

MISSION STATEMENT

The mission of the Sedro-Woolley City government is to provide selected services that are not traditionally offered by the private sector. This will be achieved through providing the highest quality services we can within the resources with which we're provided; involving residents in all aspects of planning and operations; serving as a clearinghouse for public information; and operating facilities which meet the legitimate, identified concerns of the residents of and visitors to our community.

We believe in being community-centered, consistently contributing to the quality of life in our area and as fully deserving of the public's trust through the consistent expression of positive values and acceptance of accountability for producing meaningful results.

CITY COUNCIL WORKSESSION

AGENDA

May 1, 2007

7:00 PM

Sedro-Woolley Community Center
703 Pacific Street

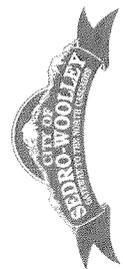
- A. Stormwater Utility Rates
(Further discussion from previous worksessions)
(Staff contact - Rick Blair)

- B. "Optional Municipal Code", RCW 35A
(Further discussion from April 11, 2007 Council Meeting on Code City vs. Second Class)
(Staff contact - Eron Berg)

- C. Revised Personnel Policies
(Preliminary discussion only)
(Staff contact - Eron Berg)

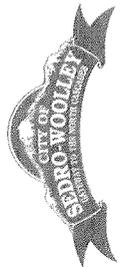
Summary of Neighboring Jurisdictions

	Burlington	Mt. Vernon	Anacortes	La Conner	Skagit Co.	Sedro Woolley
Population	8,120	28,710	16,170	839	113,100	9,755
SW Utility	Yes	Yes	Yes	Yes	Yes	No
• Monthly Rate	\$3.10	\$6.05	\$3.00	\$11.55	\$2.15	N/A
• ERU (sq ft)	2,400	2,657	2,000	2,100	3,692	N/A
System Dev. Charge (SDC)	No	No	No	Yes	No	No
SWM Program	Yes	Yes	Yes	Yes	Yes	No
NPDES II Permit	Yes	Yes	Yes	No	Yes	Yes
Rate Increase	?	No	Yes	?	No	?
Ecology \$75K Grant	No	No	No	No	No	Yes



Summary of SWM Regulatory Requirements: Costs

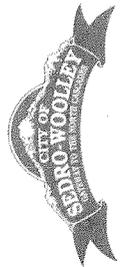
Regulatory Requirement	Existing	Year 1	Year 2	Year 3	Year 4	Year 5
#1-Pub Ed	\$0	\$19,400	\$20,900	\$9,000	\$7,000	\$6,500
#2-Pub Inv	\$0	\$14,500	\$1,000	\$1,000	\$1,000	\$1,000
#3-IDDE	\$0	\$50,800	\$55,600	\$53,200	\$44,600	\$26,800
#4-Develop	\$19,400	\$56,300	\$129,400	\$106,700	\$111,500	\$116,300
#5-O/M	\$37,900	\$96,300	\$175,800	\$160,800	\$153,800	\$153,800
#6-SWM Prg	\$0	\$26,600	\$16,600	\$16,600	\$16,600	\$16,600
#7-TMDL	\$0	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000
#8-Monitor	\$0	\$4,000	\$2,000	\$5,600	\$5,600	\$2,000
#9-Rpts	\$0	\$21,000	\$28,200	\$28,200	\$28,200	\$28,200
#10-UIC	\$0	\$0	\$2,200	\$2,200	\$1,000	\$1,000
Total Cost	\$57,300	\$292,900	\$435,700	\$387,300	\$373,300	\$356,200



Summary of Preliminary SWM Needs

“Results of Regulatory / SWM Program Gap Analysis”

	Existing	Year 1	Year 2	Year 3	Year 4	Year 5
Regulatory Req. # 1-10 Summary	\$57,300	\$292,900	\$435,700	\$387,300	\$373,300	\$356,200
Local SW Activities						
# 11: ESA	\$0	\$0	\$2,400	\$2,400	\$0	\$0
# 12: WRIA	\$0	\$0	\$0	\$0	\$0	\$0
# 13: SWSFCZ	\$0	\$26,000	\$27,600	\$26,600	\$25,000	\$25,000
# 14: PSWQMP	\$0	\$0	\$75,000	\$75,000	\$0	\$0
# 15: EQPT & PSA	\$0	\$54,000	\$54,000	\$129,000	\$79,000	\$129,000
Program Overhead SWMP #16	\$10,900	\$64,400	\$64,400	\$64,900	\$65,400	\$65,900
Capital Projects SWMP #17	\$0	\$616,300	\$616,300	\$616,300	\$616,300	\$616,300
Total Program Cost	\$68,200	\$1,053,600	\$1,275,400	\$1,301,500	\$1,159,000	\$1,192,400
Staff	1.0	3.6	5.2	4.6	4.4	4.2

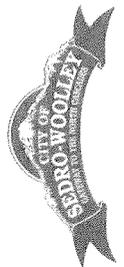


Summary of SWM Capital Needs

Capital Projects	Existing	Year 1	Year 2	Year 3	Year 4	Year 5
Regional SW Facility (3 rd Street & Township)	\$0	\$520K	\$520K	\$520K	\$520K	\$520K
Culvert Replacement (Sapp Rd – Culvert A)	\$0	\$47.7K	\$47.7K	\$47.7K	\$47.7K	\$47.7K
Culvert Replacement (Sapp Rd – Culvert B)	\$0	\$40.3K	\$40.3K	\$40.3K	\$40.3K	\$40.3K
Total	\$0	\$616K	\$616K	\$616K	\$616K	\$616K

Future Capital Projects (28) & Annual O&M: \$2.53M

These projects will be built after Year 5 on a prioritized basis.



SWM Funding

Operating	Capital	Financial Options	Potential Revenue
X	X	General Fund	Limited
X		Permit Fees	< 5%
X	X	Developer Fees (SDCs)	5 – 10%
X	X	Stormwater Utility	80 – 90%
X	X	Grants	Occasionally
X	X	Loans	Sometimes
	X	Bonds (for CIPs)	Occasionally
X	X	Special Purpose Districts	Rarely
X		Internal Efficiencies (within City)	Limited
X	X	Partner w/ Developers and/or Agencies	Limited
	X	Fee in Lieu of On-Site Detention	Gaining in Popularity



What if City Forms a SW Utility?

**Assumption: Based on impervious area;
3,000 ft² / equivalent residential unit**

- **# / Type of Customers (in units)**

– Residential	4,000
– Commercial	2,000
Total	6,000

- **Range of Rates (per month)**

– High	\$12.00
– Medium	\$8.00
– Low	\$4.00



What if City Forms a SW Utility?

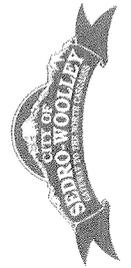
**Assumption: Based on impervious area;
3,000 ft²/residential unit**

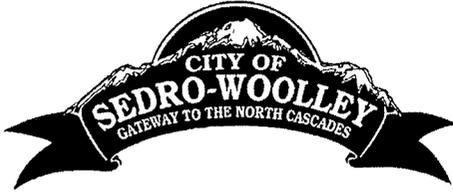
Amounts of:	Annual Revenue	Deficits
- High (\$12)	\$864K	-\$336K
- Medium (\$8)	\$576K	-\$624K
- Low (\$4)	\$288K	-\$912K
• Annual Need	\$1.2M (5-yr avg)	
- Operating	\$580K	
Regulatory (\$370K)		
Local & Overhead (\$210K)		
- CIP	\$616K	



Summary of SWM Regulatory Requirements: Staff

Regulatory Requirement	Existing	Year 1	Year 2	Year 3	Year 4	Year 5
#1	0.00	0.22	0.22	0.09	0.08	0.08
#2	0.00	0.15	0.01	0.01	0.01	0.01
#3	0.00	0.39	0.51	0.45	0.34	0.18
#4	0.23	0.68	1.52	1.26	1.32	1.37
#5	0.61	0.83	1.67	1.49	1.40	1.40
#6	0.00	0.32	0.20	0.20	0.20	0.20
#7	0.00	0.05	0.05	0.05	0.05	0.05
#8	0.00	0.05	0.02	0.07	0.07	0.02
#9	0.00	0.25	0.30	0.30	0.30	0.30
#10	0.00	0.00	0.03	0.03	0.01	0.01
Total FTE	0.84	2.93	4.53	3.95	3.79	3.64





CITY OF SEDRO-WOOLLEY
Sedro-Woolley Municipal Building
720 Murdock Street
Sedro-Woolley, WA 98284
Phone (360) 855-1661
Fax (360) 855-0707

Eron M. Berg
City Attorney

MEMO TO: City Council
RE: Adoption of the "Optional Municipal Code", RCW 35A
DATE: May 1, 2007

WORKSESSION DISCUSSION

This is a continuation of our discussion from last month. For your reference, I have included the same table that provides some examples of differences between a code city and a second class city. Also, you asked about any required changes in the method of electing members of the council. No change from the City's current method is required by adopting the code.

Attached is a draft resolution that would allow the City to begin the process of changing from second class to code (step two on the process outlined below).

The process for becoming a noncharter code city is:

1. Determination by the City Council that adopting the code is in the best interests of the City;
2. Passage of a resolution of intent (the resolution attached to this memo);
3. Publication of that resolution of intent within 10 days of passage;
4. Following that, a 90 day window opens during which citizens may file a referendum to allow the voters to vote directly on this issue, and assuming no referendum is qualified for the ballot;
5. Adoption of the ordinance adopting the classification of a noncharter code city.

Finally, Scott Thomas, the City Attorney for Burlington is planning to attend to answer any questions he can about Burlington's recent adoption of the code.

NEXT STEPS

Direction from the Council is needed:

- If you desire additional information or more discussion, this can be scheduled for a future Worksession.
- If you want to proceed, we can place the resolution of intent on an upcoming council agenda.
- If you are not interested at this time, we can place it in the "pending-future" file and think about it again in the future.

<u>Code City</u>	<u>Second Class</u>
1. The Optional Municipal Code provides for broad statutory home rule authority in all matters of local concern, regardless of the size of the city.	1. A second class city has only those powers which are expressly or impliedly granted to it by the state legislature.
2. The Optional Municipal Code provides that code cities have all the powers which any city or any class of city may have consistent with the constitution of the state and not specifically denied to code cities by law.	2. A second class city has only those powers which are granted to second class cities or specifically granted to all classes of cities and towns.
3. The Optional Municipal Code requires a liberal construction of the powers granted to code cities.	3. A second class city is governed by a rule of strict construction of the powers granted to it.
4. Any action may be taken by a code city at a special meeting if proper notification is given.	4. No ordinance may be passed, contract entered into or bill for the payment of money allowed at a special meeting in a second class city.
5. There is specific statutory authority for a city council to include an emergency clause in most types of ordinances where required for the protection of public health, public safety, public property or the public peace.	5. There is no general statutory authority for a city council to include an emergency clause with most types of ordinances, although there is specific authority for emergency expenditure of funds in certain specified situations.
6. A code city has specific statutory authority to appoint a councilmember pro tem in the event of the extended excused absence or disability of a councilmember.	6. There is no specific statutory authority for the appointment of councilmembers pro tem in a second class city.
7. A code city may establish a planning agency, which may be a planning department, a person, staff or body, rather than a planning commission. The city may provide for an alternate in the event of conflict.	7. A second class city must establish a planning commission which must consist of from three to twelve members. There is no provision for appointment of an alternate.
8. A code city has the authority to adopt the powers of initiative and referendum.	8. A second class city does not have available to it the powers of initiative and referendum.
9. In a code city, under the petition for election method of annexation, the signatures of qualified electors equal to only 10 percent of	9. In a second class city, under the petition for election method of annexation, the signatures of qualified voters equal to 20 percent of the votes

the votes cast at last state general election are required for a petition to annex territory.	cast in the last state general election are required.
10. In a code city, under the direct petition method of annexation, the signatures of the owners of property amounting to not less than 60 percent in value of all the property included in the annexation petition must be obtained.	10. In a second class city, under the direct petition method of annexation, the signatures of owners of property amounting to not less than 75 percent in value of all the property in the annexation petition must be obtained.
11. In a code city, warrants are drawn by the clerk and counter-signed by the mayor or such other person as the mayor may designate.	11. In a second class city, warrants must be signed by the mayor personally.
12. In a code city, the city may be divided into wards without restriction on the number of wards.	12. In a second class city, the city may be divided into wards but there is a restriction upon the number of wards permitted.

Currently, Sedro-Woolley is one of 14 cities in the state that have retained second class status (including, Wapato, Palouse, Chewelah, Tekoa, Omak, Colfax, Roslyn, Normandy park, Cle Elum, Ritzville, Davenport, Port Orchard and Colville).

RESOLUTION NO. _____

A RESOLUTION declaring the intention of the City Council to adopt for the City of Sedro-Woolley the classification of Noncharter Code City, to be governed by the provisions of Title 35A, Revised Code of Washington.

WHEREAS, a majority of the City Council of the City of Sedro-Woolley has determined that it would serve the best interests and general welfare of the City to change the classification of the City to that of Noncharter Code City pursuant to the provisions of RCW 35A.02.030; Now, Therefore;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY AS FOLLOWS:

Section 1. The City Council does hereby declare its intention to adopt for the City of Sedro-Woolley the classification of "Noncharter Code City."

Section 2. That it is the intention of the City Council to retain the same general plan of government under which it is currently organized, to wit: Chapter 35.23 RCW, but to be governed by Chapter 35A.12 RCW of the Optional Municipal Code, Title 35A RCW.

Section 3. That the Clerk/Treasurer is hereby authorized and directed to publish this Resolution at least once within ten (10) days of the Resolution's passage.

Section 4. That if no timely and sufficient referendum petition has been filed, as is provided for in Section 35A.02.035 RCW, within ninety (90) days of the first publication of this Resolution, excluding the date of first publication, the City Council shall by Ordinance adopt for the City of Sedro-Woolley the classification of "Noncharter Code City" under the mayor-council plan of government.

PASSED by majority vote of the members of the Sedro-Woolley City Council this ___ day of ____, 2007, and signed in authentication of its passage this ____ day of _____, 2007.

Mike Anderson, Mayor

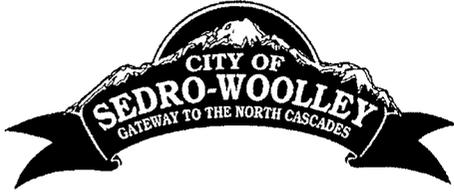
Attest:

Patsy Nelson, Clerk/Treasurer

Approved as to form:

Eron Berg, City Attorney

Published _____



CITY OF SEDRO-WOOLLEY
Sedro-Woolley Municipal Building
720 Murdock Street
Sedro-Woolley, WA 98284
Phone (360) 855-1661
Fax (360) 855-0707

Eron M. Berg
City Attorney

MEMO TO: City Council
RE: Revised Personnel Policies
DATE: May 1, 2007

WORKSESSION DISCUSSION

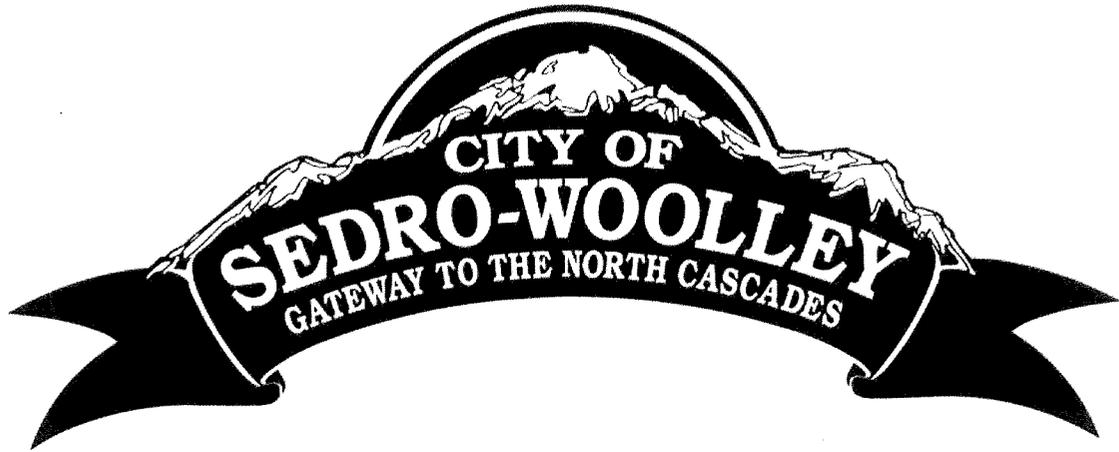
This item is on your worksession agenda for preliminary discussion only.

We have been working to revise the City's current employee handbook to be more comprehensive, useful and relevant. Our effort was aided greatly by the assistance of the City's legal intern, Ryan Walters, last fall.

The following document is in rough-draft form only as Patsy and I have not yet fully reviewed/revised it. We felt, however, that your early feedback and comments would be essential to the next level of development. Assuming you are in favor of updating the handbook, the process will include the following:

- (1) Staff will receive comments from Council regarding broad policy issues;
- (2) Staff will revise/update the manual and present to Council for additional comments;
- (3) The updated handbook will then be reviewed by specialized counsel for employment issues and their corrections/concerns will be incorporated into the document; and
- (4) The handbook will be presented to the Council for adoption.

Also attached is the City's current "handbook".



Personnel Policy Handbook



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1 Introduction

These personnel policies serve as a general guide to the City of Sedro-Woolley's current employment practices and procedures. As such, we hope they will help you better understand how the City operates and what is expected of you as an employee. These policies also describe what the City provides you in terms of compensation, benefits, and other support.

The City places the highest value on our employees and their well-being. We want to see that you are a satisfied worker, with the support necessary to achieve the objectives of your position. Only in this manner will your contribution to the City organization be the most productive.

It is our belief that when consistent personnel policies are known and communicated to all, the choices for greater job satisfaction increase. We encourage you to read these policies. If you have any questions, please ask your supervisor or department head. As you have ideas or suggestions for improvement, please do the same.

Policy 101 Overview

These policies are not a contract, express or implied, or any type of promise or guarantee of specific treatment upon which you may rely, or a guarantee of employment for any specific duration. Although we hope that your employment relationship with us will be long-term, we recognize that things may not always work out as hoped, and either of us may decide to terminate the employment relationship. All employees of the City of Sedro-Woolley are considered at-will employees and may be terminated from City of Sedro-Woolley employment at any time, with or without cause and with or without notice. Please understand that no supervisor or representative of the City of Sedro-Woolley other than the Mayor, with the express approval of the City Council, has the authority to enter into any agreement with you for employment for any specified period or to make any written or verbal commitments contrary to the foregoing.

This policies and procedures manual supersedes all previous manuals, letters, memoranda and understandings. These personnel policies apply to all City of Sedro-Woolley employees. **In cases where these policies conflict with state or federal law, or employment contracts, including union contracts or collective bargaining agreements, the terms of that law, contract, or agreement prevail.** In all other cases, these policies apply.

As the need arises, the Mayor may modify these policies, except that the City Council shall enact any changes in compensation or benefit levels. The Mayor may deviate from these policies in individual situations, particularly in an emergency, in order to achieve the primary mission of serving the citizens of the City of Sedro-Woolley. Employees may request specific changes to these policies by submitting suggestions to the Mayor.

Unless otherwise indicated, references to the "Mayor" in this handbook include the Mayor's designee.

Policy 102 City Officers

The elected **City Council** is responsible for making all City policies, through twice-monthly regular meetings. Council actions are exclusively in the form of majority vote at Council meetings. The Council also maintains several standing committees whose responsibilities include making recommendations to the full Council prior to a decision being made on a particular topic. Council committees and individual councilors have no independent authority outside of majority action at a Council meeting.

The elected **Mayor** manages and administers the affairs of the City consistent with the policies of the City Council and may; employ and authorize the employment of such persons as are necessary or appropriate for the successful execution of the objectives of the Council; execute agreements and contracts as approved by the Council; enforce the laws of the City; and take any other action as permitted by law.

The **Finance Director** shall act as the City’s chief financial officer, under the authority and direction of the Mayor. Finance Director shall be responsible for the management and oversight of the City’s annual budget and billing and collection practices for utilities. The Finance Director shall be the City’s Clerk Treasurer for any required purpose, including but not limited to those purposes enumerated in RCW Title 35 or in the SWMC.

The **Planning Director** is responsible for all planning activities for the City including but not limited to, developing and implementing land use policies and procedures under the authority and direction of the Mayor. The Planning Director reviews and processes all land use and business applications, updates the Comprehensive Plan and related plans and ordinances, ensuring consistency with local, state, and federal regulations. The Planning Director serves as the City’s State Environmental Policy Act official and Shoreline Administrator. The Planning Director also responds to public inquires and investigates complaints, enforcing the provisions of the zoning ordinances.

The **Public Works Director** is responsible for all activities of the Public Works Department including street, park, cemetery, solid waste, storm drainage, and sewer under the authority and direction of the Mayor. The Public Works Director is accountable for the proper repair, maintenance, and construction of the City’s buildings, streets, storm drainage system, rights of ways, street-ends, parks, play fields, and landscaped areas.

