



# PERSONNEL POLICY MANUAL

ADOPTED  
MAY 5, 2008 – RES. NO. 2008-14

## **ACKNOWLEDGMENT OF RECEIPT OF PERSONNEL POLICIES**

*Please read the following and then sign, date and return the form to the Human Resources Office. One copy will be placed in your personnel file and one copy maintained with your copy of the manual.*

Copies of the City of Grandview's Personnel Policy Manual adopted on May 5, 2008 and last revised on July 12, 2022 is located in each department, administrative office, and on the City's website [www.grandview.wa.us](http://www.grandview.wa.us). Hard copies are available upon request. In addition, each bargaining unit representative has been provided a copy. It is your responsibility to read the manual, as it will acquaint you with the City's personnel practices and guidelines, and some organizational philosophy.

It is important to understand that these policies do not create an employment contract or a guarantee of employment for any specific duration between the City of Grandview and its employees. We hope that your employment relationship with us will be long-term; we recognize that at times things do not always work out, and either of us may decide to terminate the employment relationship. All employees of the City are "at will" employees unless they are specifically provided additional rights in a written contract or pursuant to Civil Service rules. That means you or the City, if you are an "at will" employee, may terminate this relationship at any time, for any reason, with or without cause or notice.

As the City grows and changes, personnel policies and guidelines change. The City, therefore, reserves the right to revise, supplement, clarify or rescind any policy or portion of a policy. You will be given ample notification of any changes. The manual is produced in a loose leaf notebook fashion in order to permit easy updating by replacing pages.

Please understand that no supervisor, manager or representative of the City has the authority to make any written or verbal statements or representations which are inconsistent with at-will employment. If you have any questions about these policies or any other policies of the City, please feel free to ask your supervisor, Department Director or the Human Resources Assistant.

I understand that, in the State of Washington, employment is at will, which means that it may be terminated by me or the City at any time, unless the terms of my employment are subject to a contract, collective bargaining agreement, or Civil Service rules.

\_\_\_\_\_  
Employee Name (Printed)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Signature

***Please return signed form to the Human Resources Office***

**PERSONNEL POLICY MANUAL  
TABLE OF CONTENTS**

<b>Introduction</b>		<b>1</b>
<b>Chapter 1</b>	<b>GENERAL</b>	<b>2</b>
	1.01 Scope of Application	
	1.02 Diversity Policy	
	1.03 Compliance with the Personnel Policy	
	1.04 Authority of the City Administrator	
	1.05 Administrative Guidelines	
	1.06 Department Guidelines	
	1.07 Amendments to the Personnel Policy	
	1.08 Saving Clause	
<b>Chapter 2</b>	<b>CLASSIFICATION PLAN</b>	<b>5</b>
	2.01 Classification of Positions	
	2.02 Preparation and Maintenance	
	2.03 Request for Reclassification	
	2.04 Reclassification Procedure	
	2.05 Establishment of a New Classification Specification	
	2.06 Requests for a New Classification	
	2.07 Classification of Temporary Employees	
	2.08 Classification of Emergency Employees	
<b>Chapter 3</b>	<b>HOURS OF WORK</b>	<b>9</b>
	3.01 Established Workdays and Workweeks	
	3.02 Exceptions to Established Work Hours	
	3.03 Attendance	
	3.04 Pay Periods	
	3.05 Deductions	
	3.06 Overtime Policy	
	3.07 Compensatory Time	
	3.08 Exempt Employee Administrative Leave	
	3.09 Paid Holidays	
	3.10 Alternative Work Schedules	
<b>Chapter 4</b>	<b>EMPLOYMENT</b>	<b>12</b>
	4.01 Policy Statement	
	4.02 Citizenship	
	4.03 Application	
	4.04 Selection Process	
	4.05 Method for Filling Vacancies	
	4.06 Classes of Appointments	
	4.07 Temporary Appointments	
	4.08 Temporary Re-Assignments	
	4.09 Employment of Relatives	
	4.10 Continued Employment	
	4.11 Reappointment	

	4.12	Transfer	
	4.13	Promotion	
	4.14	Demotion	
	4.15	Exit Interviews	
<b>Chapter 5</b>		<b>TERMINATION OF EMPLOYMENT</b>	<b>17</b>
	5.01	At Will Employment	
	5.02	Resignation Process	
	5.03	Lack of Work or Funds	
	5.04	Retirement	
	5.05	Requirements	
<b>Chapter 6</b>		<b>TRIAL SERVICE PERIOD</b>	<b>19</b>
	6.01	Purpose of Trial Service Period	
	6.02	Length of Trial Service Period	
	6.03	Trial Service Employee Status	
	6.04	Employee Performance Appraisals	
	6.05	Regular Appointment	
<b>Chapter 7</b>		<b>SICK LEAVE</b>	<b>21</b>
	7.01	Use of Sick Leave	
	7.02	Eligibility	
	7.03	Accrual and Carry Over	
	7.04	Accumulation and Sick Leave Benefit upon Death or Retirement	
	7.05	Re-hiring of an Employee within Twelve Months	
	7.06	Sick Leave Usage	
	7.07	Workers' Compensation and Disability Payments	
	7.08	Medical and Disability Insurance	
	7.09	Compliance with Regulations	
<b>Chapter 8</b>		<b>VACATION LEAVE</b>	<b>25</b>
	8.01	Eligibility	
	8.02	Vacation Accrual	
	8.03	Use of Vacation	
	8.04	Vacation Payoff at Termination	
	8.05	Effect of Extended Military or Other Leave of Absence	
	8.06	Vacation Cash-Out and Required Vacation	
<b>Chapter 9</b>		<b>LONGEVITY PAY</b>	<b>27</b>
	9.01	Additional Compensation	
	9.02	Initial Accrual When Payable	
<b>Chapter 10</b>		<b>OTHER LEAVES OF ABSENCE</b>	<b>28</b>
	10.01	Authorized Leave of Absence without Pay	
	10.02	Bereavement Leave	
	10.03	Military Leave of Absence	
	10.04	Maternity Leave of Absence	
	10.05	Subpoena	

