputs.
- **Human Oversight:** No AI-generated document shall be released to the public without human review and modification. This ensures factual accuracy, alignment with county values, and appropriate tone and language.

19.4 Implementation

To implement these principles, the following procedures are established:

- **Acquisition:** All AI tools must be approved by the designated IT department and IT steering committee, ensuring compliance with this policy and relevant regulations.
- **Training:** Employees using AI tools will receive appropriate training on responsible AI use, including ethical considerations, bias mitigation techniques, and data privacy practices.
- **Monitoring and Evaluation:** Regular monitoring and evaluation of AI tools will be conducted to assess their effectiveness, fairness, and impact on individuals and communities.

- **Incident Reporting:** Any issues or incidents involving AI must be reported to designated authorities for investigation and appropriate action.
- **Review and Revision:** This policy will be reviewed and updated periodically to reflect changes in technology, legislation, and best practices.

19.5 Enforcement

Compliance with this policy is mandatory for all Mason County elected officials, personnel, contractors, and partners. Failure to comply may result in disciplinary action or termination of contracts.

19.6 Resources/Contact

Resources:

- **Mason County IT department and IT steering Committee:** For guidance on AI tool acquisition and support, or for information on data privacy and security practices.
- **Office of Human Resources:** For training opportunities on responsible AI use.

Contact:

For any questions or concerns regarding this policy, please contact the Mason County IT department.

Mason County Personnel Policies Adoption Chronology

Action	Resolution Number	Date
Original Adoption	148-99	December 21, 1999
Revised Chapter 6.3	63-00	July 5, 2000
Added Chapter 5.8	7-01	January 23, 2001
Revised Chapter 5.6	93-01	August 28, 2001
Revised Chapter 4.6 and 7.11	37-14	July 8, 2014
Revised Chapter 5.3	71-15	December 22, 2015
Revised Chapter 8.3	27-16	May 24, 2016
Added Chapter 15.1-15.4	56-16	September 20, 2016
Revised Chapter 4.5	70-16	October 18, 2016
Added Chapter 16.1-16.7	102-16	December 20, 2016
Revised Chapter 13	19-17	April 11, 2017
Revised Chapter 7 & 13	04-18	February 6, 2018
Added Chapter 2.3	22-18	April 3, 2018
Revised Chapter 14.5 Added Chapter 14.6	68-19	July 23, 2019
Revised Chapter 4.2, 4.3, 5.5, 5.10, 7.9, and 13	89-19	September 3, 2019
Revised Chapter 16.7	96-19	October 8, 2019
Revised Chapter 7.9 and 8.5	2020-01	January 7, 2020
Revised Chapter 13	2020-24	March 3, 2020
Revised Chapter 4.5	2020-28	March 17, 2020
Revised Chapter 4.3 and 7.10	2020-86	November 3, 2020
Revised Chapter 3.5, 5.1, 5.2, 5.3, 5.12, 7, 7.1, 7.3, 7.6, 7.10, 7.11, and 17	2021-047	August 3, 2021
Added Chapter 5.13	2022-036	May, 2022
Revised Chapters 2-17	2022-087	December 6, 2022

Revised Chapters 1-17	2023-011	February 28, 2023
Revised Chapters 1-17	2023-xx	May 9, 2023
Revised Chapters 1-17	2023-047	September 12, 2023
Revised Chapters 3, 8, 10, 12, 18	2023-057	October 24, 2023
Revised Chapters 4, 5, 7 Added Chapter 7.14, 19	2024-009	February 13, 2024
Removed Chapter 5.10	2024-012	February 27, 2024