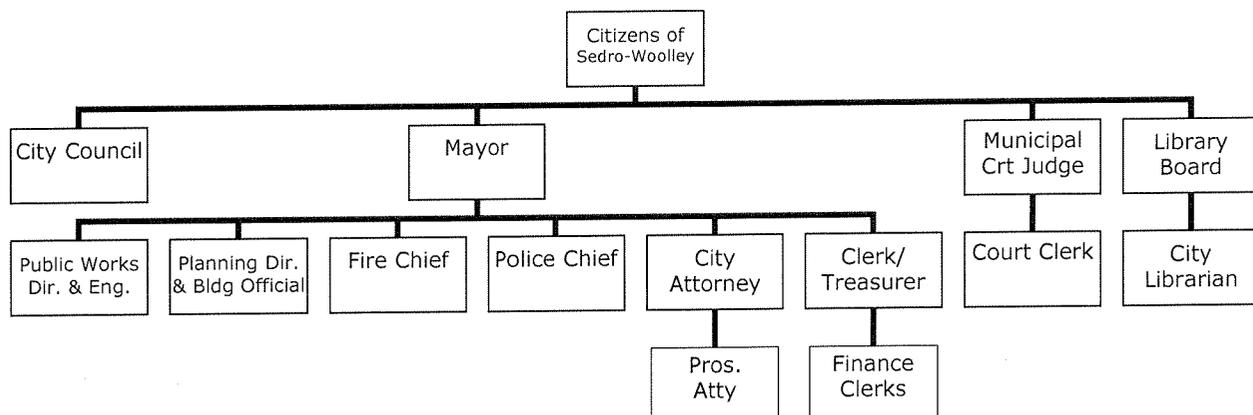
The **Fire Chief**, appointed by the Mayor, is the chief executive officer of the fire department under the authority and direction of the Mayor. The Fire Chief appoints all officers and has direct control, management, and direction of all officers and personnel of the fire department. The Fire Chief is responsible for insuring proper training and certification of officers.

The **Police Chief**, appointed by the Mayor, is the chief executive officer of the police department under the authority and direction of the Mayor. The Police Chief appoints all officers and has direct control, management, and direction of all officers and personnel of the police department. The Police Chief is responsible for insuring proper training and certification of officers.

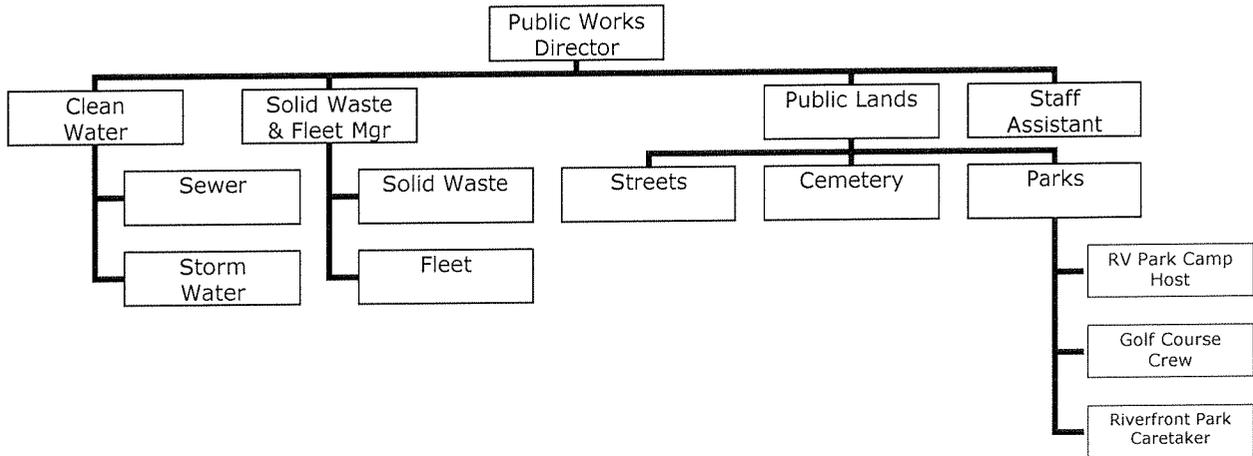
Policy 103 Organizational Chart

103.1 Overview

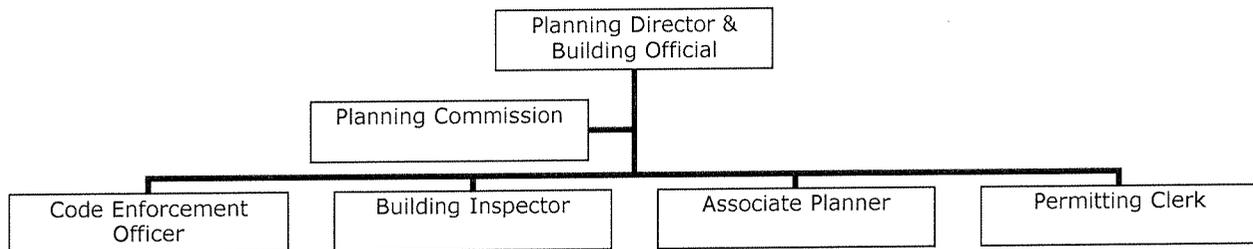
The charts below do not constitute a legal description of the reporting hierarchy; instead, they are intended to serve as a quick reference chart.



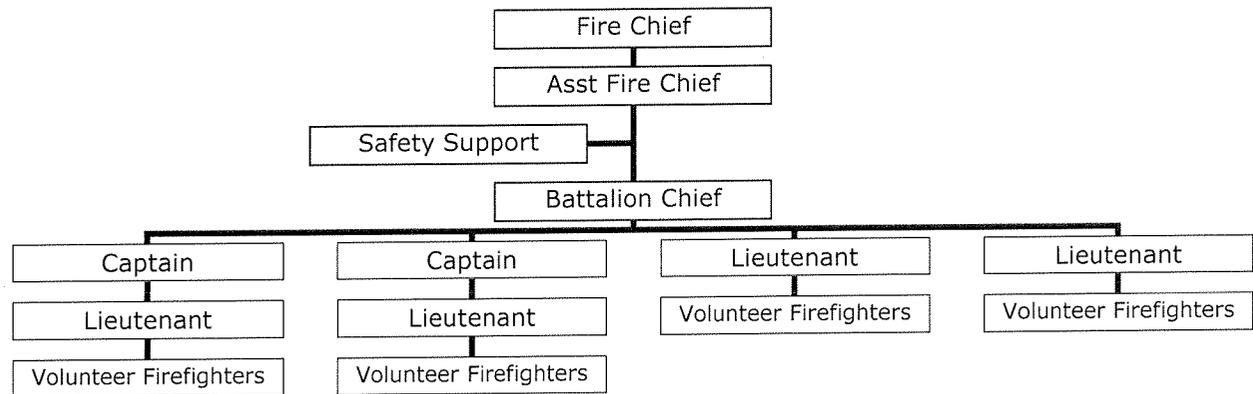
103.2 Public Works Department



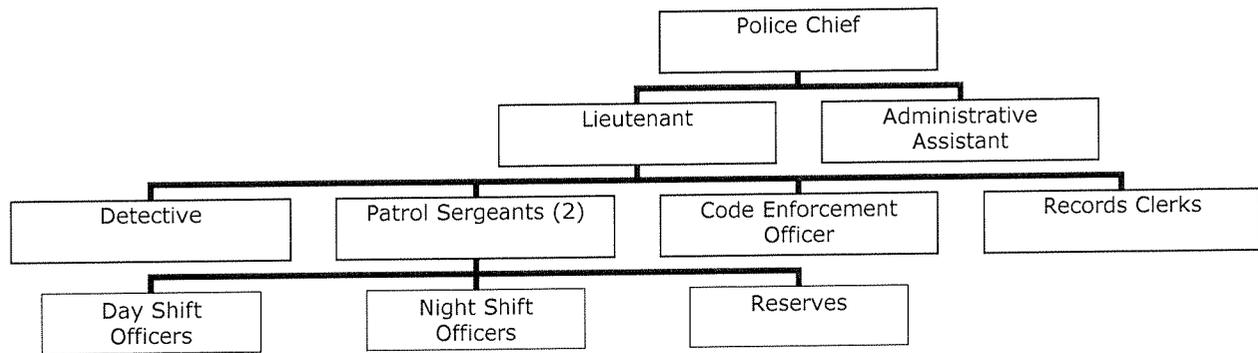
103.3 Planning & Building Department



103.4 Fire Department



103.5 Police Department



2 Hiring & Employment

Policy 201 Definitions of Employment Status

The City maintains standard definitions of employment status and classifies employees for purposes of personnel administration and related payroll transactions according to the following definitions:

Contractor. An individual hired on a contract basis in which the City develops the appropriate work expectations and guidelines through the contracting process. Contractors are *not* City employees and are not governed by this Personnel Handbook.

Employer premises. All locations where there are City of Sedro-Woolley activities.

Exempt. Employees whose positions meet specific tests established by the Fair Labor Standards Act (FLSA) and state law and who are exempt from overtime pay requirements.

Non-exempt. Employees whose positions do not meet FLSA exemption tests and who are paid a multiple of their regular rate of pay for overtime, as required by federal and state law.

Full-time (office staff). Employees scheduled to work 40 hours or more per week.

Orientation period employee. Civil service employees with less than twelve months of service in their current positions, or other employees with less than six months of service in their current positions.

Part-time (office staff). Employees scheduled to work less than 40 hours per week.

Part-time on-call/seasonal. Employees working in an on-call capacity or during peak workloads or for vacation relief, for up to 865 hours per year.

Regular. Employees who are not temporary and are not in their orientation period.

Temporary. Employees who are hired to temporarily fill-in for an employee who is on leave, not to exceed 6 months. They may work a full-time or part-time schedule.

Policy 202 General Hiring Policies

202.1 Internal Hiring

The City of Sedro-Woolley's policy is to promote current employees to fill vacant positions when qualified applicants exist.

202.2 Equal Employment Opportunity

The City maintains a policy of non-discrimination with employees and applicants for employment. No aspect of employment within the City will be influenced in any manner regardless of political affiliation, race, color, religion, sex, age, marital status, national origin, veteran status, mental or physical disability, or any other basis prohibited by statute.

If an employee believes he/she is being treated unfairly because of his/her political affiliation, race, color, religion, sex, age, marital status, national origin, veteran status, mental or physical disability, or any other basis, he/she may follow the complaint procedure as set forth in this manual.

202.3 Americans with Disability Act

The City's policy and practice is to comply with the Americans with Disabilities Act and ensure equal employment opportunity for all qualified persons with disabilities.

"Disability" includes a physical or mental impairment that substantially limits one or more major life activities, a record of such impairment, or being regarded as having such an impairment.

The City is committed to ensuring non-discrimination in all terms, conditions, and privileges of employment. Reasonable accommodation is available to all employees and applicants, including work site accessibility as long as the accommodation does not cause undue hardship on the City. Individuals should contact their supervisor concerning an accommodation.

Policy 203 Employee Orientation Period

203.1 Overview

All appointments of staff, including new employees, promotions, and re-hires will serve an orientation period of 6 months, or 12 months if a civil service employee. The Mayor may extend the orientation period for up to an additional 6 months.

During the orientation period, supervisors will hold informal and formal employee performance evaluations. If the City determines in its sole discretion that the employee cannot achieve a satisfactory performance level through a reasonable amount of training and coaching, orientation period employee(s) will be released immediately.

203.2 Procedure

- A. The supervisor should provide informal coaching and feedback on a daily or as-indicated basis.
- B. Upon satisfactory completion of the orientation period, employees move to regular status and are subject to the standard performance appraisal process and other City policies.
- C. If, during the orientation period, unsatisfactory performance does not improve, the employee may be released by the City.
- D. All employees, regardless of status or length of service, are required to meet and maintain City standards for job performance and behavior and are considered "at-will" employees.

Policy 204 Employment of Relatives

- A. To prevent problems of supervision, safety, security, and morale, the City of Sedro-Woolley will not employ the immediate family of current City employees and elected City officials 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 City.
- B. Change in Circumstances. If two employees marry, become related, or begin sharing living quarters with one another, and in the Mayor's judgment the problems noted above exist or reasonably could exist, only one of the employees will be permitted to remain employed with the City, unless reasonable accommodations, as determined by the Mayor can be made to eliminate the potential problem. The decision as to which employee will remain with the City must be made by the two employees within thirty calendar days of the date they marry, become related, or begin sharing living quarters with each other. If no decision is made during this time, the City reserves the right to terminate either employee.
- C. The Mayor may, on a case-by-case basis and without setting any precedent, approve a formal request for a temporary exemption from the provisions of this policy. Such exemption is always temporary and may be subject to cancellation by the Mayor without notice, explanation or justification. When a temporary exemption is made, the Mayor may require affected employees to sign a letter of understanding at his/her discretion.

Policy 205 Rehires

When former employees apply to be rehired, they will be evaluated on the same basis as other applicants. Special consideration will be given to past job performance, the circumstances surrounding termination of previous employment, and the former employee's knowledge of the City's procedures and functions.

The rehiring of any employee must be approved by the Mayor.

Employees rehired within 30 consecutive days after separation may have their service bridged. This means that the employee may retain the original date of hire and may continue to accrue benefits (vacation and sick leave accruals) at the same rate as before separation. Insurance benefits, previously in effect, may continue also.

Employees rehired after a break of service of more than 30 consecutive days will receive a new date of hire. They will be treated the same as new employees for all benefits, unless approved in advance, in writing, by the Mayor.

Policy 206 Internal Job Transfers

206.1 Required Transfers

- A. The City of Sedro-Woolley may require employees to make either a temporary or long-term job transfer in order to accommodate the organization's business needs.
- B. The City of Sedro-Woolley will try to limit the number and duration of temporary transfers that it requests of individual employees in a twelve-month period.

206.2 Voluntary Transfers

- A. Employees may request a voluntary job transfer. To be eligible for a voluntary transfer, an employee must:
 1. meet the requirements of the new position,
 2. have held their current position for at least 12 months,
 3. have a satisfactory performance record, and
 4. have no disciplinary actions during the same period.

206.3 Application Process

- A. The employee should submit an internal job application form to the Personnel Department. The request should include the reason for the transfer and the department and specific job that the employee wants. Requests based on posted job openings must comply with the procedures described in promotion, Policy 209, and should be initiated prior to the cut-off date specified in the posting. It is recommended that employees inform their immediate supervisor of their intent to apply for another position.
- B. The Personnel Department and hiring manager should determine if the requested job or a suitable job opening exists and whether the employee is eligible.
- C. If the employee is eligible for a job opening, the hiring manager should arrange an interview with the candidate. The candidate will be allowed time off with pay for job interviews related to the transfer.
- D. The department head with the job opening will make the final transfer decision, subject to prior approval of the Personnel Department and Mayor.

Policy 207 Personnel Records & Privacy

207.1 Overview

- A. The City maintains personnel records containing information on each employee to meet state and federal legal requirements and to assure efficient personnel administration.
- B. Notification of Changes. Changes of address, telephone number, and/or family status (births, marriage, death, divorce, legal separation, etc.) must be reported immediately to the Finance Department, as employee's income tax status and group insurance may be affected by these changes.
- C. Files Access. Access to personnel files is restricted to authorized employees and the Mayor, unless required by law. Personnel files are the property of the City and may not be removed from City Hall.

207.2 Procedure

- A. Examination of an Employee's Personnel File. Inspection of an employee's personnel file may be accomplished at reasonable times during office hours under the following conditions:
 1. Employee. Employees may examine their files upon reasonable notice to the Personnel Director. This review will take place in the office of the Personnel Director. Employees may obtain a copy of documents in the file. The City may charge fifteen cents a page for all copies made.
 2. Employees may request additions or removal of information in their personnel file. If the employee's request to remove the information is denied, the employee may file a written statement to be placed in his/her personnel file. The Mayor or Supervisor may also provide a written statement to be placed in the employee's file.
 3. Government Inquiries. The City generally will cooperate with federal, state, and local government agencies investigating an employee if the investigators furnish proper identification and proof of legal authority to investigate. However, the City may first seek advice of legal counsel. The City may permit a government investigator to review a personnel file on City premises, but the investigator will not be allowed to remove or reproduce this information without consent from the Mayor and/or the City Attorney.
- B. Information Requests and Employment References. If employees wish the City to verify information requested by outside sources for credit or other purposes, a release form with the employee's signature must accompany the request.
- C. The Personnel Director and/or Department Head will provide employment references on former employees only, as follows:
 1. References with Written Approval: Salary history, job chronology, and performance information may be released with written approval of the employee or ex-employee. This information will be released in writing and a copy retained in the employee's personnel file.
 2. Telephone Inquiries: Information will be verified by the Finance Department via telephone (after a reasonable caller identification) but will be limited to the following:
 - a. Date of hire and date of separation
 - b. Job title(s)
 - c. Confirmation of salary stated by caller (yes/no)
 3. Written Inquiries: If the request for information is in writing, salary information will be verified in addition to the above. This verification will be in writing and a copy retained in the employee's file.
- D. File Retention. Originals of personnel records will be maintained and retained for a minimum of six years after an employee's separation date.

Policy 208 Employee Performance Appraisal

208.1 Policy

The employee performance appraisal process will be managed to accomplish the following objectives:

- A. To enhance individual employee performance and ensure effective business operations.
- B. To summarize both formal and informal performance discussions held with employees throughout the review period.
- C. To document performance areas in which employees do well and those areas, which require improvement. To establish performance goals and plans to correct performance shortcomings.
- D. To link employee performance with salary/wage increase considerations.

208.2 Procedure

Each supervisor is responsible to set and communicate clear performance standards for his or her employees at the beginning of, and throughout, the review period. Each supervisor is also responsible to observe and discuss with his or her employees positive and negative aspects of their performance in relation to standards throughout the review period. And, on a regular basis, each supervisor is responsible to conduct formal performance appraisals on each subordinate employee summarizing past discussions and setting performance goals.

- A. Timing.
 1. Regular employees will receive one performance appraisal annually, preferably in but prior to the month end of August. All part-time employees will receive a minimum of one performance appraisal per year.
 2. Newly hired employees may be given informal and formal employee performance evaluations during the orientation period (see Policy 203).
- B. Approvals. Performance appraisals must be reviewed with the next level of management before a supervisor may discuss and review the performance appraisal with the employee.
- C. Performance Appraisal Discussion. Supervisors will hold a discussion with the employee regarding each performance appraisal. The discussion should be held at a prearranged time in a private location free from interruptions.

Policy 209 Promotions

- A. When a position vacancy occurs, opportunities to promote from within may be explored, consistent with the goal of filling positions with the most capable individual available.
- B. Job requirements, interviews, employee performance appraisals and career development records will provide the primary input to the internal selection process.
- C. Receipt of a promotion does not constitute a commitment for continued employment in a new position at the City for any specific time, nor is there a guarantee that an employee will be able to return to his or her former position if he or she is unsuccessful in the new job.
- D. An employee promoted to a position in a higher classification and salary range shall receive the next highest available pay step in the new range.

3 Wages and Salaries

Policy 301 Exempt & Non-Exempt Employees

- A. All positions are classified as either exempt or non-exempt in compliance with the Fair Labor Standards Act and for pay administration purposes.
- B. Definitions of exempt and non-exempt status are based on provisions of the Fair Labor Standards Act (FLSA) and state law. These definitions are summarized as follows:
 1. Exempt. Executive, professional, and administrative employees whose positions meet specific tests established by the FLSA and state law and who are exempt from overtime pay requirements.
 2. Non-exempt. Employees whose positions do not meet FLSA exemption tests and who are paid one and one half times their regular rate of pay for all hours worked in excess of 40 hours in a work period.

Policy 302 Salary/Wage Program Administration

Each position within the City of Sedro-Woolley is classified into one of the City of Sedro-Woolley's classifications for salary purposes, based on job qualifications, level of responsibility, difficulty, working conditions, skill, hazard, and amount of supervision required for the specific job title. Each classification is designated a particular salary range shown on the City of Sedro-Woolley's wage schedule and individual job descriptions.

The City strives to pay salaries/wages competitive with those in our community and profession, recognizing individual effort and contribution.

Employees shall be paid within the limits of the classification 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 be employed at a higher rate when the employee's experience, training or proven capability warrant, or when prevailing market conditions require a starting rate greater than the minimum.

302.1 Salary/Wage Increases

The City will review the rate of pay for each position on an annual basis. Salary/wage increases are not granted automatically, but only as a result of demonstrated performance, documented by job-related performance appraisal, and resources permitting in the following manner.

- A. Exempt Employees. Recommendation for salary increases will be made by the Mayor in collaboration with the Finance Committee, to the City Council for approval/disapproval.
- B. Non-Exempt Employees. Supervisors, in consultation with the Mayor and the Finance Committee, will make recommendation for wage/pay increases to the City Council for approval/disapproval.
- C. Part-Time On-Call Employees. Supervisors will make recommendation for wage/pay increases, with collaboration by the Mayor and the Finance Committee, to the City Council for approval/disapproval.