- 10.06 Jury Duty
- 10.07 Administrative Leave
- 10.08 Leave without Pay (LWOP) and Absence without Leave (AWOL)
- 10.09 Domestic Violence Leave
- 10.10 Unpaid Leave for Reasons of Faith or Conscience

**Chapter 11**                    **FAMILY AND MEDICAL LEAVE POLICY**                    **34**

- 11.01 Policy Statement
- 11.02 Definitions
- 11.03 Eligibility for Leave
- 11.04 Intermittent or Reduced Leave
- 11.05 Substitution of Paid Leave
- 11.06 Designating Leave as FMLA Leave
- 11.07 Employee Notice Requirements
- 11.08 Payment of Group Health Premiums
- 11.09 Rights Upon Return to Work
- 11.10 Military Caregiver Leave
- 11.11 Qualifying Exigency Leave
- 11.12 Additional Medical Leave During Disability Due to Pregnancy or Childbirth and to Care for Newborn

**Chapter 12**                    **SHARED LEAVE POLICY**                    **40**

- 12.01 Policy Statement
- 12.02 Eligibility Criteria
- 12.03 Amount of Leave Received
- 12.04 Transfer Process
- 12.05 "Value" of Leave
- 12.06 Monitoring

**Chapter 13**                    **WORK-RELATED TRAVEL**                    **42**

- 13.01 General
- 13.02 Definitions
- 13.03 Travel Pay

**Chapter 14**                    **GRIEVANCE PROCEDURE**                    **47**

- 14.01 Policy Statement
- 14.02 Grievance
- 14.03 Grievance Submission
- 14.04 Department Level Discussion
- 14.05 Discrimination Complaints
- 14.06 Review by City Administrator

**Chapter 15**                    **DISCIPLINE**                    **49**

- 15.01 Policy Statement
- 15.02 Causes for Disciplinary Action
- 15.03 Types of Disciplinary Action
- 15.04 Authority to Take Disciplinary Action
- 15.05 Notice of Disciplinary Action
- 15.06 Appeal Procedure

<b>Chapter 16</b>	<b>RECORDS, REPORTS AND NOTICES</b>	<b>54</b>
	16.01 Purpose of Maintaining Personnel Records	
	16.02 Notice of Employee Change of Status	
	16.03 Personnel Files	
	16.04 Records Open to the Public	
	16.05 Destruction of Records	
<b>Chapter 17</b>	<b>SUBSTANCE ABUSE and PHYSICAL EXAMINATION POLICY</b>	<b>56</b>
	17.01 Examinations	
	17.02 Substance Abuse	
	17.03 Drug Free Work Place	
	17.04 Provisions	
	17.05 Drug and Alcohol Testing	
	17.06 Definitions	
	17.07 Testing	
	17.08 Securing Information from Previous Employers	
	17.09 Confidentiality and Record Retention	
	17.10 Consequences of Engaging in Prohibited Conduct or Positive Drug or Alcohol Tests	
	17.11 Positive Test Results and/or Engaging in Prohibited Conduct	
<b>Chapter 18</b>	<b>EMPLOYEE ETHICS, STANDARDS OF CONDUCT, AND PERSONAL ACTIVITIES</b>	<b>65</b>
	18.01 Policy Statement	
	18.02 General Principles	
	18.03 Incompatible Personal Activities of City Employees	
	18.04 Off-Duty Employment	
	18.05 Employee's Personal Financial Affairs	
	18.06 Political Activities of Public Employees	
	18.07 Casual Dress Policy	
	18.08 Employee Privacy	
	18.09 Reporting of Criminal or Civil Offenses by Employees	
<b>Chapter 19</b>	<b>WORKPLACE VIOLENCE PREVENTION POLICY</b>	<b>69</b>
	19.01 Policy Statement	
	19.02 Policy	
	19.03 Definitions	
	19.04 Procedures	
<b>Chapter 20</b>	<b>ANTI-HARASSMENT POLICY</b>	<b>73</b>
	20.01 Policy Statement	
	20.02 Application	
	20.03 Roles and Responsibilities	
	20.04 Policy	
	20.05 Definitions	
	20.06 Unfair Treatment versus Unlawful Discrimination	
	20.07 Confidentiality	
	20.08 Processes and Procedures for Addressing Harassment in the	