Policy 303 Hours of Work and Paydays

- A. Hours of Work. Employees must follow a normal work schedule of forty hours per week, eight hours per day, unless specifically hired to work a lesser or different schedule. The workweek will normally be Sunday through Saturday, however, the Mayor may set schedules that provide the best possible service to the general public. In addition, part-time on-call employees may be scheduled to work evenings and weekends.

- B. Lunch and Rest Periods. All employees are required to take a thirty minute uncompensated lunch period away from their workstations as required under Labor and Industries regulations.
- C. Employees are entitled to a paid rest period of not less than ten minutes for each four hours of working time. Rest periods shall be scheduled as near as possible to the midpoint of the four hours of working time or taken on an intermittent or "mini" break basis. The "intermittent break" is defined as intervals of short duration in which employees are allowed to relax and rest, or a brief inactivity from work or exertion. Intermittent breaks include, but are not limited to, situations such as: personal phone call(s), eating a snack, and/or personal conversations with others. Employees shall not be entitled to both a scheduled and intermittent break.
- D. Time sheets. All wages for employees are computed from time sheets. The accuracy, completeness and timeliness of the time sheets are the responsibility of the employee. Time sheets are to be submitted by all employees and approved by the Supervisor. If an employee does not complete and return his time sheet by the pay period's deadline, the employee may not be paid until the end of the following pay period.
- E. Pay periods. There will be two pay periods per month for all employees, except elected officials and volunteer firefighters. The first pay period begins at 12:01 a.m. on the first day of each month and ends at midnight on the 15th day of each month. The second pay period begins at 12:01 a.m. the 16th of each month and ends at midnight on the last day of each month.
- F. Pay Dates. For the pay period ending on the 15th of each month the pay date shall be the 20th of each month. For the pay period ending on the last day of each month the pay date shall be the 5th of the following month. Pay dates falling on a Saturday shall be paid the preceding Friday; pay dates falling on a Sunday will be paid the following Monday.

Policy 304 Overtime — Non-Exempt Employees

Overtime pay policy for employees includes the following principal elements:

- A. Non-exempt employees will be paid straight time for all hours worked through forty hours in one workweek.
- B. Non-exempt employees will be paid time and one-half for all hours worked in excess of forty hours in one workweek.
- C. Employees who work on a City paid holiday will receive overtime pay at time-and-one-half their regular rate for hours worked; in addition to eight hours regular pay for the holiday.
- D. Only hours actually worked will be used to calculate overtime pay. Paid time off for holidays, jury duty, vacation, sick leave or any leave of absence will not be considered "hours worked."
- E. Overtime worked by non-exempt employees must be authorized in advance by the immediate supervisor.
- F. "Compensatory time off" in lieu of overtime may be granted as agreed upon by the supervisor at the request of the employee. Compensatory time is computed at the rate of one and one-half hours for each one hour of overtime worked. The City may not impose compensatory time off in lieu of overtime pay. Accrued compensatory time must be used in the current pay period.

4 Employee Benefits and Services

Policy 401 Executive Leave

- A. The City of Sedro-Woolley recognizes that employees who are exempt for purposes of overtime pay often put in hours that extend beyond the standard workweek, without additional compensation, to meet the demands of their position. While incidental extra work time is an expected component of these positions, the City acknowledges that occasionally the demands are extraordinary. As an equitable measure, the City allows paid "Executive Leave," at the discretion of the Mayor, to exempt employees who have performed extraordinary overtime, provided that such leave may not interfere with department operations.
- B. Requests for Executive Leave must be approved, in writing, by the Mayor prior to the date of the absence.
- C. Use of Executive Leave is to be designated as such on the Payroll Time Sheet and the applicable approval attached to the timesheet.

Policy 402 Vacations

The City encourages and requires each full-time employee to take an annual vacation entitlement as paid time off away from work. The City does not provide vacation pay unless vacation time is actually taken as time off from work, or upon separation.

- A. An employee will begin accruing vacation at the end of the month following their date of hire.
- B. Following 6 consecutive months of employment, an employee will be eligible to use their accrued vacation.
- C. Regular, part-time employees working 20 hours per week or more accrue their vacation allowance on the same basis as full-time employees, except it is prorated according to the number of hours they worked.
- D. Vacation time is not earned during an unpaid leave of absence that exceeds fifteen (15) calendar days. Earning resumes upon return to active status.
- E. Eligible exempt and non-exempt employees who have completed six (6) months of continuous employment and who resign with a minimum of two weeks notice will be paid unused vacation entitlement. Pay will be computed based on the rate earned upon separation.
- F. Exempt employees, upon approval of the Mayor, may be granted an additional five (5) days vacation accrual per year.
- G. The following schedule specifies the amount of vacation earned for a corresponding period of continuous service:

Completed Years of Service	# of Days	Accrual Rate
0 through 6 months	5	3.34 hrs/mo
7 months through 3 years	10	6.67 hrs/mo
4 years through 8 years	15	10.00 hrs/mo
9 years or more	20	13.34 hrs/mo

- H. The maximum accrual of vacation time shall not exceed the number of days (hours) accrued annually.

Policy 403 Holidays

- A. The following days are recognized as City-paid holidays.

Holiday	Day Observed
New Year's Day	January 1
Martin Luther King Day	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday of May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving Day	Day after Thanksgiving
Christmas Eve/Boxing Day	December 24 or 26 (see below)
Christmas Day	December 25

- B. Employees may take one additional paid holiday of their choice. The employee's supervisor must approve the dates of that floating holiday.
- C. Employees receive eight hours of regular-rate pay for holidays.
- D. City-paid holidays that fall on a Saturday will be observed on the preceding Friday; paid holidays which fall on a Sunday will be observed on the following Monday.
- E. If Christmas falls on a Friday, Saturday, or Sunday, Christmas Eve (December 24) will be taken as a holiday. Otherwise, Boxing Day (December 26) will be taken as a holiday.
- F. For regular workweek employees, any other holiday falling on a Sunday shall be observed the next scheduled workday and any other holiday falling on a Saturday shall be observed on the preceding scheduled workday. If a holiday falls on an employee's regular day off, the holiday shall be observed on either their preceding scheduled workday or their next scheduled workday, as agreed by the employee and supervisor.
- G. If a City-paid holiday falls during an employee's scheduled vacation, the holiday is not counted as vacation taken.
- H. An employee who terminates employment or commences an unpaid leave of absence on the last scheduled workday preceding a holiday will not receive holiday pay.
- I. An employee who terminates employment prior to completing the current year of service, will be paid for any remaining floating holidays on a pro-rated basis, e.g. seven months service equals seven twelfths of floating holiday pay.

Policy 404 Sick Leave

"Sick leave benefit" is cash compensation which, when combined with amounts for which an employee is eligible under Workers' Compensation, is equivalent to the employee's regular rate of pay.

404.1 Overview

- A. Eligibility. This policy applies to all full-time and part-time employees hired into regular positions, including new employees that fall within the new employee orientation period. This policy is not applicable to part-time on-call/seasonal employees. An employee is first eligible for the benefit at the end of the month following the date of hire.
- B. Amount of Benefit. Full-time employees accrue sick leave benefits at the rate of one workday per completed calendar month of continuous service up to a maximum of 960 hours. Part-time employees accrue sick leave on a pro-rated basis (# of annual hours worked divided by 2080 = percent of full-time status) up to a maximum of 20 days.

1. The number of sick leave days credited is not intended to establish a guideline for acceptable attendance.
 2. Amounts paid to an employee under Workers' Compensation Insurance will be deducted from their monthly payroll and their sick leave bank reimbursed (Worker's Compensation Insurance compensation divided by hourly rate = days reimbursed to sick leave bank).
 3. The City of Sedro-Woolley may require an employee to support a request for sick leave benefits that exceeds 3 days with medical certification of disability. Failure to provide a note from a physician may lead to a denial of benefits and possible corrective action.
 4. Sick leave will continue to accrue for any pay period in which the employee receives pay.
- C. Uses of Sick Leave. Employees may use accrued sick leave for absence due to personal illness, accident, or other medical treatment, or to care for a child of the employee with a health condition that requires treatment or supervision; or a spouse, parent, parent-in-law, or grandparent of the employee who has a serious health condition or an emergency condition. The Mayor may approve exceptions to the afore mentioned uses of sick leave on a case-by-case basis. An employee may not take leave until it has been earned.
- D. Separation. Employees will not be paid for any unused sick leave upon leaving City of Sedro-Woolley service for any reason.
- E. Minimum Sick Leave Use. To encourage the responsible use of sick leave and to reward those employees who use a minimum amount of sick leave, the City has implemented a bonus program for non-use of sick leave. If full-time employees use less than 15 hours of sick leave in a calendar year, they will receive an additional day added to their vacation balance. Part-time employees who use less than 8 hours of sick leave in a calendar year will receive additional vacation hours on a pro-rated basis (# of annual hours worked divided by 2080 = percent of full-time status).
- F. Gifting of Sick Leave. Employees of the City of Sedro-Woolley may make a gift of sick leave to one another under the following limited conditions:
1. An employee may request approval to be eligible for receiving gifted sick leave when that employee is suffering from a severe or life-threatening illness, injury or impairment which is expected to necessitate an absence that results in the depletion of the employee's sick, vacation and compensatory leave. The request shall be directed to the Mayor.
 2. The Mayor may designate the employee as an eligible donee if the Mayor determines that:
 - a. The employee has an illness, injury or impairment which is severe or life-threatening;
 - b. The employee's vacation, compensatory time and sick leave balances are inadequate to cover the expected period of disability;
 - c. The employee is ineligible for coverage under state industrial insurance for the illness, injury or impairment; and the Mayor may require additional relevant information from an employee prior to responding to the request. Such additional information may include, but is not limited to medical evaluations or certifications.
 3. Once an employee has been approved as a gifted sick leave donee, any other employee may make a gift of his/her sick time to the donee. The donating employee shall make the gift in writing, utilizing a form prescribed by the Mayor. In making the gift, the donating employee shall acknowledge that the gift is non-refundable and shall certify that he/she has received no compensation for the gift. The donation must be made in whole hour increments. The City of Sedro-Woolley will keep all gifts confidential although donating employees are not required to do so.
 4. Donated hours shall be calculated as follows: The donors hourly rate times the number of hours donated divided by the donee's hourly rate.
 5. The donee employee's sick leave balance will be increased by the number of hours received from the donor on the first pay period following the donation. The donor's sick leave balance will be decreased at the same time. At no time may the number of hours gifted exceed the number of hours needed to complete the payroll period.

6. Sick leave may be donated as long as the donor employee's sick leave balance is not reduced below 160 hours by such a gift.
7. The gifting of sick leave shall not be construed as a "use" of the donor's sick leave by the donor as applied to Policy 413(III-E).
8. During the period of disability, the donee must have a minimum of one (1) week of pay during each calendar month to qualify for payment of his/her medical, dental and vision coverage at the normal level.

404.2 Procedure

In administering sick leave, supervisors should follow these guidelines:

- A. Minimum Unit. Sick leave benefits may be taken in increments of not less than one hour per occasion for non-exempt employees. For exempt employees, sick leave benefits must be taken in full-day increments.
- B. Maintenance of Contact. During sick leave, an employee must maintain daily contact (before 8:00 a.m.) with the supervisor directly or by voicemail (or make other suitable arrangements) in order for the supervisor to know the employee's estimated date of return to work. Sick leave benefits are contingent upon maintenance of regular contact.
- C. Physician's Release upon Return. Depending on the length and circumstances of an employee's disability, the supervisor may require a physician's written release before the employee may return to work. (See paragraph "III" "B" above)
- D. Termination of Benefits. If an employee's disability absence continues beyond the period covered by sick leave, the employee will be placed on family and medical leave of absence status without pay. All unused vacation entitlement must be used before transferring to leave of absence without pay status.

Policy 405 Bereavement and Jury Duty Time Off

The City grants to eligible employees paid time off for bereavement, jury, and witness leave.

- A. Bereavement.
 1. In the event of death in an employee's immediate family, the City grants up to three working days, with pay, to handle family affairs and attend the funeral. Immediate family for this policy is defined as: current spouse, married or unmarried, children, parents, grandparents, brothers and sisters, mother-in-law or father-in-law or guardian of the employee. In the event of death in an employee's immediate family outside the state of Washington, the City grants up to five working days, with pay, to handle family affairs and attend the funeral.
 2. Employees requesting Bereavement Leave for the death of an individual not identified above may be granted bereavement leave at the discretion of the Mayor.
- B. Jury Duty.
 1. An employee who is called for district, superior, or federal court jury duty will receive from the City his/her regular rate of pay for the actual time he/she is required to be absent from work because of such jury duty, less any amount paid for such civil duty.
 2. The employee must present written documentation in support of such jury duty including a clerk's statement of attendance, compensation for services, per diem, and travel expenses.
 3. All hours spent fulfilling jury duty, during regularly scheduled working hours, will be counted as hours worked for purposes of computing vacation and sick leave benefits.
 4. If the employee is dismissed from such duty during scheduled working hours, he/she is expected to return to the normally scheduled work place.

- C. Witness Duty. In general, witness duty leave is unpaid unless A) the employee is a witness at the direction of the City of Sedro-Woolley; or B) otherwise authorized by the Mayor.
- D. Employees will continue to be covered under all insured benefit plans while they are on paid bereavement, jury, or witness leave.

Policy 406 Leaves of Absence without Pay

406.1 Definition

A "leave of absence" is defined as an excused absence without pay beyond five working days. An absence involving paid time off (i.e., jury duty, sick leave, or bereavement leave) is not considered a leave of absence, nor is personal time off up to five days.

406.2 Overview

- A. Leaves of absence without pay may be granted to regular employees to maintain continuity of service only in instances where unusual or unavoidable circumstances require prolonged absence.
- B. All applicable sick, vacation, or compensatory time must be utilized prior to beginning an unpaid leave of absence. No loss of service credit with the City will occur as a result of the leave of absence without pay, but no benefit credit will accrue toward vacation and sick leave entitlement for the duration of the leave.
- C. After thirty (30) consecutive days leave of absence without pay, the employee will be responsible for paying the entire cost of his/her group health insurance coverage and that of his/her dependents.
- D. Types of Leave
 - 1. Military Service Leave of Absence. An employee who volunteers or is called to active military duty in a branch of the U.S. Armed Forces will be granted a leave of absence according to applicable state and federal law for the period of active duty.
 - 2. Military Reserve Training. A regular employee on active military reserve status may take up to fifteen (15) working days of unpaid leave a year for military reserve training.
 - 3. Personal Leave of Absence. A personal, unpaid leave of absence to handle compelling personal business may be granted to regular full time and regular part-time employees.
 - a. Length of a personal leave of absence may range from five to thirty consecutive calendar days.
 - b. To be eligible, the employee must have maintained a satisfactory record of employment with the City for a minimum of one year.
 - c. A personal leave of absence is approved at the discretion of the employee's immediate supervisor with the concurrence of the Mayor.
 - d. The employee must be available to return to regular employment on or before the expiration date of the leave.

406.3 Procedure

- A. Application and Commencement.
 - 1. Requests for leave of absence or an extension thereof must be submitted in writing to the Mayor two weeks prior to the commencement date.
 - 2. Extensions of leaves of absence are ordinarily not granted.
- B. Reinstatement.

1. Upon return from a military service leave of absence, employees will be reinstated according to applicable law.
2. Upon return from a personal leave of absence, employees will be reinstated in the following priority of position reassignment:
 - a. First: prior position, if available.
 - b. Next: a comparable position for which the employee is qualified, if available.
 - c. Next: a lesser position for which the employee is qualified. If no work is available according to the reassignment priorities listed above, the employee will be separated.
3. Employees on leave of absence must notify their supervisor at least two weeks prior to end of leave to inform the City of availability for return to work.
4. The City may require employees to have a physician's release or a physical examination to determine fitness for work prior to return from a leave of absence.
5. An employee's failure to return from leave of absence, or failure to contact his or her supervisor within three days after the scheduled date of return, will be considered a voluntary resignation.

Policy 407 Family and Medical Leave

407.1 Overview

- A. Eligible employees may be granted up to twelve weeks of unpaid leave per revolving 12-month period for:
 1. Newborn or newly adopted children. Eligible employees may request a leave of absence to provide care for a child following the child's birth, adoption, or foster placement in the employee's home. This leave must be taken within a year after the child is born, adopted or placed in the employee's home.
 2. Illness of a family member. Employees may request a leave of absence to provide care for a child, parent, or spouse who has a serious health condition.
 3. Illness of an employee. Employees may also request a leave of absence if they are unable to work due to their own serious health condition.
- B. Earned vacation, sick and compensatory time shall be used prior to commencement of any unpaid leave of absence. No loss of seniority will occur while the employee is on this leave of absence. Employees must pay their portion of the cost of their group health and welfare insurance premiums during any unpaid family and medical leave of absence.

407.2 Definitions

- A. Child. Anyone under 18 years who is the employee's biological, adopted, or foster child, stepchild, legal ward, or an adult legally dependent child. This may also include a child for whom the employee has day-to-day responsibility.
- B. Parent. Biological, foster, or adoptive parents, stepparents, legal guardians, or someone who plays or has played the role of parent, but does not include parents-in-law.
- C. Spouse. Married or unmarried partner, including same-sex domestic partner.
- D. Serious Health Condition. An illness, injury, impairment, or physical or mental condition serious enough to require treatment or supervision. The City may require appropriate medical certification before a leave is granted. In some instances, a second or third medical opinion may also be required.

407.3 Procedure

- A. Application and Commencement.

1. A Family and Medical Leave of Absence form must be completed requesting family and medical leave of absence and submitted to the supervisor thirty days prior to commencement date, except where medical conditions make such a requirement impossible.
 2. When the leave is to care for a sick child, parent or spouse, the requesting employee must submit a letter completed and signed by a physician that states:
 - a. the date the illness or condition began;
 - b. the probable duration of the condition;
 - c. the estimated time the employee will need to care for the family member;
 - d. a statement that the illness or condition requires the participation of a family member.
 3. When the leave is for planned medical treatment, the employee must attempt where possible to schedule the treatment so as not to disrupt City operations.
 4. When the leave is for the employee, the employee must submit appropriate medical certification.
- B. Reinstatement.
- a. Upon return from a family and medical leave of absence, the employee will be reinstated in his or her prior position if it is available. If not, the employee will be reinstated in a comparable position for which the employee is qualified.
 2. Employees on leave must notify their supervisor at least two weeks prior to end of leave to inform the City of availability to return to work. The City may require appropriate medical certification before an employee returns to work.
 3. An employee's failure to return from leave, or failure to contact his or her immediate supervisor or the Mayor on the scheduled date of return, will be considered a voluntary resignation.

Policy 408 Education Assistance Program

408.1 Overview

- A. This policy concerns education that is related to, but not necessary for, an employee's job. Required training is not covered by this policy and may be reimbursed up to 100%.
- B. The City may reimburse up to 50% of the cost of tuition, enrollment fees, and books for pre-approved courses that employees take at a recognized institution.
- C. These courses must, in the opinion of the City, increase employees' competence in their present jobs and be in direct relationship to job-related functions.
- D. This policy applies to full time employees hired into regular positions. This policy does not include those orientation period employees.
- E. An employee must be employed with the City during the entire course in order to qualify for reimbursement. An employee who separates during enrollment will not be eligible for reimbursement.
- F. Class attendance and completion of study assignments must be accomplished outside of the employee's regular working hours. Unsatisfactory job performance during enrollment may result in forfeiture of educational reimbursement.
- G. The Personnel Director will maintain records of educational programs completed by each employee in the employee's personnel file.

408.2 Procedure

- A. The employee must receive prior approval from the Personnel Director or the Mayor for the education program and each course taken.
- B. Prior to beginning an education program, an employee must submit a written request for approval of the education program to his/her immediate supervisor who will request approval from the Mayor.
- C. Prior to enrolling in each course, an employee must submit a written request for education reimbursement to his/her immediate supervisor who will request approval from the Mayor.
- D. The supervisor should retain a copy of the employee's request for education reimbursement until the employee has completed or otherwise ended each course.
- E. Employees must receive a grade of "C" or better in each course to be reimbursed for that course. Reimbursement will be limited to ten credits per quarter/semester.
- F. The supervisor should obtain and submit to the Finance Director receipts for tuition, enrollment fees, books, and the employee's official school grade report for reimbursement at the conclusion of the course.

Policy 409 Insurance Programs

The City provides a comprehensive group health program for eligible employees. Full details can be found in the program booklets, which employees will receive. The City also provides insurance programs as mandated by state and federal regulations for all employees.

The following are brief summaries of these programs; contact the Finance Department for more information.

- A. Group Insurance. The City provides major medical, dental and vision insurance to eligible employees as follows:
 1. Major medical, dental and vision insurance is provided to employees, who work not less than 30 hours per week, and their eligible dependents the beginning of the month following their date of hire. Monthly premiums will be paid through the payroll system, with employee contributions (if any) being deducted from the employee's monthly payroll, provided the employee meets the plan eligibility requirements.
 2. Major medical, dental and vision insurance is provided to elected officials the beginning of the month following the commencement of their term of office. Monthly premiums will be paid through the payroll system, with elected official contributions (if any) being deducted from the elected official's monthly payroll, provided the elected official meets the plan eligibility requirements. Elected officials may elect to cover eligible dependents on a self-pay, pre-payment basis only. Delinquent payments shall result in the termination of that elected official's dependent coverage.
- B. Social Security. The Federal Social Security Act covers all employees. A required percentage of an employee's salary is deducted to pay the employee's portion of this protection, and the City matches this deduction dollar for dollar. This plan was designed for an employee's future security and that of his or her dependents by providing retirement, disability, death survivor and Medicare benefits.
- C. State Unemployment Insurance. This program is funded entirely by employers in this state. The program provides weekly benefits to employees who become unemployed through no fault of their own or circumstances described in the law.
- D. Workers' Compensation.
 1. The City carries insurance to cover the cost of work incurred injury or illness. Benefits help pay for an employee's medical treatment and for part of the income lost while recovering.
 2. Specific benefits are prescribed by law depending on the circumstances in each case.

3. To be assured of maximum coverage, all work related accidents must be reported immediately to supervisors and the Finance Department so the City can file a timely claim.

Policy 410 Retirement Programs

The City participates in PERS I, PERS II and PERS III administered by the Department of Retirement Systems. A required percentage of an employee's covered gross wages is deducted to pay the employee's portion of this program, and the City also pays a required percentage of the employee's covered gross wages. Full details can be found in the program booklets, which employees will receive.

5 Standards of Conduct and Corrective Action

Policy 501 Encouraged Conduct

The City has established these standards of conduct for the guidance of all employees. Appropriate employee conduct includes, but is not limited to, the following:

- A. Treating all customers, visitors, and coworkers in a courteous manner
- B. Reporting to management suspicious, unethical or illegal conduct by coworkers, customers, or suppliers
- C. Cooperating with City of Sedro-Woolley investigations
- D. Complying with all City of Sedro-Woolley safety and security regulations
- E. Performing assigned tasks efficiently and in accord with established quality standards
- F. Maintaining cleanliness and order in the workplace and work areas

Policy 502 Prohibited Conduct

Breaches include, but are not limited to, the following conduct. This list is intended to be representative of the types of activities that may result in corrective action. It is not intended to be comprehensive and does not alter the at-will employment relationship between employees and the City. Infractions will lead to corrective action up to and including discharge (see Policy 518).

- A. Falsifying employment application, time card, personnel, or other City documents or records.
- B. Unauthorized possession of City or employee property, gambling, carrying weapons or explosives, or violating criminal laws on City premises.
- C. Fighting, throwing things, horseplay, practical jokes, or other disorderly conduct that may endanger the well-being of any employee or City operations.
- D. Engaging in acts of dishonesty, fraud, theft, or sabotage.
- E. Threatening, intimidating, coercing, using abusive or vulgar language, or interfering with the performance of other employees.
- F. Insubordination or refusal to comply with instructions or failure to perform reasonable assigned duties.
- G. Unauthorized use of City material, time, equipment, or property.
- H. Damaging or destroying City property through careless or willful acts.
- I. Conduct that the Mayor feels reflects adversely on the employee or City.
- J. Performance, which, in the Mayor's opinion, does not meet the requirements of the position.
- K. Other practices as the Mayor determines may be inconsistent with the ordinary and reasonable rules of conduct necessary to the welfare of the City, its employees, or clients.
- L. Negligence in observing fire prevention and safety rules.
- M. Other circumstances for which the City feels that corrective action is warranted.

Policy 503 Office Dress and Personal Appearance

- A. Employees are expected to maintain an appropriate appearance that is businesslike, neat and clean as determined by the requirements of the area in which the employee works.
- B. "Appropriate appearance" includes:

1. Apparel. Generally, employees should wear appropriate, clean attire.
 2. Personal Hygiene. Good personal hygiene habits must be maintained.
- C. Procedure.
1. The supervisor is responsible to evaluate the dress and appearance of employees under his or her supervision. If an employee is not dressed appropriately, the supervisor should take the following steps:
 - a. On the first occasion, an oral warning should be given to the employee, and the City's dress and appearance standards should be reviewed with the employee.
 - b. On the second occasion, the employee should be sent home to change clothes immediately as well as given a written warning. Pay for the day that the employee is sent home begins when the employee returns to work.
 2. Further violations may result in discharge.

Policy 504 Public Works Dress Code

504.1 Overview

- A. Employees must wear protective footwear as appropriate when hazards exist.
- B. No open-toe shoes, sandals, flip-flops, etc.
- C. No holes in footwear.
- D. Socks must be worn at all times.
- E. Clothing must be maintained in a presentable manner at all times. It is understood that certain tasks such as applying tack coat to asphalt and/or painting necessarily soil clothing and footwear beyond a normally presentable manner, and that clothing worn while undertaking such tasks shall be considered presentable while carrying out such tasks.
- F. No tee shirts other than City logo tee shirts or high-visibility tee shirts, unless under coveralls.
- G. Pants should cover down to tops of footwear.
- H. No shorts or cutoffs, unless under coveralls.
- I. No holes larger than ¼" in pants.
- J. Long sleeve shirts must be worn as appropriate to protect the forearms.

504.2 Clothing Allowance

In order to be eligible for reimbursement under the AFSCME contract clothing allowance, employees must purchase clothing that meets the standards below.

AFSCME contract clothing shall not typically be worn during off-duty hours, except during travel to and/or from work or other reasonable times.

- A. Footwear
 1. Protective footwear must be made of good quality leather and cover the ankles.
 2. Protective footwear must contain either a steel or composite safety toe and be puncture resistant.
 3. Protective footwear must meet or exceed ANSI Z41 PT 99 M I/75 C/75 specifications.
 4. Protective footwear must have a slip resistant sole.
- B. Work Pants

1. Work pants must be made of good quality denim, duck, or canvas, and be constructed with double or triple stitch seams, and have preferably have reinforced knees and pockets. Examples of acceptable work pants are Levis, Dickies, and Carhartt brands.
2. Work pants must cover the knees and tops of footwear. Shorts are not eligible as work pants.
3. Work pants must not typically be worn during off-duty hours, except during travel to and/or from work or other reasonable times.

C. Work Shirts

1. Work shirts may be either short or long sleeve.
2. Work shirts must have the City logo permanently affixed.
3. Work shirts must be Sedro-Woolley blue, denim blue, OR high-visibility safety orange or safety yellow or a combination thereof, and must contain not less than 40 square inches of retroreflective material.
4. High-visibility work shirts must have vertical and/or horizontal stripe markings of contrasting color to the base material to enhance noticeability of the wearer. These markings must be made of retroreflective or a combination of retroreflective and non-retroreflective materials.

D. Work Jackets

1. Work jackets must be made of good quality, flame resistant material.
2. Work jackets must have the City logo permanently affixed.
3. Work jackets must be Sedro-Woolley blue, denim blue, OR high-visibility safety orange or safety yellow or a combination thereof, and must contain not less than 40 square inches of retroreflective material.
4. High-visibility work jackets must have vertical and horizontal stripe markings of contrasting color to the base material to enhance noticeability of the wearer. These markings must be made of retroreflective or a combination of retroreflective and non-retroreflective materials.

E. Coveralls

1. Coveralls must conform to the following criteria to be eligible under the clothing allowance in Article 14 of the AFSCME Contract:
2. Coveralls must have the City logo permanently affixed.
3. Coveralls must be Sedro-Woolley blue, denim blue, OR high-visibility safety orange or safety yellow or a combination thereof, and must contain not less than 40 square inches of retroreflective material.

- F. High-visibility coveralls must have vertical and horizontal stripe markings of contrasting color to the base material to enhance noticeability of the wearer. These markings must be made of retroreflective or a combination of retroreflective and non-retroreflective materials.

504.3 Restrictions

- A. Retroreflective material must be orange, yellow, white, silver, strong yellow-green, or a fluorescent version of one of these colors and must have a minimum visible width of 15mm (0.6 inches). A minimum area of 25,800 mm² (40 square inches) of retroreflective material must be visible when the garment is viewed from either the front or back and a minimum area of 7,740 mm² (12 square inches) of retroreflective material must be visible from any other normal observation angle.
- B. Original store receipts and documentation as necessary to confirm the applicability to the above standards must be submitted to the City to have the clothing be eligible under the clothing allowance in Article 14 of the AFSCME Contract.

- C. Returning items reimbursed under the clothing allowance in Article 14 of the AFSCME Contract to the store for a monetary refund or exchange for a clothing item not allowed under the AFSCME Contract must be considered to be theft by that employee.

Policy 505 Attendance

Every employee has the responsibility to maintain a good attendance record.

Supervisor's Responsibility. Supervisors will exercise the primary management level responsibility to control employee attendance. Excessive employee absence or lateness are undesirable performance factors and will be managed by supervisors according to the procedures below.

505.1 Definitions

- A. Absence. An absence is defined as any absence from work during scheduled working hours (including overtime), excluding absence for work incurred injuries, vacation, jury duty, death in the family or family and medical leave of absence without pay.
- B. Lateness. Arriving after or leaving prior to scheduled work time.

505.2 Procedure

Supervisors will administer the attendance standards and procedures outlined below, regardless of employee position, eligibility for sick leave benefits, or length of service.

- A. Attendance Standards. Supervisors will seek to maintain an attendance level among employees that, when measured City-wide, results in an average of no more than five days absence per employee, measured over a year.
- B. Notification.
 - 1. Advance Notice. Supervisors will require employees to give advance notice, when possible, of lateness or absence. If advance notice is not possible, the employee must give notification by phone to his or her supervisor.
 - 2. Timing of Notice. Notification calls must be made within one hour following the start of the employee's assigned work schedule.
 - 3. Employee to Maintain Contact. If appropriate, supervisors will require employees to maintain contact for any period of absence beyond one day, unless the employee has provided a doctor's certification covering a specified period. Frequency of contact between employee and supervisor will be by mutual agreement.
- C. Absence without Notice. After three consecutive days absence without notice, the employee will be separated (see **Error! Reference source not found.** on page **Error! Bookmark not defined.**). The employee will be eligible for reinstatement only if exceptional circumstances explain why the employee could not have called in.
- D. Scheduling Absences. Employees who must be absent for personal reasons or medical appointments will be advised to schedule such appointments outside working hours, if possible. When the need for being absent from work is known in advance, the employee will notify the supervisor immediately.
- E. Performance Appraisal. Each supervisor in connection with employee performance appraisals will evaluate employee attendance. The records of employees with attendance problems will be reviewed more frequently.
- F. Action. Chronic absenteeism, lateness or other unusual infractions of attendance standards will be handled according to Policy No. 530, Corrective Action.

Policy 506 Parking

Employees should be good citizens in their choice of parking spots. Employees should use designated employee parking spots and avoid parking in front of neighboring businesses or residences.

The City owned parking lots are considered part of the City of Sedro-Woolley premises; therefore, all City of Sedro-Woolley policies and rules apply to employees and their vehicles while on the lots.

Employees who use the City of Sedro-Woolley parking lots do so at their own risk. The City of Sedro-Woolley assumes no responsibility for any damage to, or theft of, any vehicle or personal property left in the vehicle while on the parking lots

Policy 507 Smoking Restrictions

- A. Smoking is prohibited within all facilities owned by the City of Sedro-Woolley. In addition, smoking is prohibited in areas located outside the building in which direct Environmental Tobacco Smoke (ETS) contamination of indoor office work environments results.
- B. Definitions
 - 1. "Smoking," means igniting, inhaling, exhaling, or carrying a pipe, cigar, or cigarette of any kind that is burning.
 - 2. "Environmental Tobacco Smoke (ETS)" is a mixture of smoke emitted from burning tobacco products and smoke exhaled by the smoker. ETS is also commonly referred to as second-hand smoke.
- C. Prohibited Areas. Smoking is prohibited in all office work environments, all City vehicles, and at all City activities.
- D. Visitors. Visitors are expected to observe the non-smoking policy.

Policy 508 Telephone Use

Efficient telephone service is vital to City business. Employees must adhere to the following guidelines:

- A. Answer all calls promptly, courteously and always identify yourself to the caller.
- B. Hold personal calls, both incoming and outgoing, to emergencies or essential personal business and keep them as brief as possible. All personal toll and long distance calls must be placed using calling cards or tracked so they may be charged to employee.
- C. Use City-issued cell phones for City business only.
- D. Personal cell phones must be silenced or turned off . When taking or placing a call on a personal cell phone it must be done away from areas with public exposure.

Policy 509 Solicitation and Distribution

- A. Definitions
 - 1. Work time: All time on the premises other than before and after work, at meal periods and break times.
 - 2. Work areas: All areas on the premises and sites where City activities are held.
- B. The City strives to establish a work environment that is productive and without undue disruptions to the workday. Therefore, soliciting by one employee of another, or collecting from one employee by another, is prohibited while either employee is on work time.
- C. Distributing literature and circulating petitions during work time or in work areas at any time is also prohibited.
- D. Trespassing, soliciting, or distributing literature by non-employees is prohibited on City premises.

Policy 510 Personal Finances of Employees

- A. Employees should manage their personal finances so that they do not adversely affect their job performance or the City of Sedro-Woolley's image in the community. The failure of employees to meet financial obligations may impose an administrative and financial burden on the City of Sedro-Woolley through extra bookkeeping and the need to respond to legal notices and court orders.
- B. The City of Sedro-Woolley will not disclose employee financial information to outside parties without express written permission from the employee, except as required by law.
- C. The City of Sedro-Woolley will conduct credit checks of applicants for employment in accordance with its hiring policy.
- D. The Payroll Department is the only person authorized to receive a writ of garnishment or attachment, a notice of levy by any taxing authority, or any other similar order requiring payment of a portion of an employee's compensation to someone other than the employee. The Payroll Department will notify the affected employee and then deduct the required amount from the employee's earnings, up to the limit permitted by law.
- E. The Payroll department may not distribute an employee's paycheck to anyone other than the employee without the employee's written consent.

Policy 511 Restricted Areas and Security Measures

Maintaining security of the City's offices and confidential information is important to the City. Therefore, the following areas and files are strictly off-limits to visitors and employees, with the exception of specific office staff:

- A. Personnel files
- B. Individual employee offices (unless authorized by the employee who occupies the office)

Policy 512 Privacy Rights in the Workplace

The City cannot assume responsibility for any theft or damage to the personal belongings of City employees. Therefore, the City requests that employees avoid bringing valuable personal articles or property to work. Employees are solely responsible for insuring that their personal belongings are secure while at work in the City. Work-related searches of an employee's work area, workspace, computer, and electronic mail on the City's property may be conducted without advance notice. Employees who do not consent to inspections may be subject to discipline, up to and including immediate termination.

Policy 513 Information Systems Acceptable Use

513.1 Overview

- A. The City's data and word processing equipment and software are valuable assets. Unauthorized use of these assets may result in disciplinary action, up to and including immediate discharge.
- B. Equipment. Computer and office automation equipment leased or owned by the City and purchased time sharing services may be used only to conduct City business.
- C. Purchased/Leased Software. Contracts with vendors of proprietary software packages clearly define the limits of their use. Employees are forbidden to copy or use software contrary to the provisions of the contract.
- D. Intellectual property. Documents, software, art, etc., developed by employees or contract personnel on behalf of the City, or purchased for the use of the City, is City property and may not be distributed to outsiders unless authorized in writing by the Mayor.

- E. Employee accounts, including email accounts, history, and data, may be monitored by the Network Administrator. Employees have no expectation of privacy on City computer systems.
- F. Limited, occasional, or incidental use of City information systems for personal, non-business purposes is understandable and acceptable, and all such use should be done in a manner that does not negatively affect the systems' use for their business purposes. However, employees are expected to demonstrate a sense of responsibility and not abuse this privilege.

513.2 Prohibited Uses

Employees may not use City equipment, including City networks, for the following uses:

- A. More than *de minimus* personal use
- B. Commercial use
- C. Copyright violations
- D. Harassment
- E. Political uses
- F. Impersonation of another
- G. Monitoring or intercepting the files or electronic communications of other employees or third parties
- H. Hacking or obtaining access to systems or accounts they are not authorized to use
- I. Storage, reception, or transmission of any of the following:
 - 1. Pornographic, profane, or sexually explicit materials, including photos and jokes
 - 2. Messages that are abusive toward a gender, race, religion, or sexual orientation
 - 3. Messages that are abusive toward a fellow employee
- J. Waste of system or network resources, e.g. network bandwidth, storage space
- K. Any use contrary to the interests of the City of Sedro-Woolley
- L. Any illegal use

513.3 Computer Hardware and Software Security

- A. Employees must keep City passwords private and may not share City passwords or accounts with others, including other employees, and may not use other employees' passwords or accounts.
- B. Employees must not breach computer or network security measures.
- C. Employees must log out or otherwise lock their workstations when not under their supervision or control.
- D. Employees may not install computer software on City computers without authorization from the Network Administrator or the Mayor.

513.4 Computer Files

- A. Employees may not lock or password protect computer files without approval of the Network Administrator or Mayor.
- B. Employees must keep locked or encrypted any computer files designated as requiring such locks or encryption by the Network Administrator or Mayor.
- C. Employees may only store computer files on their City computers or in the designated network store. Employees may not remove computer files on removable media without approval of the Network Administrator or Mayor.

Policy 514 Ethics & Conflicts of Interest

The following chapter of the Sedro-Woolley Municipal Code applies to both City employees and elected officials.

2.__.010 Policy.

A. High ethical standards for city officials and employees are essential to the conduct of local government. The city council recognizes that a code of ethics for the guidance of city officials and employees is necessary to prevent actual or apparent conflicts of interest in public office, to improve standards of public service and to promote the confidence of the people of the city in their local government.

B. This chapter shall be liberally construed to effectively accomplish its purpose of protecting the public against violations of this code of ethics.

C. City officials and employees may correct and cure minor inadvertent violations to this chapter in conformance with the spirit and purpose of the chapter without incurring penalties for noncompliance.

D. This code of ethics is supplemental to state law, including chapters 42.23 and 42.36 RCW.

2.__.020 Definitions.

The following words and phrases, as used in this chapter, shall have the following meanings:

A. "City officer or employee" means every individual elected, appointed, hired, or otherwise selected to an office or position within the city, whether such individual is paid or unpaid.

B. "City transaction" means any proceeding, application, submission, request for ruling or other determination, contract, claim, case or other particular matter that the city official or employee believes, or has reason to believe, will be the subject of city action or decision making, one in which the city will be a party, or one in which the city has a direct and substantial proprietary interest.

C. "Contract" means any contract, agreement, sale, lease, purchase, or combination of the foregoing.

D. "Financial interest" means direct or indirect monetary or material benefit accruing to a city official or employee as a result of a contract or transaction that is or may be the subject of an official act or action by or with the city, except for such contracts or transactions that confer similar benefits for all other persons or property similarly situated. For the purposes of this chapter, a city official or employee shall be deemed to have a financial interest in the affairs of:

1. Any individual of the city official's or employee's immediate family, which is defined as husband, wife, domestic partner, any family member dependent on the city official or employee and any family member residing in the household of the city official or employee;

2. Any person in which the city official or employee, or an individual of the city official's or employee's immediate family, is an officer, director or employee;

3. Any person in which the city official or employee, or an individual of the city official's or employee's immediate family, controls or owns, directly or indirectly, in excess of 10 percent of the total stock, or legal or beneficial ownership; and

4. Any person with which the city official or employee, or an individual of the city official's or employee's immediate family, has a business or contractual relationship; provided that a commercially reasonable loan made in the ordinary course of business or a contract in a commercial retail sale shall not be deemed to create a financial interest under this chapter.

E. "Person" means any individual, partnership, association, corporation, firm, institution, or other entity, whether or not operated for profit. The term does not include governmental units of the State of Washington or the United States unless so specified.