	Workplace	
	20.09 Formal Complaint Procedures	
	20.10 Retaliation Prohibited	
<b>Chapter 21</b>	<b>NO SMOKING POLICY</b>	<b>79</b>
	21.01 Policy Statement	
	21.02 Definitions	
	21.03 Uniform Smoking Policy	
	21.04 Violations	
<b>Chapter 22</b>	<b>WHISTLEBLOWER POLICY</b>	<b>80</b>
	22.01 Policy Statement	
	22.02 Definitions	
	22.03 Reporting Procedures	
	22.04 Protection from Retaliatory Actions	
	22.05 Whistleblower Responsibilities	
<b>Chapter 23</b>	<b>VEHICLE USE POLICY</b>	<b>83</b>
	23.01 Policy Statement	
	23.02 Definitions	
	23.03 Procedures	
<b>Chapter 24</b>	<b>ELECTRONIC MAIL &amp; INTERNET USE POLICY</b>	<b>86</b>
	24.01 Policy Statement	
	24.02 Consent and Privacy Waiver	
<b>Chapter 25</b>	<b>CELLULAR TELEPHONE USE POLICY</b>	<b>88</b>
	25.01 Policy Statement	
<b>Chapter 26</b>	<b>EMPLOYEE RECOGNITION</b>	<b>90</b>
	26.01 Policy Statement	
	26.02 Policy	
<b>Chapter 27</b>	<b>CREDIT CARD USE POLICY</b>	<b>91</b>
	27.01 Policy Statement	
	27.02 Departments Effected	
	27.03 References	
	27.04 Policy	
	27.05 Procedures	
	27.06 Control	
	27.08 Credit Card User Agreement	
<b>Definitions</b>		<b>95</b>
<b>Appendix A</b>		<b>100</b>
<b>Revisions</b>		<b>101</b>

## **INTRODUCTION**

The purpose of this Personnel Policy Manual is to create a productive and harmonious work environment by clearly defining what is expected of each member of the City team.

This manual has been prepared as a guide or reference tool for all members of the City's work force. Although it will have different applications to employees depending upon their employment status, the manual provides a "snapshot" of how things are done in the City and incorporates state and federal mandates as well. Because we recognize that change is the norm, we will review this manual regularly to amend these guidelines where necessary to reflect ongoing change in the City workplace. In addition, there may be circumstances where management may deem it necessary to deviate from these guidelines for the good of the City, and the City retains the discretion to deviate from these guidelines as it deems necessary or appropriate.

These guidelines for management include, but are not limited to, classification specifications, salaries, working hours and conditions, merit examinations and promotions, all kinds of leave, disciplinary proceedings, appeal procedures, and other matters related to the efficient functioning of the City's work force.

The provisions of this manual do not supersede the provisions of any collective bargaining agreements or Civil Service rules and regulations, and when in conflict, the specific terms and conditions of the collective bargaining agreement or Civil Service rules and regulations will prevail.

It is recognized that no personnel policy can answer all questions that might arise in the normal course of municipal government. Employees of the City are expected to exercise the utmost judgment and discretion in the performance of their duties.

It is important to understand that this Personnel Policy Manual does not create an employment contract, a promise of specific treatment in specific situations, or a guarantee of employment for any specific duration between the City of Grandview 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, and that either of us, if you are an at-will employee, may decide to terminate the employment relationship at any time. An employee with questions about any policy or its interpretation may contact their immediate supervisor, Department Director, or the Human Resources Assistant for an explanation.



## **Chapter 1 GENERAL**

**1.01 Scope of Application.** In the interest of the City of Grandview's employees and citizens, the City adopts guidelines and procedures to promote full communication between the City, as the employer, and its employees. The City also sets reasonable methods to resolve disputes about wages, hours, and other terms and conditions of employment and to continuously improve personnel management and employer-employee relations.

The Personnel Policy applies to all offices, positions, and employees in City service except the following:

- Elected officials;
- Appointed members of boards, commissions, and committees; and
- Contracted persons supplying expert, professional, or technical services.

New Employee Orientations - All new part-time and full-time regular employees are given a new employee orientation by the Human Resources Office and by their own department as close as possible to their first day of work. This Personnel Policy is an important part of this orientation.

**1.02 Diversity Policy.** The City of Grandview is committed to developing a diverse work force which reflects the diversity and composition of the community we serve, and honors and respects the differences and abilities of all our employees and residents, and provides employees with the necessary opportunities, tools, and support to achieve their maximum potential.

Equal employment opportunity provides a level playing field for City job applicants and must be linked with a commitment to equitably manage a diverse work force. Diversity recognizes and respects the multitude of differences that employees bring to the workplace. Diversity complements organizational values that stress teamwork, leadership, empowerment, and quality service. Diversity means striving to maintain an environment in which managers value the differences in their employees and take steps to ensure that all employees know they are welcomed and included.

To achieve workplace equity and inclusion, the City observes the practices outlined below:

1. We ensure that we do not discriminate in employment on the basis of race, color, religion, national origin, sex, age, disability, marital status, creed, sexual orientation, political ideology or any other protected status.
2. Our recruiting efforts are designed to ensure that applicant pools are both capable and diverse.
3. We strive to make employment decisions based on job-related criteria and provide opportunities for entry and promotion to all City positions.
4. We strive to ensure a workplace free of all forms of harassment.

5. We have developed a procedure for prompt, thorough and impartial investigations of discrimination or harassment complaints and will take appropriate measures to provide remedy or relief to individuals who have been victims of illegal discrimination or harassment.

Measures to ensure accountability for managing diversity will be incorporated into the performance management system for supervisors and managers. The City Administrator will evaluate the effectiveness of our diversity policies and programs.

By creating a workplace where everyone can work toward their maximum potential, the City will retain quality, productive employees who will provide excellent services to our residents.

**1.03 Compliance with the Personnel Policy.** In accepting employment with the City of Grandview, each employee is expected to follow this Personnel Policy, administrative policies and procedures established by the Mayor and/or City Administrator, their collective bargaining agreements or applicable Civil Service rules and regulations, and the guidelines and directives of the department in which they are employed.