2.030 Prohibited conduct.

In order to avoid becoming involved or implicated in a conflict of interest or impropriety, or an appearance of conflict of interest or impropriety, no current city officer or employee should be involved in any activity that might be seen as conflicting with the conduct of official city business or adverse to the interests of the city. Even the appearance of the following prohibited conduct may be sufficient to constitute a violation of this code of ethics. The following shall constitute violations of this code of ethics:

- A. No city officer or employee shall have a financial interest, direct or indirect, in any contract that may be made by, through or under the supervision of such city officer or employee, in whole in part, or which may be made for the benefit of his or her office, except as allowed by the provisions of chapter 42.23 RCW.
- B. No city officer or employee shall participate in, influence or attempt to influence the city's selection of, or its conduct of business with a person conducting or proposing to conduct a city transaction, if the city officer or employee has a financial interest, direct or indirect, with the person.
- C. No city officer or employee, except in the course of official duties, shall assist any person in any city transaction where such city officer's or employee's assistance is, or to a reasonable person would appear to be, enhanced by that office's or employee's position with the city; provided that a city officer or employee may represent himself or herself in a matter in which he or she has a proprietary interest, if not otherwise prohibited by ordinance.
- D. No city officer or employee may act or participate in any city transaction that involves any person who is, or at any time with in the preceding 12 month period has been, a private client of the city official or employee, or the official's or employee's firm, partnership or private employer.
- E. No city officer or employee shall engage in or accept private employment, or render services for, any person when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of official duties.
- F. No city officer or employee, in appearing before the city council, when giving an official opinion before the city council or when participating in the city council as a member, shall have a financial interest in any matter coming before the city council and participate in the council's discussion or give an official opinion to the city council, unless the fact and extent of such interest is disclosed and noted on the record of the council prior to consideration of the legislation by the city council.
- G. No city officer or employee shall disclose or use any confidential, privileged, or proprietary information gained by reason of his or her official position for a purpose which is for other than a city purpose; provided, that nothing shall prohibit the disclosure or use of information which is a matter of public knowledge, or which is available to the public on request.
- H. No city officer or employee shall knowingly use his or her office or position to secure personal benefit, gain or profit, or use his or her position to secure special privileges or exceptions for himself, herself, or for the benefit, gain, or profits of any other persons.
- I. No city officer or employee shall use city-owned vehicles, equipment, materials, money, property, or services for personal or private convenience or profit. Use is restricted to such services as are available to the public generally or for the authorized conduct of official business.
- J. No city officer or employee may, directly or indirectly, give or receive, or agree to give or receive, any compensation, gift, favor, reward, or gratuity for a matter connected with or related to the officer's or employee's services with the city; provided that nothing shall

prohibit contributions that are solicited or received and reported in accordance with the public disclosure law or other applicable law of the State of Washington.

2.040 Prohibited conduct after leaving city service.

A. No former city officer or employee shall disclose or use any privileged, confidential or proprietary information gained because of his or her city office or employment; provided, that nothing shall prohibit the disclosure or use of information which is a matter of public knowledge, or which is available to the public on request.

B. During the period of one year after leaving city office or employment:

1. No former city officer or employee shall assist any person in matters involving the city if, while in the course of duty with the city, the former officer or employee was officially involved in the matter, or personally and substantially participated in the matter, or acted on the matter.

2. No former city officer or employee shall represent any person as an advocate in any matter in which the former officer or employee was involved while a city officer or employee.

3. No former city officer or employee shall participate as or with a bidder, vendor or consultant in any competitive selection process for a city contract in which he or she assisted the city in determining the project, or work to be done, or the process to be used.

C. The prohibitions of subsections B.1 and B.2 of this section shall not apply to a former city officer or employee acting on behalf of a governmental agency, unless such assistance or representation is adverse to the interest of the city.

2.050 Financial disclosure.

All persons presently required to file reports under the public disclosure law of the state of Washington shall, upon assuming any city office or position, file with the city clerk a true and correct copy of all completed reports required to be filed under state law.

2.060 Penalties.

A. Any person violating or failing to comply with any of the provisions of this chapter shall be subject to the penalties set forth in chapter 1.20 of the Sedro-Woolley Municipal Code.

B. The city, through its authorized agents, may initiate appropriate civil actions against any person who violates or fails to comply with any provision of this chapter.

C. Any city officer or employee whose conduct is determined by the mayor to be in violation of this chapter may be terminated from employment and/or temporarily suspended with loss of pay up to and including 30 days, *provided*, that this subsection shall not apply to elected officials.

Policy 515 Harassment, Including Sexual Harassment

Harassment, including sexual harassment, is contrary to basic standards of conduct between individuals and the general public, and is prohibited by Equal Employment Opportunity Commission and state regulations. Any employee who engages in any of the acts or behavior defined below violates City policy, and such misconduct will subject an employee to corrective action up to and including immediate discharge.

Employees who feel they have been discriminated against on the basis of sex, sexual orientation, marital status, race, color, national origin, citizenship status, creed, religion, age, disability, political ideology, should immediately report such incidents, following the procedure described below, without fear of reprisal. Confidentiality will be maintained to the extent permitted by the circumstances.

Retaliation of a harassment complaint will not be tolerated. The filing of a false harassment claim may result in disciplinary action.

515.1 Definitions

- A. Harassment. Verbal, physical, or visual conduct that demeans or shows hostility or aversion toward or by another employee, elected official or members of the public.
- B. Sexual Harassment. Sexual harassment is a form of sex discrimination and is illegal. Sexual harassment includes unwelcome sexual advances or unwelcome visual, verbal, or physical conduct of a sexual nature. This definition encompasses many forms of offensive behavior, including but not limited to gender-based harassment of a person of the same sex as the harasser, conduct of a sexual nature that creates an offensive, intimidating or hostile work environment; and coerced sexual conduct by a person in a position of authority in the workplace. Examples of prohibited sexual harassment include, but are not limited to:
 - 1. unwelcome sexual flirtation or advances
 - 2. offering employment, promotions, or other benefits in exchange for sexual favors
 - 3. making or threatening reprisals for refusing sexual advances
 - 4. visual conduct such as leering; making sexual gestures; displaying sexually suggestive objects or pictures; cartoons or posters; suggestive or obscene letters, notes, or invitations.
 - 5. verbal conduct such as derogatory comments; epithets; slurs; sexual innuendo; sexual jokes; graphic verbal commentaries about an individual's body; sexually degrading words used to describe an individual
 - 6. physical conduct such as unwanted, suggestive, or offensive touching; assault; impeding or blocking movement

Sexual or other forms of harassment of an employee by any employee, supervisor or Council member will not be tolerated. Sexual harassment by a non-employee, for example, a customer, vendor or supplier, is also prohibited.

515.2 Procedure

- A. Any person who feels he or she is being subjected to harassing or offensive behavior of any kind should feel free to object to the behavior, or file a formal complaint.
- B. Complaints of harassment of any type will be handled through the City's complaint-handling policy (see Policy 605 on page 39), which provides several options by which an employee may initiate action on a job related complaint.
- C. Harassment complaints will be handled as discreetly as possible.

Policy 516 Workplace Violence

- A. The City of Sedro-Woolley strictly prohibits threatened or actual workplace violence. This includes, but is not limited to, any of the following conduct associated in or around the workplace, or otherwise related to employment. Because of the potential for misunderstanding, joking about any of the above misconduct is also prohibited.
 - 1. Threatening injury or damage against a person or property
 - 2. Fighting or threatening to fight with another person
 - 3. Threatening to use a weapon on City of Sedro-Woolley premises (unless required to carry a firearm or weapon as a condition of employment)
 - 4. Abusing or injuring another person
 - 5. Abusing or damaging property

6. Using obscene or abusive language or gestures in a threatening manner
 7. Raising voices in a threatening manner
- B. Reporting Violent Conduct. Any workplace violence incidents or incidents indicating a potential for violence are to be reported by an employee to the supervisor (and/or Department Head) as soon as possible. Incident reports are to be completed, as appropriate. If the City of Sedro-Woolley determines that an employee has violated this policy, the employee will be subject to immediate discipline up to and including discharge. The Personnel Department and Department Head shall handle concerns with members of the public or other parties as it determines under its policies and procedures.
- C. Imminent Danger/Violence Incident Procedure. Any employee who reasonably believes that a situation with an aggressive employee, resident, guest, contractor, vendor, or other party (e.g., any person who uses obscene or abusive language or gestures, makes threats or acts in a violent or threatening manner) may immediately become violent putting the employee or others in imminent danger, the employee should promptly leave the work area and immediately call 911 to request officer contact. No disciplinary action shall be taken against any employee who leaves a work area when the employee has a reasonable belief that an emerging situation with an aggressive person is likely to turn violent at that time. The employee should coordinate the timing and circumstances of possible return by the employee to the area with police and their immediate manager.
- D. Security Precautions. All City of Sedro-Woolley security policies and rules must be adhered to at all times. To prevent inappropriate outsider access, facility solicitation and access rules must be strictly followed. It is especially important that building security rules and procedures are specifically enforced at all times (e.g., doors locked after hours). Failure to comply with these requirements may lead to disciplinary action, up to and including discharge.
1. Being familiar with all safety and health procedures relevant to the operations under their supervision;
 2. Inspecting their work areas periodically;
 3. Identifying conditions that are recognized as being unsafe; and
 4. Reporting accidents and injuries to the immediate manager, department head, and Personnel Department immediately and ensuring that any injured employee is referred to appropriate medical care.

Policy 517 Substance Abuse

517.1 Overview

- A. The City has an obligation to its employees, customers and the public at large to reasonably ensure safety in our workplace. Consequently, the following are strictly prohibited and will result in immediate disciplinary action, including discharge:
1. reporting to work under the influence of intoxicating liquor or illegal drugs;
 2. or the use, possession, manufacture, purchase or transfer by an employee on City premises or property (including storage in a desk, car, etc.), or during work time, of an intoxicating liquor, controlled or illegal substance, a drug not medically authorized, or any other substances which impair job performance or pose a hazard to the safety and welfare of the employee, the public, or other employees;
 3. or the sale of such item.
- B. The City trains supervisors and managers to identify and detect behaviors that suggest substance abuse. Upon reasonable suspicion, management may require an employee to be tested for substance abuse when it appears that the employee's work performance or on-the-job behavior is being affected in any way by drugs or alcohol, or when, in the City's judgment,

an employee may have contributed to an accident involving bodily injury or damage to property. Costs associated with testing required by the City will be paid for by the City.

- C. The City reserves the right to inspect and/or search all City property, as well as any employee's personal property on City premises, for intoxicating liquor, controlled or illegal substances, or any other substances which impair job performance. Refusal to submit to any such inspection or refusal to cooperate in any investigation will subject employee to disciplinary action including immediate suspension or discharge (see Policy 518, Corrective Action).

517.2 Definition

Reasonable Suspicion. Specific observations concerning such circumstances as work performance, appearance (including, for example, noticeable odor of an alcoholic beverage), behavior or speech of the employee, or being involved in an accident on City premises or business which results in physical injury or property damage.

517.3 Procedures

- A. Employees are encouraged to seek voluntary treatment for substance abuse. If an employee wishes assistance or referral information, he or she may contact the Mayor. Voluntary inquiries will be maintained in confidence.
- B. The Mayor may require that an employee undergo substance abuse testing.
- C. All substance abuse tests will be conducted at a licensed medical or laboratory facility, using recognized procedural safeguards and confidentiality requirements.
- D. Refusal by an employee to submit to a drug or alcohol test as required by the City, or testing positive for illegal drugs or alcohol, will result in disciplinary action, as outlined in Policy No. 530, Corrective Action, depending upon the facts and circumstances involved in each situation.

Policy 518 Corrective Action

518.1 Overview

The City seeks to establish and maintain standards of employee conduct and supervisory practices that will, in the interest of the City and its employees, support and promote effective business operations. Such supervisory practices include administering corrective action when employee conduct or performance problems arise. Major elements of this policy generally include:

- A. Constructive effort by the supervisor to help employees achieve fully satisfactory standards of conduct and job performance.
- B. Correcting employee shortcomings or negative behavior to the extent required.
- C. Notice to employees through communicating this policy that discharge will result from continued or gross violation of employee standards of conduct or unsatisfactory job performance.
- D. Written documentation of disciplinary warnings given and corrective measures taken.
- E. Documentation of corrective action will become part of the employee's personnel file. If no related disciplinary measures are recorded within a 24-month period, the documentation may be removed from the employee's file at the discretion of the City. Documentation may be retained longer if, in the judgment of Mayor, it appears appropriate to do so. When it is finally removed from the file, the employee will be notified.

518.2 Options for Corrective Action

Depending on the facts and circumstances involved in each situation, management may choose to begin corrective action at any step up to and including immediate discharge. However, in most cases, the following steps should be followed:

- A. Oral Warning. For infractions the City deems to be minor, the employee should at a minimum be issued an oral warning. If the situation does not improve within a reasonable time (not longer than four months, depending on the seriousness of the issue), the supervisor may repeat the measure, or implement a more severe option.
- B. Written Warning Notice.
 - 1. For repeated minor infractions, or a more substantial infraction, the employee should at a minimum be issued a written warning notice. The Mayor must approve the written warning prior to it being given to the employee. If the situation does not improve within a reasonable time (not longer than four months, depending on the seriousness of the issue), the Mayor may repeat the measure or discharge the employee.
 - 2. The written warning notice should be prepared following a corrective action discussion with the employee. The employee will be given an opportunity to comment in writing and should be asked to sign the notice, acknowledging receipt. Copies of the notice must be distributed to (1) the employee, (2) the supervisor, and (3) the employee's personnel file.
- C. Discharge. For infractions management deems to be sufficiently serious, or continued failure to respond appropriately to prior corrective action, discharge is appropriate. The Mayor will be responsible for the proper discharge of an employee who warrants such action.

518.3 Suspension

If events compel a supervisor to take immediate action when discharge appears possible, the supervisor will immediately notify the Mayor. The Mayor will review the circumstances and determine if the facts warrant suspending the employee for a specified period, pending an investigation. The employee will be required to leave the premises immediately if suspension is warranted. The Personnel Director must be notified immediately to properly document the suspension.

The suspension/investigation period may last no longer than three working days, except in unusual circumstances. The objective of this suspension will be to allow the Mayor to determine if discharge is proper.

6 Employee Communications

Policy 601 Open Door Communication

The City encourages two-way communication to discuss work-related problems and issues. Supervisors are responsible for listening in complete confidence and to respond, if necessary, in a timely fashion.

The City's employee relations policies emphasize open-door practices whereby employees are encouraged to deal directly with their supervisor and other members of management regarding complaints or perceived inequitable conditions of employment (see Policy 605, Complaint Procedure).

Policy 602 Suggestions.

The City encourages employees to suggest ideas and methods to improve the quality of service, increase efficiency, reduce costs or otherwise suggest ways in which the City can enhance the service of the public.

Employees are encouraged to present their suggestions first to their supervisor, then to the Mayor. The suggestions should be detailed so that the idea, method, or procedure can be adequately evaluated.

Policy 603 Bulletin Boards

- A. Important information will be displayed on office bulletin boards. Typically, posted material will be of the following types:
 - 1. Legally required posters and notices.
 - 2. City standards and rules of conduct.
 - 3. Safety rules and related information.
 - 4. Management memos and announcements, including job announcements.
- B. Employees must not post material of the following types:
 - 1. Material not related to City business
 - 2. Political material
 - 3. Offensive material
- C. Full-time employees are responsible for regularly checking and reading the bulletin board and for following the rules, regulations, and instructions posted there. Pertinent information will be distributed to part-time, on-call/seasonal employees.

Policy 604 Mail

The City receives and sends large quantities of mail daily. The City's mail system is restricted to business mail only.

Employees may not send outgoing personal mail through our in-house system, unless it is mailed postage prepaid by the employee. Employees must not direct personal mail to be delivered to the City.

Overnight delivery services should be used only when necessary to get important information to recipients quickly. Normally, the U.S. Mail should be used.

Employees may not use postage meters or overnight delivery service for their personal mail.

Policy 605 Complaint Procedure

605.1 Overview

"Complaint" is defined as an objection to a condition of employment or application of a policy that the employee thinks is an alleged violation of this policy manual.

Employees are encouraged to allow management an opportunity to resolve issues on an informal basis before a formal complaint is lodged. However, on occasion, complaints cannot be resolved through informal procedures; therefore, a procedure has been established to ensure a prompt and fair resolution.

605.2 Procedure

- A. **Supervisor's Role.** To resolve complaints and problems, the employee is encouraged to first seek assistance from his or her immediate supervisor, who should attempt to resolve the problem. The supervisor is responsible to handle the complaint as an important business matter, striving to arrive at a prompt, equitable solution.
- B. **Alternative Channels.** Occasionally, an employee's complaint involves his or her supervisor. Supervisors should realize that employees often do not feel free to express such concerns to them. Therefore, employees are encouraged to discuss complaints with the next higher level of management or the City Ombudsman to avoid an awkward situation.
- C. **Complaint procedure.** If the employee's complaint is not settled satisfactorily on an informal basis, the following complaint procedure should be utilized:
 1. **Step 1**
 - a. The employee will present within five working days, the written complaint to his/her immediate supervisor. The written complaint must set forth the nature of the complaint and the circumstances out of which it arose. A copy of the written complaint will be forwarded to the Mayor.
 - b. The supervisor will give a written response on the complaint to the employee within 5 working days upon receipt of the employee's complaint. A copy of the supervisor's response will be forwarded to the Mayor.
 2. **Step 2**
 - a. If the matter is not settled in Step 1, the employee may appeal to the Mayor, within ten working days upon receipt of the decision in Step 1. This appeal must be in writing and shall include the written complaint and subsequent decision.
 - b. The Mayor will schedule a meeting with the employee within five working days upon receipt of the written complaint.
 - c. The Mayor will issue a formal decision concerning the grievance to the employee within five working days after the conclusion of the meeting.
 - d. The decision of the Mayor will be final and binding upon both the employee and the City, and shall not be subject to further appeal.
- D. **Failure to respond within specified time limits.** A written complaint must be filed within the time limit specified in Step 1 or it will be considered waived unless the employee and the immediate supervisor have mutually agreed, in writing, to extend the time limit.
- E. **If a complaint is not appealed within the time limit set forth in Step 2 above,** it will be considered settled on the basis of the City's last response. If the City fails to reply within the prescribed time limits, the employee may appeal the complaint to the next step in the procedure.
- F. **Immunity.** All employees have the opportunity to present a complaint as outlined in this section. If an employee is threatened or subjected to duress from presenting a complaint, the employee may notify the City Ombudsman in writing. The Ombudsman will authorize an

investigation of such complaints and upon findings, may recommend disciplinary action against any person who was derelict or discriminatory in considering a complaint.

Policy 606 Reporting Improper Governmental Action (Whistleblowers)

It is the policy of the City of Sedro-Woolley (1) to encourage reporting by its employees of improper governmental action taken by City of Sedro-Woolley officers or employees; and (2) to protect City of Sedro-Woolley employees who have reported improper governmental actions in accordance with the City of Sedro-Woolley's policies and procedures.

606.1 Definitions

As used in this policy, the following terms shall have the meanings indicated:

- A. "Improper governmental action" means any action by a City of Sedro-Woolley officer or employee:
 - 1. That is undertaken in the performance of the officer's or employee's official duties, whether or not the action is within the scope of the employee's employment; and
 - 2. That (i) is in violation of any federal, state, or local law or rule, (ii) is an abuse of authority, (iii) is of substantial and specific danger to the public health or safety, or (iv) is a gross waste of public funds.
- B. "Improper governmental action" does not include personnel actions, including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, re-employments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or civil service laws, alleged violations of labor agreements or reprimands.
- C. "Retaliatory action" means any adverse change in the terms and conditions of a City of Sedro-Woolley's employee's employment.
- D. "Emergency" means a circumstance that if not immediately changed may cause damage to persons or property.

606.2 Procedure

City of Sedro-Woolley employees who become aware of improper governmental actions should raise the issue first with their supervisor. If requested by the supervisor, the employee shall submit a written report to the supervisor, or to some person designated by the supervisor, stating in detail the basis for the employee's belief that an improper governmental action has occurred. Where the employee reasonably believes the improper governmental action involves his/her supervisor, the employee may raise the issue directly with the City Ombudsman or such other person as may be designated by the City Council to receive reports of improper governmental action.

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 report the improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action.

The supervisor, the City Ombudsman or the City Council's designee, as the case may be, shall take prompt action to assist the City of Sedro-Woolley in properly investigating the report of improper governmental action. City of Sedro-Woolley officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law, unless the employee authorizes the disclosure of his/her identity in writing. After an investigation has been completed, the employee reporting the improper governmental action shall be advised of a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.

City of Sedro-Woolley employees may report information about improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action if the City of Sedro-Woolley employee reasonably believes that an adequate investigation was not

undertaken by the City of Sedro-Woolley to determine whether an improper governmental action occurred, or that insufficient action has been taken by the City of Sedro-Woolley to address the improper governmental action or that for other reasons the improper governmental action is likely to recur.

City of Sedro-Woolley employees who fail to make a good-faith attempt to follow the City of Sedro-Woolley's procedures in reporting improper governmental action shall not receive the protections provided by the City of Sedro-Woolley in these procedures.

606.3 Protection against Retaliatory Actions

City of Sedro-Woolley officials and employees are prohibited from taking retaliatory action against a City of Sedro-Woolley employee because s/he has in good faith reported an improper governmental action in accordance with these policies and procedures.

Employees who believe that they have been retaliated against for reporting an improper governmental action should advise their supervisor, the City Ombudsman or the City Council's designee. City of Sedro-Woolley officials and supervisors shall take appropriate action to investigate and address complaints of retaliation.

If the employee's supervisor, the City Ombudsman, or the City Council's designee, as the case may be, does not satisfactorily resolve a City of Sedro-Woolley employee's complaint that s/he has been retaliated against in violation of this policy, the City of Sedro-Woolley employee may obtain protection under this policy and pursuant to state law by providing a written notice to the City Council that:

- a. Specifies the alleged retaliatory action; and
- b. Specifies the relief requested.

City of Sedro-Woolley employees shall provide a copy of their written charge to the City Ombudsman no later than thirty (30) days after the occurrence of the alleged retaliatory action. The City of Sedro-Woolley shall respond within thirty (30) days to the charge of retaliatory action.

After receiving either the response of the City of Sedro-Woolley or thirty (30) days after the delivery of the charge to the City of Sedro-Woolley, the City of Sedro-Woolley employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing should deliver the request for hearing to the City Ombudsman within the earlier of either fifteen (15) days of delivery of the City of Sedro-Woolley's response to the charge of retaliatory action, or forty-five (45) days of delivery of the charge of retaliation to the City of Sedro-Woolley for response.

Upon receipt of request for hearing, the City of Sedro-Woolley shall apply within five (5) working days to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge:

Office of Administrative Hearings
PO Box 42488, 4224 Sixth SE
Rowe Six, Building 1
Lacey, WA 98504-2488
(360)459-7353

The City of Sedro-Woolley will consider any recommendation provided by the administrative law judge that the retaliator be suspended with or without pay, or dismissed.

606.4 Responsibilities

The Mayor is responsible for implementing the City of Sedro-Woolley's policies and procedures (1) for reporting improper governmental action; and (2) for protecting employees against retaliatory actions. This includes ensuring that this policy and these procedures (1) are permanently posted where all employees will have reasonable access to them; (2) are made available to any employee upon request; and (3) are provided to all newly-hired employees. Officers, managers, and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility. Violations of this policy and these procedures may result in appropriate disciplinary action, up to and including dismissal.

Improper governmental action may also be reported to the following agency:

Skagit County Prosecuting Attorney
605 E Third Street
Mount Vernon, WA 98273
(360)336-9460

Policy 607 Public & Media Relations

Employees will attempt to represent the City in a positive light in all conversations with the customer about City-related matters.

If in doubt, employees should refer the person inquiring to the staff member who would most likely be knowledgeable in the area of the inquiry.

Employees should refer inquiries from the news media to the appropriate department head or the Mayor.

7 Safety and Health

Policy 701 Accidents/Injuries Reporting

- A. Job related injuries and illnesses, regardless of severity, should be reported immediately to the supervisor or the next immediate supervisor to ensure that proper notification and documentation is accomplished. i.e.: for medical claims, Department of Labor & Industries claim, etc.
- B. Safety is everyone's responsibility. Employees should report any unsafe conditions or circumstances to their supervisor to prevent accidents.
- C. Employees should immediately report job-related injuries or illnesses.
 1. If medical attention is needed, the employee or nearest bystander should contact 9-1-1 promptly. He/she will provide assistance and take emergency measures prior to transport to outside medical facilities if necessary.
 2. If medical attention is not needed, the employee must report to the supervisor for evaluation and appropriate documentation.

Policy 702 On-the-Job Injury

702.1 Injured Worker Responsibilities

- A. Report your injury or illness to your supervisor immediately or when apparent. Occupational diseases must be reported after receiving written notice from a doctor that the condition exists and is work related.
- B. If necessary, seek medical help immediately and report to your supervisor.
- C. Provide the attending physician the necessary information needed to process a Washington State Dept of Labor and Industries claim.
- D. Inform your Supervisor immediately if your doctor says you cannot return to work.
- E. Complete and return the Benefit Choice to Accompany Time Loss form within three days of receipt. Keep in mind, the sooner that all forms are returned the quicker decisions can be made on your behalf.
- F. Keep your medical appointments and follow the instructions of your doctor at all times.
- G. Stay in touch with your Supervisor about changes in your condition.
- H. Cooperate with all reasonable requests from your doctor, employer and others authorized to assist in your treatment and recovery.

702.2 Supervisor's Responsibilities

- A. Transport injured worker to the hospital or call 911.
- B. Complete the employer portion of the Labor and Industries claim form and return to main office for mailing so injured worker can receive benefits.
- C. Provide you with the Benefit Choice to Accompany Time Loss form within two working days so the Personnel Department will know how to process your payroll.
- D. Work with you and your Claims Representative to accommodate you during your recovery if you are released for modified duty.

- E. Your supervisor will work with the Personnel Department and attempt to either temporarily tailor your job to fit your medical restrictions or place you in another job you can perform temporarily if available.
- F. Contact you regularly about your recovery and keep you informed about current activities in your work unit.
- G. Keep all medical information about your injury or illness confidential.

702.3 Personnel Department Responsibilities

- A. Investigate the accident or working conditions with your supervisor and take steps to prevent future problems of the same kind.
- B. Provide you, if available, with a list of modified duty assignments for your doctor to consider when he/she examines you.
- C. Coordinate accommodations with supervisors re: modified duty, return to work and paperwork to doctor.
- D. Contact Sedgwick CMS and your Washington State Department of Labor and Industries case worker to coordinate benefits.
- E. Keep all medical information about your injury or illness confidential.

702.4 Benefit Choice to Accompany Time Loss

- A. The City of Sedro-Woolley is pleased to offer three time loss benefit choices to full time City employees who experience "on-the-job injuries."
- B. When an employee injures themselves and time loss is involved., the Washington State Department of Labor Industries will pay time loss to the employee at a rate of 60% (employee only), +5% (spouse), +2% (each additional dependent) up to a maximum of 78% of their salary depending if they are married and how many dependents they have.
- C. The Department of Labor and Industries will pay time loss starting the fourth day of time loss unless the employee is off 14 days then the first three days will be paid.
- D. This insurance is provided through shared premiums the City and its employees pay to the Department of Labor & Industries. The more claims the City encounters the higher the premiums we all pay.
- E. Following are three options. Please read and understand each option carefully.
 - 1. **Option 1.** Use your accrued leave to equal the hours necessary to make your salary. Buy back accrued leave hours used to make up your salary with your Labor and Industries check. Hours will be available for future use on short-term injuries or illness.
 - a. Employees who have enough sick hours to cover their salary until their Labor and Industries check arrives would be eligible for this option.
 - b. This option is attractive to most employees (providing they have enough hours) because it allows for loan payments, union dues, employee-paid medical, AFLAC, etc. to be kept current. The buy back of hours is last out – first in. (Example: 80 hours of sick and 8 hours of vacation used/needed to equal salary - would be bought back as 8 hours of vacation first and then the balance of the buy back would be sick hours.)
 - c. The procedure used in the buy back of hours is computed as follows. The amount of your Labor and Industries check is divided by your hourly wage (Monthly salary divided by 173.33 hours per month equals hourly wage) and then posted back to your accrual bank of hours using the last out first in method.
 - d. The City will continue to offer this benefit until the employee has exhausted their sick and vacation bank hours below their semi-monthly salary level. At this point the City must request you keep your Labor and Industries check and make other arrangements for your commitments.

- e. LEOFF 2 Employees only: The Department of Retirement Systems (DRS) has determined that the portion of your salary related to the buy back of hours is not "earned" therefore is not eligible for retirement. To prevent the loss of service credits, please contact DRS directly to determine if you are eligible to "purchase" the service credits.
2. **Option 2.** Keep the Labor and Industries check, and use accrual leave to make up the difference in salary (if available). The L & I earnings are tax-free.
 - a. The City will only pay the "difference" in the employee's salary and what is received from the Department of Labor and Industries to equal his/her full salary. As in both options you cannot exceed your salary. The City will "not" be able to process any hours until notified by the Department of Labor and Industries of the amount the employee is eligible for. Obviously there is room for delay in the employees City paid portion. (Note: By law the City does not have to offer to make up the difference.) Employee paid deductions greater than the amount of the net check will be the responsibility of the employee.
 - b. Please contact the Department of Retirement Systems directly to determine if you are able to "purchase" service credits for this time period and avoid losing retirement benefits.
 3. **Option 3.** Keep the Labor and Industries check, but use no sick or vacation hours to make up the difference in salary. The L & I earnings are tax-free. Vacation and sick leave balances remain available for future use.

8 Employee Separation

Policy 801 Definitions

The categories of separation and their definitions are:

- A. Resignation. A voluntary separation, including:
 - 1. Resignation
 - 2. An absence of three or more consecutive working days without notice to the City (see Policy 505).
 - 3. Failure to return from leave of absence as arranged with the City.
 - 4. Failure to return from reduction-in-force upon recall. (See Policy 804, Reduction-in-Force.)
- B. Release. A separation in which the employee is not qualified or adapted for the type of work assigned and no other assignment is available. Employees who are unable to perform satisfactorily during the new employee orientation period will be considered as released.
- C. Deceased. The death of an employee in active employment.
- D. Retirement. A voluntary separation.
- E. Discharge. A separation in which the employee is removed from the payroll for violation of employee standards of conduct or safety regulations, unsatisfactory job performance, or any other reason deemed by the City to warrant discharge.

Policy 802 Procedure

- A. Notice to Employee. There are no requirements for advance notice to employees upon separation.
- B. Notice to City. An employee who desires to resign in good standing should submit his/her resignation, in writing, to the immediate supervisor with at least two weeks notification. The Mayor may agree to permit a shorter period of notice when extenuating circumstances prevail or when it is in the best interest of the City. The last day worked by an employee will be considered the date of separation.
- C. Management Approvals. When an employee is released, written documentation must be submitted to the Mayor.
- D. Change in Status. The immediate supervisor of the separated employee is responsible for notifying the Finance Department of the employee's release once it has been officially approved by the Mayor.
- E. Resignation. An employee who resigns, with or without notice, will be asked immediately by the supervisor to complete a voluntary resignation form. The completed notice will be forwarded to the Finance Department for filing in the employee's permanent record.
- F. Return of Equipment and Keys. Prior to the last day of work, and/or distribution of final paycheck, the supervisor must obtain all City equipment and keys from the separated employee.
- G. Exit Interview. Separated employees, whether voluntary or involuntary, will be referred to the Mayor for an exit interview before their last day of work. (See Policy 805, Exit Interviews.)
- H. Employment References for Separated Employees. (See Policy 207, Personnel Records and Privacy.)

Policy 803 Benefit eligibility

Generally, when an employee is separated, benefit credits are lost (beyond those paid for at the time of termination), with these exceptions:

- A. Health, Dental, and Vision Insurance Benefits. Extended coverage and conversion privileges of the health, dental and vision insurance benefit plans is provided in accordance with conditions outlined in the plan booklets.
- B. Vacation. See Policy 402, Vacations.

Policy 804 Reduction in Force

Economic conditions, changes in technology or other unforeseen circumstances may require adjustments in staff levels by means of a personnel reduction-in-force (RIF). "Reduction-in-Force" (RIF) means that work is no longer available. Before competent employees are separated due to lack of work, the City will explore reasonable possibilities for reassignment.

- A. These procedures will guide decreases in the work force:
- B. When the number of employees must be reduced, employee performance will generally govern. Where two or more employees are of similar ability, length of service may also be a consideration.
- C. The City may occasionally retain certain employees without regard to length of service because of the employee's special knowledge, skill, training, or experience.
- D. Written management approvals for RIF are required.
- E. When possible, two weeks notice will be given to employees scheduled to be separated due to RIF.

Policy 805 Exit Interviews

Prior to leaving the City upon separation, employees may have an exit interview with the Mayor.

- A. Supervisors may refer separating employees to the Mayor for an exit interview after the separation decision has been made and communicated.
- B. The Mayor will then complete the exit interview form to cover the following points:
 - 1. Job duties and workload: understanding of the job, match with interests and abilities, quality of training
 - 2. City policies and practices: working environment, opportunities for advancement, salary and benefits
 - 3. Quality of supervision: fairness, supportiveness
 - 4. Reasons for leaving
- C. If the Mayor believes the information covered during the interview might become a point of contention in the future, the Mayor should ask the employee to sign the exit interview form. The employee may obtain a copy upon request.

9 Miscellaneous Policies

Policy 901 Official Travel, Business, and Related Credit Card Use

Each supervisor is responsible for ensuring that employees, prior to departure on their first business trip, review this policy to understand its intent and requirements.

- A. It shall be the policy of the City of Sedro-Woolley to allow the attendance and participation of City officials and employees at meetings and conventions when such participation is determined to be in the public interest. Further, employees/officials shall be reimbursed or payment shall be provided for all valid business expenses.
- B. It shall be understood that all subsistence rates, allowances and payments provided to City employees/officials through the implementation of this policy shall only be paid when such employee or official is engaged in duly authorized City business and for no other purpose.
- C. Documentation. Itemized receipts, proof of payments, or employee certification in the case of lost or non-availability of receipts are required for all reimbursements except for per diem payments.
 1. Credit card and vendor receipts are acceptable proof of payments.
 2. Such proof must clearly indicate date, description and amount of purchase.
 3. Use of City credit cards must be documented with receipts.
- D. Meals
 1. Credit cards are to be utilized whenever possible. If a credit card cannot be used the City will reimburse the employee.
 2. Direct billing is prohibited unless authorized by the Mayor.
 3. Meal allocations are as stated below. High cost areas will be pre-approved and a memo issued to the employee prior to commencing travel.
 4. When itemized receipts are not available, employee certification and supervisor approval is required.
 5. Items not authorized for reimbursement include liquor, expenses incurred by a spouse or others not authorized to receive reimbursement, and first-class travel accommodations.
 6. Including the maximum 15% tip, meals may be reimbursed at the following rates:
 - a. Breakfast: \$10.00/day maximum
 - b. Lunch: \$15.00/day maximum
 - c. Dinner: \$25.00/day maximum
- E. Transportation
 1. The City shall assume the cost of business-related transportation while an employee or official is traveling on its behalf. When an employee uses his or her personal vehicle for City business, the City may reimburse the employee based on the prevailing rate established by the Internal Revenue Service as the maximum deductible amount per mile.
 2. Rental vehicle – City employees requesting a rental vehicle must have approval from their department head. Department heads must obtain approval from the Mayor.
 3. Actual odometer reading from City Hall to destination and return to City Hall must be used unless traveling directly from home and then the lesser mileage will be used. When two or more employees are attending the same seminar, convention or meeting, those employees must carpool whenever possible.

4. When an employee, for his or her own convenience, travels by an indirect route or interrupts travel by the most economical route, the employee shall bear any extra expense involved. Reimbursement for such travel shall be for only that part of the expense as would have been necessary to travel.
 5. No reimbursement for mileage may exceed the dollar amount of round trip airfare at the coach rate on a licensed common carrier, plus auto rental or taxi fare at point of destination.
 6. First Class or business class air travel is not permitted unless the difference in cost between first or business class airfare and the lowest available (other than non-refundable) airfare is paid by the employee.
 7. The City, upon receipt, will pay up to a maximum of \$50.00 for travel to and from point of departure of a Common Carrier (for example: SeaTac, Amtrak Station). Approved expenses that are eligible for reimbursement include:
 - a. Taxi travel
 - b. Mileage only from City Hall
 - c. Shuttle expenses
 - d. Parking fees (parking violations are not included)
 8. All requests for mileage reimbursement must be submitted prior to the end of the budget year incurred to be eligible for reimbursement.
- F. Accommodations
1. Reasonable hotel/motel accommodations are acceptable and are reimbursable at a single room rate.
 2. Reimbursement for accommodations requires an itemized receipt.
 3. Direct billing is permitted only when prior approval from the Mayor has been granted.
- G. Allowable Incidental Expenses. Incidental expenses, which are eligible for reimbursement, shall include baggage checking as well as all business telephone and postage expenses.
- H. City Credit Card Use
1. It shall be the policy of the City of Sedro-Woolley that management and regular staff employees have access to City credit cards for travel and business expenses as defined in IV.A through IV.G above.
 2. All charges made on City credit cards will be for official City travel. All charges will be substantiated with itemized receipts.
 3. Individuals making unofficial charges are subject to revocation of credit card privileges. Any charges made for personal use or charges not substantiated by itemized receipts are subject to payroll deduction for charges incurred and/or corrective action.
 4. All incidental personal travel related charges will be the responsibility of the employee. All personal charges must be reimbursed to the City within seven working days of returning from the business trip.
 5. Individuals using their personal vehicle cannot charge gas on a City credit card.
 6. The Finance Director will have the oversight function for issuing department travel cards and for accounting for individual and department travel cards.
 7. Permanent credit cards may be issued based on need. The Finance Director must approve any additional credit cards.

901.2 Definitions

- A. Meetings Qualifying for Expense Reimbursement: Those formal, previously announced assemblages, not social in nature, where the purpose of attending is to conduct business or discuss issues as an official representative of the City of Sedro-Woolley.
- B. Allowable Travel and Business Expenses: Expenses that are business related travel, accommodations, meals, and incidentals. Maximum gratuity is fifteen percent (15%) of the gross bill. The employee must reimburse the City any amount in excess of fifteen percent.

901.3 Procedures

- A. Claim Submittal (Out-of-Pocket Expense)
 - 1. Employees shall submit the "Claim for Expenses" form.
 - 2. The Mayor must approve Councilmember and Department Head claims.
 - 3. The Mayor must approve by the claimant's Department Head or employee claims.
 - 4. The City Council must approve all claims that exceed the annual budgeted amount approved by the City Council.
- B. City Credit Card Use
 - 1. Documentation
 - a. Within seven working days of returning from a business trip, all receipts will be itemized, approved by the Department Head and returned to the Finance Department.
 - b. Accounts Payable within the Finance Department will verify the amounts reported.
 - 2. Reporting Lost or Stolen Credit Cards
 - a. If a City credit card is lost or stolen, the employee will immediately call the Finance Department, and inform the representative of the loss. Leaving a voice mail message is considered acceptable for notification.
 - b. If a City credit card is lost or stolen, the employee will immediately notify local law enforcement authorities of the loss.

901.4 Unauthorized Travel Expenses

The City of Sedro-Woolley may not reimburse employees for any of the following expenses, and it is a violation of this policy to use the City credit card for any such expense.

- A. Personal entertainment
- B. Liquor
- C. Theft, loss, or damage to personal property
- D. Airline and other trip insurance
- E. Expenses of a spouse or other persons not authorized to receive reimbursement under this policy.
- F. Personal postage, reading materials, or non-business related telephone calls.
- G. Laundry, cleaning, or valet services (except on trips of over five business days).
- H. Entertainment, including in-room video rentals.
- I. Fines, forfeitures, or penalties.
- J. Meals and lodging in lieu of other meals and/or lodging when these items are included in the registration fee.
- K. Fuel for personal vehicles (submit mileage reimbursement)

Policy 902 City Vehicle Use

The term "vehicle" as used in these guidelines includes, but is not limited to cars, trucks, backhoes, front-end loaders, graders and any motorized watercraft.

It is the express intent of the City of Sedro-Woolley that the management of each vehicle will fall upon the department to which the vehicle is assigned.

A. Vehicle Marking:

1. All licensed City vehicles and equipment will be marked in accordance with RCW 46.08.065.
2. All unlicensed City equipment will be marked for ownership and accountability.

B. Use:

1. Each department head must ensure the City employees under his/her supervision are aware of, and follow, the policy and procedures governing the official use of vehicles and equipment.
2. Employees may not drive any vehicles for City of Sedro-Woolley business without prior approval of their supervisor. Periodically, before approving a driver, each supervisor should verify the existence of a valid driver's license and request from the driver a copy of their current driving abstract.
3. Employees approved to drive on City business are required to inform their supervisor, as soon as practical, of any changes that may affect either their legal or physical ability to drive or their continued insurability. Employees are not permitted, under any circumstances, to operate a City vehicle, or a personal vehicle for City of Sedro-Woolley business, when any physical or mental impairment causes the employee to be unable to drive safely. This prohibition includes, but is not limited to, circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of injury, illness, or medication.
4. Each employee shall comply with State laws and guidelines governing the use of motor vehicles. Any violation may result in disciplinary action. Employees are responsible for any driving infractions or fines as a result of their driving.
5. The operation of any City owned vehicle, or piece of equipment, is predicated on the understanding that all applicable State and Federal laws, rules, regulations, and the City of Sedro-Woolley ordinances and policies are followed.
6. NO SMOKING is allowed in City vehicles.
7. Prior authorization from the Mayor must be obtained prior to taking City vehicles home. Written acknowledgment of understanding that the vehicle is to only be used as part of an emergency response should be signed.
8. City vehicles may be used for personal travel when an employee is out of City on business or when in a location where driving to obtain his or her personal car would result in an extra and unnecessary expenditure of fuel and time. The City vehicle must be returned to the City upon completion of the business or conference.
9. Except when necessary to accommodate the employee's meals, other physical needs, and approved breaks, City vehicles may not be used for personal business even though the personal business may not result in additional cost to the City of Sedro-Woolley.
10. Transporting non-employee, non-business passengers in City vehicles is permissible only when the non-employee, non-business passenger is accompanying a City employee to a business meeting or official function and only upon approval of the employee's supervisor. With the approval of the employee's supervisor a 'Request for Permission to Ride, Assumption of Risks and Waiver' form must be signed by the non-employee, non-business passenger.