**1.04 Authority of the Mayor.** The Mayor, as appointing authority, has general control and supervision over the affairs of the City. The City Administrator, following consultation and approval by the Mayor, has the authority to establish such other procedures and guidelines necessary for the control and supervision of the affairs of the City.

The City Administrator, following consultation and approval by the Mayor, has the authority to remove "at will" employees; and may remove union employees for cause as provided by the collective bargaining agreement or Civil Service rules and regulations.

**1.05 Administrative Guidelines.** The City Administrator, following consultation and approval by the Mayor, has the authority to issue additional administrative policies as may be necessary to carry into effect this Personnel Policy, except as otherwise provided by Revised Code of Washington and/or ordinance.

**1.06 Department Guidelines.** Department Directors, upon approval of the City Administrator, may create guidelines more specific to their respective department operations consistent with collective bargaining agreements. Departmental guidelines or directives will not conflict with or supersede any provisions of this Personnel Policy. In the event of any conflict, the City Personnel Policy prevails.

Department guidelines will be posted and employees put on notice of their existence and content.

**1.07 Amendments to the Personnel Policy.** The City Council may amend, change, and revise this Personnel Policy. The City Administrator will provide written notice to each of the Union presidents of any proposed amendments, changes or revisions to the Personnel Policy Manual. The Union presidents will have thirty (30) days to respond in writing with any comments they may have.

Employee Recommendations - Any employee may suggest an amendment, change, or revision to the Personnel Policy by submitting suggestions in writing to the City Administrator.

Following consultation and approval by the Mayor, the City Administrator may forward the suggestion, along with a recommendation, to the City Council for final disposition.

All amendments, changes, and revisions are made available to all City employees in the manner and form approved by the City Administrator.

**1.08 Saving Clause.** If any section, subsection, paragraph, sentence, or phrase of the Personnel Policy is found by a court to be invalid or unconstitutional, such findings shall not affect the remainder of this Personnel Policy.

## Chapter 2

### CLASSIFICATION PLAN

**2.01 Classification of Positions.** All positions in City service are assigned to a classification. The classification may include a single position or a group of positions. These positions are sufficiently alike in duties, functions, and responsibilities such that the positions can be identified by the same classification title, use the same classification specification, and are assigned the same range of rates of pay. When the job responsibilities of an individual become sufficiently different from other members of the class, a position description may also be prepared.

**2.02 Preparation and Maintenance.** Classification specifications for each City position are prepared and maintained in such a manner that they accurately describe the duties and responsibilities of the positions and classifications. Classification titles are set by the City Administrator, following consultation and approval by the Mayor. The Human Resources Assistant has the authority and responsibility to research, study, and propose necessary changes in classification specifications to the City Administrator. The City recognizes that duties evolve and change in a dynamic work force, and that the classification system needs periodic reviews.

Classification Plan Review - A periodic compensation review that reflects changes to external comparables will be performed by the Human Resources office. The Human Resources office will research the compensation data and the City Administrator/Mayor will review the resulting recommended new compensation scale.

Classification Specification Review - Classification specifications will be reviewed annually as part of the employee's performance appraisal process with their supervisor to determine if an audit by the Human Resources office is warranted. An audit may also be initiated by an employee, supervisor or the union at any time when there has been a significant change in the employee's job responsibilities. A classification audit will be conducted no more often than once per year. If the audit request is supported by the supervisor, it will be forwarded through the Department Director to the Human Resources office. The Department Director shall apprise the City Administrator of classification audit requests made to the Human Resources office. If the Department Director or supervisor does not support the audit request, the initiating party may appeal the decision.

**2.03 Requests for Reclassification.** As changes occur in the responsibilities of a position, it is appropriate to the classification review to determine whether changes in the classification are justified. Such changes may result from gradual modifications and additions to the responsibilities of a class and/or from a departmental reorganization.

When the City determines that a new classification specification or reclassification of an existing classification is necessary, the Human Resources office, with approval of the affected department, will prepare a new/revised classification specification and recommended salary range. For Union positions, the City will submit to the Union, in writing, the classification specification and proposed salary range prior to implementation. The Union will have ten (10) working days to request, in writing, a meeting to negotiate with the City regarding the proposed salary. Such meetings will take place within ten (10) working days of the receipt of the request.

Because of the implications of a reclassification, these basic guidelines are followed:

1. A request for classification review begins only when the Department Director can clearly identify the changes in responsibilities that have occurred as a result of reorganization, enhanced job duties, or changes in work complexity. The justification focuses on the content of the class that has changed;
2. Increases in work volume, outstanding performance, or admirable behavioral traits of the incumbent, although valued and important, are not relevant in a classification audit;
3. If an employee believes that their class title is no longer properly classified, the employee may request through their Department Director that a classification audit be performed;
4. The Department Director, in consultation with the Human Resources office, determines that the request meets the criteria and therefore has merit. Failure to meet the criteria may mean the Department Director does not support the request and may elect to change the duties back so that the employee is properly working within the current classification;
5. Reclassifications have budgetary impacts. Therefore, requests for classification audits should normally be started and completed before the commencement of the annual budget process. Department Directors are to plan their requests for position reclassifications so the audits can be completed no later than August 1 of each year for consideration in budget requests for the next fiscal year;
6. Reclassifications can be accomplished only upon the completion of a classification audit process, which follows the outline below:

Step 1 - Reclassification Request - Requests for reclassifications are submitted in writing to the Human Resources Assistant through the employee's Department Director and the following information is included:

- A. A copy of the most recently-approved class specification;
- B. A detailed listing of specific additions, deletions, or changes that have been made subsequent to the position's responsibilities;
- C. Any additional background material that the Department Director considers appropriate to document the change in the class regarding its complexity, skills, or accountability; and
- D. If being requested by employee, a completed Position Classification Questionnaire available from the Human Resources Office (PM-16).

Step 2 - Classification Audit Process - Upon receipt of the Department Director's written request, the Human Resources Assistant conducts a classification audit involving the following steps:

- A. Review of classification specification changes and incorporation of changes into a revised classification outlining basic functions, examples of work, required knowledge and skills, basic qualifications, and desirable training and experience;
  - B. The Human Resources Assistant reviews the revised class specification with the employee and the employee's immediate supervisor;
  - C. The Human Resources Assistant reviews the revised class specification and identifies what changes in responsibilities would or would not justify the need to place the position in a higher or lower classification;
  - D. If appropriate, the Human Resources Assistant will value the classification as appropriate;
  - E. The Human Resources Assistant then forwards the information and recommendation to the City Administrator, the affected Department Director, and employee; and
  - F. The City Administrator receives and considers the recommendations and determines the proper action, following consultation and approval by the Mayor.
7. Timeline - Classification audits are accomplished in a timely fashion. The audit and the response explaining the recommended action are delivered to the appropriate parties within a reasonable time, generally within sixty (60) working days of receiving the request.

**2.04 Reclassification Procedure.** Upon approval of a reclassification by the City Council, the position is assigned to the appropriate classification range. In the event a classification is reclassified, then,

1. The incumbent employees in the existing classification, if qualified, will be placed directly into the new classification. If not qualified, the incumbents will be allowed one (1) year to become qualified;
2. If the new classification has a higher pay range, the employee will be paid at the same step in the new range. Reclassified employees will receive a new step date commencing at the date of reclassification; and
3. If the new classification has a lower pay range, the employee will be paid at the nearest step of the new range of their current salary, whichever is higher. In the event the current salary is higher, the salary will be frozen until such time as the new range exceeds the frozen salary, excluding cost of living increases, at which time the rate will conform to the top step of the new range.

Appeal Process - The Human Resources Office will review the appeal and make a recommendation to the Department Director. The Department Director will approve or disapprove the Human Resources office recommendation. The Department Director's decision will be forwarded to the City Administrator for review.

**2.05 Establishment of a New Classification Specification.** Requests for new classification titles, classification specifications, and position descriptions are submitted through the Department Director to the Human Resources Assistant for consideration. Upon the City Administrator/Mayor's approval, the Human Resources Assistant provides a new classification title, new classification specifications, or a new position description. Appropriate bargaining unit review will also be conducted. The City Administrator also directs the assignment of a proper classification range. An employee may be retained in the classification title provided by the assignment of a new class title following the guidelines set forth in Section 2.04 (Reclassification Procedure).

**2.06 Request for a New Classification.** A Department Director, when requesting that a new position or classification be created, will provide the Human Resources Assistant with the following information:

1. A full description of the duties, functions, and responsibilities of the position with an organizational chart showing its relationship to existing positions and classifications;
2. Suggested qualifications and title;
3. A statement explaining the impact and relationship of the new position or classification upon existing positions and classifications; and
4. Other information that would justify the need for the new position or classification.

**2.07 Classification of Temporary Employees.** For a temporary position, the Department Director may request a temporary title for the efficient operation of the department without a proper working classification title. The request is submitted to the Human Resources Assistant and City Administrator and includes appropriate justifications, classification specifications, a position description, a recommended classification range, and a recommended rate of pay. Upon approval by the City Administrator, the Department Director may immediately fill the temporary position.

**2.08 Classification of Emergency Employees.** Under emergency conditions that jeopardize public safety, the use of additional personnel not otherwise budgeted may be required. A Department Director, or the Department Director's designated representative, may employ the services of an emergency employee(s), with the prior approval of the Mayor. An emergency employee is placed in a proper classification range and is provided with benefits as approved by the City Administrator.

## **Chapter 3 HOURS OF WORK**

**3.01 Established Workdays and Workweeks.** The standard workday for employees may range between eight (8) hours and ten (10) hours. The standard workweek is forty (40) hours.

Lunch/Rest Periods - On a regular 8 or 10 hour assignment a lunch period does not exceed one (1) hour and cannot be less than thirty (30) minutes. At least two (2) rest periods not exceeding fifteen (15) minutes are afforded each employee during a standard eight- or ten-hour workday. Flexibility of rest periods is prearranged between the employee and the immediate supervisor.

**3.02 Exceptions to Established Work Hours.** A Department Director may change an employee's work period with at least five (5) workdays' notice, except in an emergency, in order to be consistent with the needs of the City.

**3.03 Attendance.** Employees report for their work assignments at the times and places set by their supervisors. Each department prepares attendance records of all employees. Regular attendance reports are provided by each department to the Human Resources Office on the form approved by the City Administrator.

**3.04 Pay Periods.** All employees shall be paid twice a month, the 15<sup>th</sup> or nearest working day prior to the fifteenth (15<sup>th</sup>) and the last working day of the month.