11. The Finance Director shall request the driving records of all City of Sedro-Woolley vehicle operators from the State Department of Licensing, and shall notify an employee's supervisor and the Mayor of any employee having a suspended drivers license.
12. The Finance Department will notify the employee's supervisor and the Mayor of any employee driving restrictions as they occur.
13. City vehicles may not be driven outside the State of Washington without the authorization of the operator's department head.
14. Personal vehicles may be used for official City business with the prior approval of the employee's department head. Employees using their own vehicles will be reimbursed at the current rate accepted and published by Federal Internal Revenue Service after submittal of an employee expense reimbursement form to the Finance Department.
15. The City only provides excess bodily injury and property damage liability insurance coverage for employees using their own vehicle on City business. Employees are encouraged to use City vehicles instead of their own for official City business whenever practical. Employees shall not operate any City of Sedro-Woolley vehicle at any time or operate any personal vehicle while on City business while using, consuming or under the influence of alcohol, illegal drugs, or prescription medications or over the counter medications that may affect their ability to drive. The City of Sedro-Woolley has a zero tolerance policy prohibiting operators of vehicles from drinking alcohol, consuming illegal drugs, and taking prescription medications that affect ability to drive, and driving. (Refer to Policy No. 515).
16. In the spirit of good citizenship, and consistent with safety requirements all City of Sedro-Woolley employees operating City vehicles are encouraged to render aid or assistance to the motoring public on City streets. Most City vehicles are equipped with some type of communications equipment, and every reasonable effort should be put forth to respond to whatever challenge a roadside or emergency situation presents. Common sense dictates that the effort be commensurate with the employee's capabilities, as each situation might allow.

C. Maintenance:

1. The assigned departments are responsible to ensure their vehicles and equipment are available for proper maintenance as required.
2. The Public Works Department is responsible for maintenance and minor repair on vehicles and equipment belonging to the City of Sedro-Woolley.
3. Fuel may be purchased only using the City credit card or other pre-approved methods.

902.2 Procedures

- A. Use of City-owned vehicles is on a first come, first served basis with reservations made in person or by telephone.
- B. Any employee using a City vehicle must complete the Vehicle Use Log, located in the vehicle, prior to departure and upon return of the vehicle.
- C. The using employee shall refuel the vehicle upon their return using the City credit card or other pre-approved method.
- D. All operators of City vehicles and equipment will have the appropriate license and endorsements for the vehicle they operate.
- E. Before operation ensure sufficient fuel is in the vehicle, fluid levels are correct and lights and brakes are working prior to leaving for the job site or destination.
- F. Employees must report any accident, theft, or malicious damage involving a City of Sedro-Woolley vehicle to their supervisor, regardless of the extent of damage or lack of injuries. Such reports must be made as soon as possible but no later than forty-eight hours after the incident. Employees must cooperate fully with authorities in the event of an accident.

However, employees should make no voluntary statement other than in reply to questions of investigating officers.

Policy 903 Commercial Driver's License Policy

- A. It is the policy of the City of Sedro-Woolley that certain employees acquire and maintain in good standing a Commercial Driver's License (CDL) endorsement on their driver's license.
- B. The Federal Motor Carrier Safety Regulations (FMCSA) are hereby adopted as established, administered and enforced by the U.S. Department of Transportation, Federal Highway Administration. This policy only summarizes the major commercial driver's license standards; the actual regulations should be consulted for any official interpretations.

903.2 CDL Requirements

A CDL is required if an employee operates any of the following vehicles at any time:

- A. All single vehicles with a manufacturer's weight rating of 26,001 pounds or more.
- B. All trailers with a manufacturer's weight rating of 10,001 pounds or more, if the gross weight rating of the combined vehicle(s) is 26,001 pounds or more.
- C. All vehicles designed to transport 16 or more persons, including the driver, e.g. buses & vans.
- D. All vehicles that carry placarded amounts of hazardous materials. NOTE: As of January 31, 2005, new federal regulations pertaining to drivers with a Hazardous Materials Endorsement (HME) require a background check and fingerprinting to be conducted for the initial licensure, renewal, or transfer of a HAZMET endorsement.
- E. CDL Exemptions. The law exempts fire fighters and law enforcement personnel operating emergency equipment provided they have completed the Emergency Vehicle Accident Prevention Program (EVAP) and they carry a card certifying completion.

903.3 CDL Standards

- A. A commercial driver cannot have more than one driver's license.
- B. A commercial driver must carry on his/her person the original or a photographic copy, of a medical examiner's certificate that he or she is physically qualified to drive a commercial motor vehicle.
- C. An employee with a suspended license shall not operate a commercial vehicle.
- D. A driver must immediately inform his or her supervisor and the Department of Licensing about any commercial vehicle traffic violations and driver's license suspensions. Written confirmation must be made within 5 working days of conviction of the suspension, revocation, cancellation, lost privilege or disqualification.
- E. A driver must give 10-year's employment history when applying for employment as an operator of a commercial vehicle. An applicant must certify that all information furnished on the application form is true and complete. Cities must check on the drug and alcohol testing record of employees it is intending to use, after obtaining an employee's written consent (see Request for Information from Previous Employer/Work References form). Past employers are required under the law to provide this information to prospective employers.
- F. Penalties are set for motor carriers and drivers who violate these requirements.

903.4 Driver Qualification

Drivers of commercial motor vehicles must be qualified. To qualify, a driver must:

- A. Meet minimum medical standards as established by federal and state rules and regulations (CFR parts 391.41-391.39)
- B. Be at least 18 years of age, or 21 if required to drive between states.

- C. Speak and read the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records.
- D. Be able to drive the vehicle safely.
- E. Be able to determine whether the vehicle is safely loaded.
- F. Know how to block, brace, and tie down cargo.
- G. Have only one valid driver's license.
- H. Successfully complete a driver's road test and take a Department of Licensing written exam for drivers.
- I. Not have been disqualified to drive a commercial motor vehicle due to revocation, suspension, withdrawal, or denial of an operator's license, permit, or privilege.
- J. All drivers of commercial vehicles must pass the Department of Transportation physical exam. If the driver passes the physical, the doctor will give the driver a medical examiner's certificate that must be carried at all times when driving. The certificate must be renewed every 2 years.

903.5 Driver Disqualification

- A. The City of Sedro-Woolley may not allow, require, permit, or authorize a driver who is disqualified to drive a commercial motor vehicle. Disqualifying offenses include the revocation, suspension, withdrawal, or denial of an operator's license, permit, or privilege. Other reasons for disqualification are a conviction for driving a commercial vehicle under the influence of alcohol (0.04% or more) or drugs, driving while illegally possessing or transporting drugs, leaving the scene of an accident that resulted in injury or death, or using a commercial vehicle while carrying out a felony crime.
- B. In addition, if convicted or found to have committed two serious traffic violations within three years while operating a commercial vehicle results in the loss of the license for 60 days. A third conviction within three years will result in termination of employment. Examples of serious traffic violations include such things as:
 - 1. Excessive speed (15 mph over posted limit)
 - 2. Reckless driving
 - 3. Negligent driving
 - 4. Improper lane changes
 - 5. Driving a Commercial Motor Vehicle (CMV) without first obtaining a CDL
 - 6. Driving a CMV without a CDL in immediate possession
 - 7. Driving a CMV without the proper class or endorsement for the type of vehicle being operated
 - 8. Following too closely
 - 9. Violation of a state or local law relating to motor vehicle traffic control, other than a parking violation, in connection with an accident or collision resulting in a death to any person.
- C. Driver Qualification Files. The City of Sedro-Woolley will maintain a file for each regularly employed driver which will be kept for as long as the driver is employed, and for 6 years thereafter.

903.6 Drug & Alcohol Testing

- A. A driver may not drive if he/she is under the influence of alcohol, Schedule 1 drugs, amphetamines, or any other substance causing the driver to drive unsafely.

- B. Any person who holds a CDL is considered to have consented to testing as is required by any State or jurisdiction in the enforcement of CFR §383.51 (b) (2) (i) and 392.5 (a) (2). Under the law employers have an obligation to test CDL drivers under the following circumstances:
 - 1. PRE-EMPLOYMENT (CFR §382.301) – Employers must require a driver applicant that it intends to hire or use to be tested for drug use as a pre-qualification condition. A driver cannot be used until a verified negative drug test result is obtained.
 - 2. Pre-employment testing is not required if, under the regulations, a driver applicant has participated in a drug testing program within the previous 30 days and was either tested for drugs within the past 6 months or participated in a random drug testing program for the previous 12 months.
- C. The City of Sedro-Woolley must ensure that no prior employer has records of a violation of the drug use or alcohol misuse rules within the previous 6 months (See Prior Employer Inquiry form).
 - 1. REASONABLE SUSPICION (CFR §382.307 & 382.603) - Employers may require a driver to submit to a drug and alcohol test when reasonable suspicion exists that the driver has violated the drug use or alcohol misuse prohibition contained in regulations. The determination must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver.
- D. Alcohol testing for reasonable suspicion is authorized only if the observations are made and the test conducted while the driver is on duty, just before driving or just after driving.
 - 1. POST ACCIDENT (CFR §382.303) – DOT rules require that any driver involved in an accident that results in a death or citation for a moving violation must submit to a test for the presence of drugs and/or alcohol. Please note that per the DOT an accident is “an occurrence involving a commercial vehicle operating on a public road which results in a fatality, an injury requiring immediate treatment away from the scene or disabling damage requiring one or more vehicles to be towed”.
 - 2. RANDOM (CFR §382.305) – DOT regulations mandate that employers establish a random drug and alcohol testing program. The rate for drug testing must be 50% and the rate for alcohol testing must be 10% based on the average number of driver positions. Selection must be made by a scientifically valid method and testing must be spread reasonably throughout the calendar year. Random alcohol testing shall only be conducted on a driver while on duty, just before driving or just after driving.
- E. Employers must ensure that all persons designated to supervise CDL drivers receive at least 60 minutes of training on alcohol misuse and at least an additional 60 minutes on controlled substance use. The training will be used by the supervisors to determine whether reasonable suspicion exists to require a driver to undergo testing under CFR §382.307. Under the law the training must include the physical, behavioral, speech and performance indicators of probable alcohol misuse and use of controller substances. The observations must be made by a supervisor or company official who is trained in accordance with CFR §382.603 and the person who makes the observation cannot conduct the test on the driver.

Policy 904 Vehicle Accident Investigation

904.1 Overview

- A. When there is a question of preventability, the City of Sedro-Woolley’s accident investigation process may examine accidents involving damage to employee operated motor vehicles and equipment including personal vehicles driven on behalf of the City of Sedro-Woolley; accidents in which employee operated motor vehicles and equipment caused property damage or injury to others, and any accident and/or injuries to employees.
- B. A separate accident investigation process may have jurisdiction over: accidents involving vehicles operated by members of the fire department, or accidents involving employees when injuries or significant damage suggest that litigation is likely.

- C. The Fire Department may follow similar procedures to those outlined herein utilizing their own staff. Copies of accident reports, investigation results (including any recommendations for preventing similar accidents) and any disciplinary action taken will be forwarded to the Mayor.

904.2 Procedures

A. Notification and Meeting:

1. The Mayor shall appoint an Accident Review Committee when an accident has occurred which falls within the guidelines of this policy.
2. The Accident Review Committee will convene within ten (10) days of their appointment.

B. Investigation and Review:

1. The Accident Review Committee will examine all factual information available, including, but not limited to, written accident reports, including police reports, vehicle maintenance records, and Supervisor's Report of Incident.
2. The Accident Review Committee may interview the employee(s) involved and any witness(es) it deems appropriate. Employees involved in accidents have the right to address the Committee regarding the accident/injury.

C. Determination and Finding:

1. Following a review of all available information, the Review Committee will determine by simple majority vote whether the accident/injury is preventable or non-preventable
2. A preventable accident will be considered one in which the information indicates the employee:
 - a. Willfully violated any law or safety regulation.
 - b. Operated a personal vehicle on the Member's behalf or member vehicles or equipment while under the influence of intoxicants and/or drugs or while drinking intoxicants.
 - c. Was careless or negligent in operating member vehicles, equipment or tools.
 - d. Failed to do everything he reasonably could have done to prevent the accident.
3. A letter limited to accident preventability will be provided to the employee.
4. The written findings including preventability, and recommendations for prevention of further similar accidents or injuries will be furnished to the employee's department head, and the Mayor.
5. The Committee will not discuss or reveal its findings to any other employees or any citizens.

Note: All reports could be subject to public disclosure and/or discovery in litigation.

Policy 905 Official Credit Card Use for Non-Travel Expenses

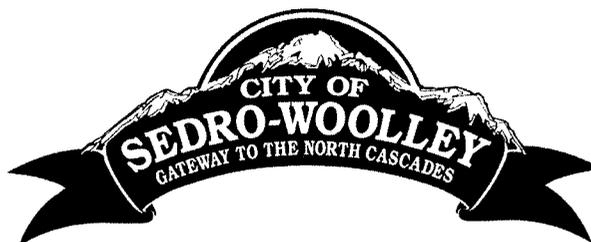
- A. It is the policy of the City of Sedro-Woolley that approved employees have access to City credit cards for official government purchases and acquisitions. Purchases on cards are limited to items that cannot be purchased through purchase orders or petty cash.
- B. All charges made on City credit cards will be for official business. All charges must be substantiated with receipts. Individuals making unofficial charges are subject to revocation of credit card privileges and disciplinary action.
- C. The Finance Director will have the oversight function for issuing department credit cards and overseeing compliance with card usage.
- D. Non-travel uses for credit cards are defined as services or supply purchases made while not on official travel for the City.

- E. Credit Card Issuance. The Finance Director will approve all credit cards issued for official government purchases and acquisitions.
- F. Credit Card Usage. Credit cards will be used by approved employees only. Credit card numbers will not be given out to other employees.
- G. Credit Card Documentation:
 - 1. Immediately following the purchase of non-travel related items, all receipts will be itemized, approved by the Department Head and delivered to accounts payable for payment. Documentation must include proof that the ordered item was approved and received. Documents supporting the transaction are order forms, packing slips, credit card receipts, and invoice paid receipts.
 - 2. Amounts charged must equal what is reported on the credit card expense statement received from the bank.
- H. Reporting Lost or Stolen Credit Cards:
 - 1. If a City credit card is lost or stolen, the employee will immediately call the Finance Department at (360)466-3125, and inform the representative of the loss. Leaving a voice mail message is considered acceptable for notification.
 - 2. If a City credit card is lost or stolen, the employee will immediately notify local law enforcement authorities of the loss.

Policy 906 Participation in Trade and Professional Associations

- A. The City of Sedro-Woolley encourages employees to participate in certain trade and professional associations where there is a clear benefit to the City of Sedro-Woolley.
- B. Employees are encouraged to participate in trade and professional associations that promote City of Sedro-Woolley goals, individual skills development, and professional recognition. However, employee participation in those associations must not conflict with the City of Sedro-Woolley's interests and must fit within budgetary constraints.
- C. The City of Sedro-Woolley may identify certain trade and professional associations in which representation is desirable and then designate the employees that it will sponsor for membership. Employees who are designated for membership act as City of Sedro-Woolley representatives in the association and are expected to promote its interests and to participate accordingly.
- D. Employee participation in trade and professional association activities will not be considered as hours worked for pay purposes for employees classified as nonexempt under the Fair Labor Standards Act, unless participation is at the City of Sedro-Woolley's request or under its direction and control.
- E. Department heads are responsible for coordinating representation in trade and professional associations and must receive prior approval from the Mayor. The following factors normally will be considered in selecting associations for representation and in designating employees to be sponsored for membership:
 - 1. The nature and purpose of the association;
 - 2. The potential benefit to the City of Sedro-Woolley, including enhancement of the City of Sedro-Woolley's reputation and the development of the employee's leadership and organizational skills;
 - 3. The cost to the City of Sedro-Woolley;
 - 4. The extent to which the City of Sedro-Woolley is already represented in the association; and
 - 5. The employee's job responsibilities, length of service, and overall qualifications for membership.

- F. Department heads are responsible for planning, budgeting, and approving the expenses of their employees' participation in association activities within their budgetary authority. The City of Sedro-Woolley will pay or reimburse the approved and reasonable expenses of employees sponsored for membership in trade and professional associations. Employees not sponsored for association membership may be eligible for reimbursement for the expenses of special association events, if the Mayor approves participation in the activity in advance.
- G. Employees must have their supervisor's advance approval before soliciting or accepting any official position in a trade or professional association that will occur during regularly scheduled working hours.
- H. Employees are encouraged to contribute articles, present papers, and give talks to trade and professional associations. However, employees must obtain prior approval for any communication that might represent the City of Sedro-Woolley's position or involve any information that is confidential.



Personnel Handbook Receipt

All employees should read the following, sign, date, and return the form to the Personnel Director.

Enclosed are the City of Sedro-Woolley's personnel policies. It is your responsibility to read these policies, as they will acquaint you with your employee benefits, our personnel practices and rules, and our organizational philosophy.

It is important to understand that these policies do not create an employment contract or a guarantee of employment of any specific duration between the City and its employees. Although we hope that your employment relationship with us will be long term, we recognize that at times things do not always work out as we hoped, and either of us may decide to terminate the employment relationship.

All employees of the City of Sedro-Woolley are considered at-will employees and may be terminated from City of Sedro-Woolley employment at any time, with or without cause and with or without notice.

As the City of Sedro-Woolley grows and changes, personnel policies may change. The City of Sedro-Woolley, therefore, reserves the right to revise, supplement, clarify, or rescind any policy or portion of a policy when deemed appropriate. You will be notified of any such changes and are responsible for reviewing them upon receipt.

If you have any questions about these policies or any other policies of the City of Sedro-Woolley, please feel free to ask your supervisor. **No supervisor or representative of the City of Sedro-Woolley other than the Mayor has the authority to make any written or verbal statements or representations that are inconsistent with these policies.**

This policy manual supersedes all previous manuals, letters, memoranda, and understandings. **In cases where these policies conflict with state or federal law, or employment contracts, including union contracts or collective bargaining agreements, the terms of that law, contract, or agreement prevail.** In all other cases, these policies apply.

I have read and understood the statement above. I have received a copy of the City of Sedro-Woolley Personnel Handbook dated _____.

Employee Signature

Date

Printed Name

Personnel Director: Place original signed form in employee's personnel file and provide employee a copy of this form to keep with his/her copy of the Personnel Handbook.

PURPOSE OF POLICIES AND DISCLAIMERS

Policy

These policies are enacted by the City of Sedro-Woolley in order to further the following goals:

- (a) To provide a uniform system of personnel administration throughout the City service.
- (b) To ensure that recruitment, selection, placement, promotion, retention and separation of City employees are based upon the employees' qualifications and fitness, and are in compliance with federal and state laws.
- (c) To assist managers in the development of sound management practices and procedures, and to make effective consistent use of human resources throughout the City.
- (d) To promote communication between directors, managers, supervisors and employees.
- (e) To ensure, protect, and clarify the rights and responsibilities of employees.

These personnel rules shall apply to all City employees except elected officials, and independent contractors. In those cases where these policies and procedures conflict with existing labor agreements or civil service rules, the terms and conditions of those agreements shall prevail.

THE CITY SPECIFICALLY RESERVES THE RIGHT TO APPEAL, MODIFY OR AMEND THESE POLICIES AT ANY TIME, WITH OR WITHOUT NOTICE. NONE OF THESE PROVISIONS SHALL BE DEEMED TO CREATE A VESTED CONTRACTUAL RIGHT IN ANY EMPLOYEE NOR TO LIMIT THE POWER OF THE MAYOR OR CITY COUNCIL TO REPEAL OR MODIFY THESE RULES. THE POLICIES ARE NOT TO BE INTERPRETED AS PROMISES OF SPECIFIC TREATMENT.

CITY OF SEDRO-WOOLLEY

PERSONNEL RULES AND REGULATIONS

GENERAL PROVISIONS: The purpose of the following personnel policies is to establish an efficient and equitable system of personnel administration based on employee merit; free from personnel or political consideration. These personnel policies are intended to govern all conditions of employment by the City of Sedro-Woolley. The intent of these rules is to recognize that the City shall employ the most suitably qualified persons available, and that the concept of equal opportunity employment is a necessary element of the merit system principles. No appointment to, promotion to, removal from, or discipline in any position in the City shall be negatively influenced by or because of race, religion, sex, creed, national origin, age, marital status, disability, religious opinion or affiliation.

SCOPE: In cases where these rules conflict with the laws of the State of Washington, the laws of the State of Washington shall supercede and become applicable.

ADMINISTRATION: The City Mayor/Manager is responsible to administer these personnel policies.

APPLICATION: These personnel policies shall be established for all municipal employees of the City of Sedro-Woolley.

DEPARTMENTAL POLICY: These personnel policies shall not limit any supervisor/department head to make departmental policies so long as the policies do not conflict with the provisions of the City policies.

HIRING PROCEDURE

APPLICATIONS: Applications for any position with the City of Sedro-Woolley shall be on forms which require information having a direct bearing on the nature of the position. All application must be fully completed, signed and dated by the applicant. No question on any application form shall

attempt to elicit information concerning race, creed, color, sex, marital status, national origin, mental, physical, or sensory disability, or religious affiliation for the purpose of discrimination.

All statements on the application shall be subject to investigation and verification prior to appointment. In case a physical examination is deemed advisable, the City shall pay the cost.

APPOINTMENTS: All appointments shall be made solely on the basis of merit, efficiency, and fitness determined through careful and impartial evaluation of the following:

- A. The applicants level of training relative to the requirements of the job.
- B. The applicants level of education relative to the requirements of the job.
- C. The applicants physical fitness relative to the requirements of the job.
- D. The result of an oral interview.
- E. The results of a written examination when it is deemed advisable .
- F. Any combination of the above.

PROBATIONARY PERIOD: All new, transferred, or promoted employees of the City of Sedro-Woolley must serve a consecutive, full-time six month probation period before they can be considered to be permanent. Upon completion of the probationary period, if the employee shows an ability to learn and can satisfactorily perform the required tasks for the new position, the employee will be given permanent status. Probationary pay shall be 90% of the current wage for that position. Police Department probation shall be consistent with Civil Service Regulations.

ATTENDANCE POLICY: Except for the police and fire departments, the normal work day for the City of Sedro-Woolley will be 8 hours, and the work week will consist of 40 hours. Employees shall be in attendance at their jobs in accordance with these hours. An employee shall not be absent from his work for any reason without prior arrangements with the supervisor. Any

unauthorized absence shall be deemed to be an absence without pay and subject to disciplinary action, except in an extreme emergency.

Coffee breaks are authorized as a privilege and should be so scheduled not to interfere with City business. There will be one 15 minute break in the morning and one 15 minute break in the afternoon. These breaks should be taken at designated areas.

EMPLOYEE RIGHTS AND DISCIPLINARY ACTIONS

APPEARANCE, CONDUCT, DISCIPLINE, AND COMPLAINTS

Policy Statement. Public relations shall be an integral part of each employee's job. All employees shall be neat and clean in appearance consistent with their job assignment and shall conduct themselves in a manner which is appropriate for an employee in the public service. Employees shall be courteous, efficient and helpful to everyone in their work and shall do the best job possible on every assignment. Employees should dress and groom in a manner which will not impair or restrict their movements in cases where this might cause safety problems.

Inappropriate personal appearance may be grounds for disciplinary action, but this action shall not exceed oral reprimand (on the first occasion), except in cases where the safety of the employee or others is a factor.

General Conduct. It is the obligation of all employees to be courteous and efficient in the performance of their duties. Employees are expected to establish and maintain harmonious and effective working relationships with co-workers and employees of other departments. A friendliness and willingness to help should be exhibited during telephone calls, in letters, and in person to person conversation, while at the same time being as brief and concise as possible. In addition, employees should always strive to reduce costs of supplies and services in every practical manner, and should be as careful with public property as with their own.

Grounds for Disciplinary Action - Personal Conduct. The following activities or behaviors are grounds for corrective action or discipline up to and including dismissal. Causes for disciplinary action relate to job-related conduct contrary to the employer's or public's best interest, including but not limited to:

1. Improper use of employee's position for personal gain.
2. Solicitation of a contribution, response or action in the name of the City designed to further a political or charitable cause, while on duty.
3. Use of intoxicants or mind or mood altering substances while on the job, or arriving on the job under the influence of such substances.
4. Insubordination and/or discourteous treatment of a Supervisor, Department Head, City Administrator, City Councillor, the public or a fellow employee.

5. Gambling for items of value during working hours or on City premises.
6. Being adjudged guilty of a crime which brings discredit to the City or hinders the employee's own safety or the safety of others.
7. Inattention to or dereliction of duty which would endanger the employee's own safety or the safety of others.
8. Acceptance of gratuities or presents designed to affect the City's response to the public or special interest groups (i.e. taking bribes for action), whether or not an effect or influence actually occurred or resulted.
9. Using City property on the job for personal use, taking City equipment or property from City premises for City use without specific prior knowledge and approval by Supervisor.
10. Other conduct unbecoming public service or reflecting discredit upon the City.
11. The police dept. shall also be subject to the departmental regulations. Supervisors should encourage employees to seek treatment or counseling for the resolution of personal problems which adversely affect work performance (e.g. alcohol, drug abuse or addiction, family problems, stress, etc.)

GROUND FOR DISCIPLINARY ACTION - Work Performance. The following are including but not limited to, examples of grounds for disciplinary action based on work performance.

1. Failure to follow directions from the Supervisor or Department Head.
2. Failure to perform assigned work, or to apply reasonable judgement or discretion in performance of the job assignment.
3. Abusing or being wasteful of materials, property or working time.
4. Failing to report to the Supervisor when absent, or being absent without permission.
5. Habitual absence or tardiness, even if excused--authorized or non-authorized.
6. Discussion of confidential City business with unauthorized persons or providing unrequested or unnecessary information contrary to an efficient use of the employee's time.
7. Refusal to report in an official emergency or knowingly leaving a safety hazard unreported.
8. Failure to or inability to meet established work standards, goals and priorities as determined through the performance review process.

Disciplinary Actions. Disciplinary actions include the following; oral reprimand, written reprimand, delaying pay increase, extension of probation, reduction in pay or other monetary assessment, demotion, suspension, and discharge. Employees may be subjected to only those disciplinary actions specified by contract or as prescribed in this manual. All disciplinary actions are to be handled in such a manner as to respect the employee's privacy.

Procedure for Disciplinary Actions. (May include more than one.)

1. Oral Reprimand. Formal or informal interview between the employee and the Supervisor or Department Head. This must always be private. The Supervisor shall indicate when he/she is giving an oral reprimand. Oral reprimands are not documented in the employee's personnel file; however, the Supervisor will keep an incident log or calendar notes of the oral reprimand in case further discipline is needed. A verbal on-site correction, coaching, or instruction by the employee's supervisor does not equal a oral reprimand.
2. Written Reprimand. A letter or memo clearly stating the infraction and desired behavior change must be presented to the employee and discussed between the employee and the Supervisor or Department Head. The employee is requested to sign the written reprimand before it is placed in his/her personnel file. Signing by an employee does not imply agreement or void grievance rights, it merely acknowledges the reprimand. Refusal to sign is addressed in this section under refusal to sign a disciplinary action.
3. Delaying of a Pay Increase. This action must be explained by the Supervisor in the performance review. Employee must sign before it is placed in his personnel file. The delay may not exceed three (3) months with monthly coaching progress reviews.
4. Extension of Trial Period. This action must be explained by the Supervisor in the performance review completed at the time the probationary period is scheduled to end. Extension shall not exceed three (3) months. This must be approved by the Mayor and/or City Council and signed by the employee.
5. Demotion, Suspension, Discharge. Prior to a supervisor taking action on the demotion, suspension, or discharge of an employee, the supervisor must discuss his or her recommendation for this proposed action with the Mayor, or designated representative, to be certain all facts have been reviewed and that there is thorough justification for the action. The supervisor must be as objective as possible in the evaluation of the circumstances leading to the discharge.

GRIEVANCES POLICY

GRIEVANCES: The employees of the City of Sedro-Woolley have the right to file a grievance concerning a claim or dispute. They shall have the opportunity to discuss them with their supervisor. Grievances must be filed in writing with the City within 30 days of the occurrence of the incident creating the dispute.

PROCEDURES: An employee can discuss the problem with his supervisor and the supervisor must give an oral answer within 3 working days after the discussion. The supervisor, if at all possible, should try to resolve the grievance. If the problem is not resolved, the aggrieved employee shall submit his claim as a formal written grievance to his supervisor. This statement should state specific reasons causing the problem and all actions taken by the employee to resolve it. The supervisor appends in writing the actions taken to resolve the grievance and other pertinent data and forwards the matter to the City Council within 5 working days. It shall then be up to the City Council to render a decision on the grievance. If the grievance still is not settled, the Mayor may use other legal action such as an arbitration by an outside party. No punitive action shall be carried out against the employee using the procedure contained herein.

SENIORITY

Alternative #1

Seniority of an employee is defined as the length of the employee's continuous service to the City since the employee's most recent date of hire.

Alternative #2

Seniority of an employee is defined as the length of time the employee has held a specific position, since the date of appointment to the position.

Alternative #3

The City Manager/Mayor has the discretion as to whether to utilize the date of appointment to a specific position for purposes of determining seniority.

GENERAL OBLIGATIONS AND RESPONSIBILITIES

Supervisory, Exempt, and Non-Exempt Personnel.

Supervisory Personnel. It is the responsibility of supervisory personnel to operate in a manner consistent with these Policies and Procedures. Supervisory personnel should recognize an obligation to promote good morale; to create a work climate conducive to productivity; to recognize employees' particular strengths and to work toward correction of deficiencies; and to set a good example to subordinate. It is the responsibility of supervisory personnel to make positive contributions where possible toward accomplishment of long term goals and objectives in the best interest of the City.

Exempt Personnel.

In conformance with the Fair Labor Standards Act (FLSA) the following positions are exempt due to their classification as executive, administrative, or professional employees: City Administrator, City Attorney, Finance Director, City Clerk, Deputy City Clerk, Court Clerk, Chief of Police, Deputy Chief of Police, Fire Chief, City Planner, Public Services Director, and Librarian. Exempt personnel are exempt from the provisions of the Fair Labor Standards Act.

Non-Exempt Personnel. Those positions which do not qualify for an executive administrative, or professional exemption under the Fair Labor Standards Act are classified as non-exempt personnel. Definitions of executive, administrative, and professional employees are set forth in the Fair Labor Standards Act. A copy of these provisions is available for review in the office of the Personnel Specialist.

SEXUAL HARASSMENT: Sexual harassment is a form of sex discrimination and is an "unlawful employment practice" under Title VII of the 1964 Civil Rights Act and the Washington State Law Against Discrimination, Chapter 49.60 RCW.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct constitutes sexual harassment when:

It is part of a manager's or supervisor's decision to hire or fire;

It is used to make other employment decisions as pay, promotion, or job assignments;

It creates an intimidating, hostile, or offensive work environment.

Should an employee believe that he or she is being sexually harassed, that employee should immediately identify the offensive behavior to the harasser and request that it stop, and discuss his or her concern immediately with their supervisor or other employee authorized to deal with discrimination. NO EMPLOYEE WILL SUFFER RETALIATION FOR REPORTING SUCH CONCERNS.

Complaints in cases of sexual harassment will be dealt with promptly. An employee who sexually harasses another employee will be disciplined as in any other case of serious, illegal employee misconduct. The City will take appropriate action which may include a warning that continued harassment may result in a negative employment action, such as suspension or termination.

OVERTIME: Overtime shall be paid for each hour over the normal working day of 8 hours, or over the normal working week of 40 hours at a basic rate of time and one-half for each hour of overtime worked. In so far as possible, the opportunity to work overtime shall be distributed as equally as practicable by the City among the employees in each department. Overtime shall only be granted upon the approval of the Department Head for each hour worked.

BENEFITS: Annual vacation leave will be granted to all full-time City employees with full pay upon completion of one full year of employment. The annual leave allowance shall be earned monthly based upon the following schedules.

Service Time	Per Month	Per Year
1 through 4 years	.83 working day	10 working days
5 through 9 years	1.25 working days	15 "
10 through 14 years	1.67 "	20 "
15th year	1.75	21 "
16th year	1.83	22 "
17th year	1.92	23 "
18th year	2.00	24 "
19th year	2.08	25 "

Vacation leave may not accumulate more than 80 hours carry-over time.

SICK LEAVE. Sick leave with pay shall accrue at the rate of one day per month. Any sick leave not used in any year shall be accumulated for succeeding years for all full-time employee's up to 180 days. Sick leave is to be used only with approval of the employee's supervisor or Department Head. It is authorized for the following reasons: Illness, quarantine, or personal injury. Employees claiming sick leave may be required to show a certificate from their doctor stating the nature and extent of the injury or illness.

MATERNITY LEAVE: Disabilities caused by pregnancy are, for all job-related purposes to be considered temporary disabilities, and accrued sick leave may be used for this purpose. If the period of disability extends beyond the accrued sick leave, the employee may request a leave of absence without pay of fringe benefits not to exceed 3 months. To be eligible for maternity leave the employee must give 2 weeks notice of expected date of departure and expected return. Four weeks is considered reasonable maternity leave if there are no extenuating circumstances. Pregnant employees cannot be denied the opportunity to work during the entire period of pregnancy, and may continue to work as long as the individual and her doctor concur in her ability to work and the demands of the job are satisfied. Proof of the physicians concurrence should be submitted when requested by the City.

LEAVE OF ABSENCE WITH PAY. Upon approval of the Department Head, an employee shall be allowed emergency leave with pay for 3 days if there is a death or critical illness in the immediate family of employee or spouse's family (parent, grandparent, spouse, child, sibling). If the funeral is out of the state, up to five days will be allowed.

WORKMAN'S COMPENSATION. Any on the job injury must be reported promptly to the Department Head or Supervisor. All medical expenses connected with on the job injury shall be paid in accordance with workman's compensation: the City policy in cases of injury is to pay the employee up to a maximum of 120 work days at the rate of pay he was making at the time of the injury, less the amount he receives from workman's compensation.

MILITARY LEAVE: Any employee of the City who is a member of the U.S. military shall be entitled to be absent from his job with full pay for up to 15 days during each calendar year while engaging in officially ordered military duty. Such leaves will be in addition to vacation and other leave benefits. An employee promoted to fill a vacancy made by a person serving in the armed forces shall hold the position subject to the return of the veteran. The returning employee shall be restored to the position he held previously or another equivalent position. The displaced employee shall be placed in a position equal to that forfeited position or if none exists, he may be subject to a lay-off.

GRATUITIES: No city employee shall accept any gift or gratuity that has any connection with his municipal employment or the performance of his municipal duties.

OUTSIDE EMPLOYMENT: An employee shall not engage in employment other than his City job if such employment interferes with or is inconsistent with the efficient performance of his city job. Prior to accepting outside employment, a City employee must receive the City Mayor/Administrator's approval.

PROMOTIONS: The factors to be considered in the determination of an employee for promotion are his past work record, supervisor recommendations, oral interviews, examination, or any combination of the above.

POLITICAL ACTIVITY: Employees of the City of Sedro-Woolley shall have the right to vote in municipal elections and to express their opinions on all political subjects or candidates. No employee shall hold an elected office in the City.

NEPOTISM: Persons of the same immediate family will not be hired by the City of Sedro-Woolley, as of this date.

PROTECTIVE CLOTHING. Employees of the City of Sedro-Woolley engaged in garbage collection and outside work will be furnished and required to use appropriate clothing.

PERSONNEL FILES: A personnel history file for every city employee containing information on the employee's background, family, education, and employment history, shall be maintained in the City Office. Included in the file will be a record of the employee's original application, interview, salary increases, promotions, sick leave, and vacation leave. Files are to be maintained and kept up to date by the City Clerk.

JOB TRANSFERS: Job transfers may be made by the City or at an employee's request. A new job probationary period shall be established for any employee

transferred to a new job.

LEAVE OF ABSENCE WITHOUT PAY: Leave of absence without pay, not to exceed one year, may be granted to a City employee. The City Council of Sedro-Woolley is the sole authority for granting such leave of absence. No vacation, sick leave or other fringe benefits shall accrue while the employee is on leave. Upon expiration of leave granted, the employee shall be reinstated in the same or equivalent position held at the time the leave was granted.

SAFETY: The City of Sedro-Woolley will provide the safest possible working conditions for its employees. It is mandatory that safety equipment and clothing that is supplied by the City be used by the employees while carrying out their duties. The employee should be constantly on the alert to observe and report unsafe working conditions and practices. All City employees are expected to handle equipment in such a way as to prevent accidents. Employees are requested to immediately report unsafe working conditions or equipment to their supervisors.

PUBLIC RELATIONS: All City employees are expected to provide their services and to perform their duties to the public in an courteous and polite manner. The City of Sedro-Woolley feels an individual accepts an additional responsibility to the community by accepting a position with the City government and urges employees to act accordingly when off the job.

HOLIDAYS: Legal holidays to be observed by the City are:

New Year's Day	January 1
Lincoln's Birthday	February 12
President's Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1st Monday in September
Veteran's Day	November 11
Thanksgiving Day	4th Thursday in November
The day after Thanksgiving	
Christmas	December 25
The day after Christmas	
One floating holiday	Taken during the week of the employee's birthday.

If any such holiday falls on a Sunday it shall be observed on a Monday.
If any such holiday falls on a Saturday it shall be observed on a Friday.

PAY POLICY: The City Council shall have the authority to establish an employee's compensation plan and to set the salaries by resolution. The City of Sedro-Woolley shall pay employees once a month, on the first working day of the month.

CITY OF SEDRO-WOOLLEY

DEFINITIONS

1. Work Week and Work Day

The work day is defined as a consecutive twenty-four (24) hour period. For all employees, except those providing law enforcement and fire fighting services, the standard work day consists of the period from midnight to 11:59 p.m.

The work week is defined as a fixed and regularly recurring period of one hundred sixty-eight (168) hours; i.e. seven (7) consecutive twenty-four (24) hour periods. The standard work week consists of the period from midnight Sunday to 11:59 p.m. the following Sunday.

The work day and work week for nonexempt personnel providing law enforcement and fire fighting services will be determined by their applicable Department Heads.

2. Immediate Family

Immediate Family is defined as any familial relationship resulting from birth, marriage, or adoption. Family shall include parents, grandparents, children, cousins, nieces, nephews, aunts, uncles, and grandchildren or the spouses of the above.

3. Sexual Harassment

Sexual Harassment is defined as deliberate or repeated behavior of a sexual nature which is unwelcome. It can include verbal behavior such as unwanted sexual comments, suggestions, jokes, or pressure for sexual favors; non-verbal behavior such as pats or squeezes, or repeatedly brushing against someone's body. The City will take an affirmative role in protecting its employees from sexual harassment.

4. Employees

Employees are defined in specific types as follows:

- A. Full Time Employee: an employee who is hired to work a predetermined schedule of at least 40 hours per work week.
- B. Part Time Employee: an employee who is hired to regularly work fewer hours than a full-time employee.
- C. Casual Employee: an employee who is hired to work on an intermittent or as needed basis and not on a predetermined schedule, and/or an employee who works less than 88 hours per month.
- D. Temporary Employee: an employee who is hired for a position for a limited period of time generally not to exceed six (6) months unless an extension is approved by the Mayor and/or Council. Such employees receive no benefits unless authorized by the Mayor and subject to the Council approval.
- E. Exempt Employee: an employee who holds an administrative, professional or executive position which is defined as exempt under the wage/hour laws of the Fair Labor Standards Act.
- F. Non-Exempt Employee: an employee who is not employed in an exempt position as defined under the Fair Labor Standards Act.
- G. Regular Employee: an employee who has successfully completed the initial trial employment period. Regular employees are credited with continuous service from date of hire.

CITY OF SEDRO-WOLLEY, WASHINGTON
ALCOHOL AND DRUG FREE WORKPLACE
POLICY AND PROCEDURE

PURPOSE: The City recognizes that the maintenance of a drug-free workplace is essential to the safety and welfare of its employees. This policy establishes City programs and practices that promote and support a drug-free working environment and brings the City into compliance with the Drug-Free Workplace Act of 1988.

SCOPE: All City of Sedro-Woolley Employees

POLICY STATEMENT: The City wishes to educate its employees as to the dangers of drug abuse in the workplace, the City's commitment to a drug-free workplace, the penalties that may be imposed upon employees for drug violations in the workplace, and the City's commitment of support for employees undergoing treatment and rehabilitation of chemical dependencies.

PROVISIONS:

I. Controlled Substance

- (A) The unlawful manufacturing, distributing, dispensing, possessing or using of a controlled substance or alcohol in the workplace is prohibited. Reporting to work under the influence of a controlled substance or alcohol is prohibited.
- (B) As a condition of employment, all employees must notify their department head of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such a conviction.

II. Prescription or Over-the Counter Drug Use

The use of prescription and over-the-counter drugs which compromise safety in the workplace or the quality of the employee's work product is prohibited. It is the employee's responsibility to check with his/her physician as to whether or not a prescription or over-the-counter drug will impair performance and to notify his/her supervisor of the physician's opinion.

III. Drug Use Away from the Workplace

The use of a controlled substance off the work site by an employee may be grounds for disciplinary action if it results in an adverse impact on the City as employer.

IV. Employee Sanctions

It is the responsibility of every employee to be aware of the above provisions and to abide by them. Failure to observe these provisions will result in immediate disciplinary action against the employee, up to and including termination. The employee may be required to participate satisfactorily in an alcohol or drug abuse assistance or rehabilitation program.

V. Employee Assistance Program

The City is committed to supporting employees undergoing treatment and rehabilitation for alcohol or other chemical dependency. The City will provide information to employees on available drug counseling and rehabilitation programs.

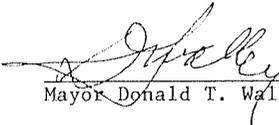
VI. Drug Abuse Education Program

The City will utilize all available City resources, such as the Police Department's D.A.R.E. program, to educate employees as to the dangers of drug abuse.

VII. Confidentiality

The confidentiality of all complaints and reported violations of the provisions of this policy will be strictly maintained, except as required by public disclosure laws or court order.

Adopted by the City of Sedro-Woolley, Washington as an addition to the Personnel Policies and Procedures Manual this 12 day of Feb, 1990.



Mayor Donald T. Walley