**3.05 Deductions.** Deductions from employees' pay are ruled by current laws, contracts, and this Personnel Policy. They include the following:

1. Deductions required by law and contracts, which include federal withholding tax, Social Security tax, State retirement systems, recognized employee organization dues, wage garnishments, and health care insurance co-payments; and
2. Deductions can be arranged for the credit union, United Way, deferred compensation, recognized employee organizations, and other deductions as approved by the City Administrator. These types of deductions are arranged only upon receipt of the written authorization from an employee.

**3.06 Overtime Policy.** [This section does not apply to FLSA-exempt employees.] It is the policy of the City to avoid the need for overtime work in order to minimize the financial liability caused by accumulated overtime. Overtime may be necessary for the protection of the lives or property of the residents of Grandview or the efficient operation of City departments. Authorized overtime is to be kept to a minimum.

Prior Approval - An employee needs their immediate supervisor or Department Director's prior approval to work overtime. Overtime work required to meet an emergency situation does not require advance approval.

Reporting - The Department Director or supervisor is responsible for authorizing, approving, and submitting overtime hours on the employee's timesheet for payment of overtime and



compensatory time earned during any work week.

FLSA-Mandated Overtime - The City, according to the Fair Labor Standards Act as amended, pays FLSA non-exempt employees for authorized overtime as follows:

1. Overtime work for all covered employees is defined as any time worked or compensated for in excess of forty (40) hours per week;
2. Overtime is paid at the rate of one and one-half (1½) times the employee's regular hourly rate of pay for all hours worked or compensated for beyond forty (40) hours in a week; and
3. When it is necessary to direct employees to report for emergency overtime work, the minimum payment for each call-out is two (2) hours pay at one and one-half (1½) times the employees' regular hourly rates of pay.

**3.07 Compensatory Time.** Upon approval of the Department Director or the Department Director's appointed representative, an employee may choose to receive compensatory time at one and one-half (1½) hours for each hour worked or compensated for in excess of forty (40) hours per week. The maximum accrual of compensatory time shall not exceed forty (40) hours at any given time. The accumulation and use of compensatory time by an employee is documented on the employee's timesheet.

Leave Recordkeeping - For reasons of public accountability, records of all employees' use of leave are maintained in accordance with state records retention schedules.

**3.08 Exempt Employee Administrative Leave.** Because exempt employees are compensated to do a job and are not compensated based upon specific time worked and because they are expected to be available for evening meetings and work outside of regular work hours, including weekends, exempt employees may have more flexibility in their work schedule. Nevertheless, exempt employees must maintain good work habits, be accountable and available to their staff and City Administrator, show demonstrated accomplishments, and make themselves regularly available during working hours to allow City business to be accomplished. It is the responsibility of exempt staff to notify the City Administrator, in advance, of all absences that exceed two (2) hours. If an exempt employee has an absence of more than four (4) hours during a regularly scheduled work day, all hours during which the employee is absent that day must be deducted from an applicable leave bank (vacation, sick leave, etc.). Exempt employees are required to accurately report all time off that should be charged to the employee's leave bank (vacation, sick leave, etc.). An employee's signature on his/her time sheet constitutes his/her verification that the days reported as worked or paid leave taken away from work was in accordance with the policies of the City and has been recorded accurately. Misrepresentation of time worked or leave taken on time sheets or other time tracking reports is grounds for discipline, up to and including termination.

### **3.09 Paid Holidays.**

Regular Holidays - The following holidays are recognized as municipal holidays for pay purposes. Non-represented regular full-time and trial service employees have these days off with pay:

New Year's Day	January 1st
Martin Luther King Day	Third Monday in January
Presidents' Day	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth Day	June 19 <sup>th</sup> (effective 2022)
Independence Day	July 4 <sup>th</sup>
Labor Day	First Monday in September
Veterans' Day	November 11 <sup>th</sup>
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving Day	
Christmas Eve	December 24 <sup>th</sup> (1/2 day) ONLY if authorized by the Mayor
Christmas Day	December 25 <sup>th</sup>
Floating Holiday	Employee's Choice

When a day recognized as a holiday by the City falls on Sunday, the following Monday is observed as the holiday. When a day recognized as a holiday by the City falls on Saturday, the preceding Friday is observed as the holiday.

Religious Holiday - An employee who wishes to be excused from work in observance of a religious holiday will request approval of the absence from the Department Director. If approved, the time off is charged against vacation leave or compensatory time.

**3.10 Alternative Work Schedules.** One alternative to the standard five (5) days/eight (8) hours per day work week is the four (4) days per week/ten (10) hours per day (4-10) work schedule or prorated for employees on a part-time schedule (e.g., 2-10 schedule for a half time, 20 hour per week employee). The 4-10 work schedule is subject to the following requirements and conditions:

1. Approval by the Department Director, City Administrator and Mayor;
2. All sections of the Personnel Policy Manual apply to the alternative schedule except as noted;
3. The alternative schedule may be proposed by either the supervisor and Department Director or by the affected employee and shall include the proposed hours of work, the duration the alternative schedule is to be in place, days off, and affected classification;
4. During the alternative 4-10 schedule, overtime shall be paid for all work in excess of forty (40) hours per week, except in the exceptions noted. Overtime pay shall be at the rate of one and one-half (1½) times the regular rate of pay. Compensatory time may be offered by the Department Director in lieu of overtime pay.

## **Chapter 4 EMPLOYMENT**

**4.01 Policy Statement.** The City is obligated to its citizens to recruit and hire the most talented and qualified employees. To that end, the City recruits, as widely as practicable, for each position, and informs and encourages its employees to apply for City vacancies, and to develop continually their own skill base to enhance their competence and competitiveness.

**4.02 Citizenship.** All natural or legal citizens of the United States and those who meet eligibility requirements under the immigration laws are provided an equal employment opportunity with the City of Grandview.

**4.03 Application.** All internal and external candidates for employment must file an approved employment application form with the Human Resources office. The form and its contents are established by the City Administrator. Additional information such as a resume, cover letter, supplemental questionnaire, transcripts, copies of applicable licenses/certifications, and/or proof of good driving record may be requested of applicants.

**4.04 Selection Process.** The selection process may consist of recognized testing techniques such as achievement tests, aptitude tests, and performance through personal interviews, examination of work samples, physical ability tests, written tests, and investigations of personal background and references. The selection process is guided by the City's Diversity Policy (Section 1.02).

Selection techniques are fair and impartial and relate to those areas that, in the opinion of those involved in the selection process, fairly show the candidate's qualifications and abilities to execute the duties and responsibilities of the position to which the candidate seeks appointment.

Upon completion of an impartial selection process, based on the results of testing and other relative considerations, the City Administrator makes an appointment from the final candidates. An appointment is usually made upon the recommendation of the Department Director of the department in which the new appointee is assigned. An appointment becomes effective only after all necessary documents have been signed by the proper City officials.

Pre-Employment Testing - Prior to their appointment, the City shall require a conditionally selected candidate for appointment to safety sensitive positions for City service to undergo and pass a pre-employment drug screening examination at City expense. The City may also require a candidate to pass a physical examination and/or psychological examination and/or driver's license check after a conditional offer of employment has been made and prior to the candidate's appointment. Negative information obtained from a background investigation may be cause for rejection of an applicant.

**4.05 Method for Filling Vacancies.** All vacancies in City service filled by transfer, demotion, promotion, or appointment follow the selection process outlined in the Personnel Procedures Manual. A temporary appointment not exceeding six months in duration may be made under the provisions of this Policy if there are no eligible applicants. Departments may also utilize the provisions of a personal services contract of a temporary employment firm to

backfill a position on a short-term basis (usually for periods of a few days up to a few weeks).

**4.06 Classes of Appointments.** Employment in the City is divided into the classes of Regular Full-Time, Regular Part-Time, Temporary, and Emergency, as defined in Chapter 28.

**4.07 Temporary Appointments.** Whenever a City department requires help because of a special project, a temporary increase in work load, or the absence of a regular full-time employee or regular part-time employee on leave with or without pay, or on extended sick or vacation leave, temporary appointments may be made for the duration of such work. The period of this service is not counted as part of the trial service period if the employee is later appointed to another position, unless such time served is acceptable to the Department Director concerned.

**4.08 Temporary Re-Assignments.** During an emergency or period of unusual workloads, the City Administrator or a Department Director may temporarily reassign City personnel within the Department Director's department for a period not to exceed six (6) months. City personnel may be temporarily reassigned from one department to another within the City. Interdepartmental reassignments are administered as follows:

1. Requests for personnel are approved by both the Department Director for the department to which the employee had been assigned before the reassignment and the Department Director to which the employee is reassigned;
2. Interdepartmental charges are not made for employees so assigned;
3. An employee who has been temporarily reassigned receives their normal rate of pay and benefits, unless assigned to a higher classification for a period in excess of one work week, after which they are paid at that classification's range and step, similar to the employee's current step; or, alternately the Department Director may recommend the temporarily reassigned employee receive either a five (5) or ten (10) percent out-of-position pay supplement depending on the duration of the assignment and FLSA status. Should the employee be unavailable to perform the higher level duties for three or more days at a time during the temporary reassignment period due to planned or unplanned leave, the employee shall be compensated at their regular position's classification pay range/step for those days; and
4. Department Directors control and coordinate programs for training City employees to assure the maximum use of employees during periods of temporary reassignment.

**4.09 Employment of Relatives.** The City believes that it is in the best interests of the City and the employees to keep business and professional relationships separate from personal and family relationships. Accordingly, the City usually will not employ close relatives, spouses, or two individuals living together in a relationship that is essentially equivalent to marriage, except under circumstances where (1) neither employee will supervise, appoint, remove or discipline the other; (2) neither party will evaluate the work of the other; and (3) the working relationship will not create a conflict of interest or the appearance of favoritism in the opinion of management. If two employees who work in the same department or supervise each other have or develop a dating, familial, or other close or intimate relationship after employment, they

must notify their supervisor or Department Director within 45 days or before taking any action with respect to each other that could be perceived as a conflict of interest, whichever is sooner, and one of the two may be transferred or, if no suitable position is available, terminated. The decision as to which employee will have his or her employment terminated generally will be left to the employees involved, unless business necessity requires the City to make the decision.

The City also reserves the right not to employ close relatives of officers or other high-level employees of our customers, competitors, or others with whom the City deals, where such a restriction is necessary to avoid the actuality or appearance of conflict of interest, or to protect confidential information.

For purposes of this policy, relative includes: spouse, children (biological, step-, adopted or foster), brothers, sisters, half-brothers and sisters, step- brothers and sisters, parents, step-parents, aunts, uncles, nephews, nieces, first cousins, grandparents, grandchildren, and the spouses of the above as well as mother-in-law, father-in-law, brother-in-law, and sister-in-law, as well as people living in the same household.

**4.10 Continued Employment.** Continued employment with the City of Grandview is subject, where applicable, to the at-will condition, in addition to satisfactory work performance, the need for the work performed, the availability of funds, and the continued provision of services by the City work force.

**4.11 Reappointment.** Any regular full-time employee or regular part-time employee who has resigned from City service in good standing may be considered for reappointment to a vacant position in a comparable or lesser classification without competitive recruitment in City service, providing the employee meets the current minimum qualifications, and the reappointment is within one year of resignation. All such employees will serve the required trial service period. In no way is it mandatory for any appointment authority to reappoint a former employee should the appointment authority desire not to do so.

Waiving the Time Limit - The City Administrator may waive the twelve month time limit for employees who have kept their skills current or who possess extraordinary skills or abilities needed by the City.

An employee so reappointed is considered a new appointee. The employee has no vested interest in and is not entitled to any benefits accrued during any previous employment with the City, except for the following:

1. Retirement System Benefits - The reappointed employee will be eligible for retirement benefits subject to the requirements of the proper retirement system of which the employee was previously an active member;
2. Vacation - An employee rehired within twelve months of separation receives full credit for prior years of service for purposes of determining the rate of vacation accrual;
3. Sick Leave - If the employee is rehired within twenty-four (24) months of his/her previous service with the City, any unused sick leave at the time of termination may be

restored to the employee's leave balance. No prior credit is allowed for individuals re-employed after twenty-four (24) months; and

4. Seniority - No credit for past service is allowed.

**4.12 Transfer.** An employee may be transferred by the appointing authority, at any time, to a position in another comparable classification if he/she meets the minimum qualifications. The transfer must be approved by the City Administrator. For transfer purposes, the definition of "comparable class" is a classification that compensates at the same minimum and maximum rates of pay, performs similar duties, and requires substantially the same minimum qualifications.

A regular full-time employee or a regular part-time employee may be transferred from one department to another department with consent of the employee and approval of the affected Department Directors. The City Administrator may order the transfer for purposes of economy and efficiency.

Return to Former Position - If the performance of an employee so transferred is unsatisfactory in the new position, or if the new position is eliminated and the employee's performance in the original position had been satisfactory, the employee may be transferred back to their original position or a similar position, if the position is open. This return transfer is allowed only within a reasonable amount of time, generally within six (6) months of the effective date of transfer.

The transfer of an employee will not be used to effect a promotion, demotion, advancement, or reduction. Each may be accomplished only as provided in this Personnel Policy.

**4.13 Promotion.** It is the policy of the City of Grandview to encourage the advancement and development of personnel within City service. Promotional selection for vacancies is conducted as the needs of the City require. Regular employees, who meet the requirements of the classification for which a recruitment/examination is to be held, are considered eligible to compete in such a process. An employee selected for promotion shall receive a minimum five percent (5%) pay increase moving to the next highest step in the new salary range.

A promoted employee may voluntarily revert to their former position within their six (6) months trial service period due to the promotion, if said position is vacant. A promoted employee contemplating such action must communicate their interest in this regard to the Department Director as soon as possible in order to coordinate the timing of the necessary administrative actions.

**4.14 Demotion.** The City Administrator, if approved by the Mayor, may demote an employee for any of the following reasons or conditions:

1. The ability to perform the employee's required duties falls below commonly accepted standards;
2. Disciplinary reasons as set forth in Section 15.02 (Causes for Disciplinary Action);
3. An employee's position is eliminated;

4. An employee requests such demotion;
5. A departmental reorganization that affects employee positions;
6. Any other reasonable grounds as approved by the City Administrator and Mayor.

No employee is demoted to a classification for which the employee does not have the minimum qualifications. Written notice is given an employee at least fifteen (15) working days before the effective date of the demotion.

**4.15 Exit Interviews.** An interview is generally conducted with all employees separating from City service for any reason by a representative from the Human Resources office.

## **Chapter 5**

### **TERMINATION OF EMPLOYMENT**

**5.01 At-Will Employment.** Unless specifically provided additional rights in a written contract or pursuant to Civil Service rules or statute, the employment relationship may be terminated at any time by either the City or the employee. Generally, the City will follow its progressive discipline process, as outlined in Chapter 15. However, the City reserves the right to forego that process when, in the discretion of the City Administrator, progressive discipline is not merited. The decision to use progressive discipline in a given case is an attempt to improve the performance or behavior, but does not change the at-will nature of the employment relationship.

**5.02 Resignation Process:** A regular employee must submit a written notice of resignation to the employee's Department Director at least ten (10) working days before the effective date of the resignation. The Department Director and the City Administrator may authorize the resignation of an employee with fewer than ten (10) days notice if there are sufficient reasons to waive the requirements of this section.

Resignation Process for Managers - A Department Director, to be considered as having resigned in good standing, must submit a written notice of resignation to the City Administrator at least thirty (30) calendar days before the effective date of the resignation. The City Administrator may authorize a resignation in good standing upon shorter notice for sufficient cause.

Separation Date - In order to minimize the City's liability, the separation date is the last workday of an employee's employment. EXCEPTION: In the case the employee notifies the City in writing of their intent to resign, elects to work through the end of the given month, and the last day of that work month is a recognized holiday, the employee will be eligible to receive holiday pay for their last official day of employment with the City. No vacation or sick leave is accrued from that date forward. Accumulated leave may not be used to extend the effective date of termination.

**5.03 Lack of Work or Funds:** Employees may be laid off by the Mayor because of a change in duties or organization, elimination of a position, shortage of work funds, contracting out City services, or completion of work for which employment was created.

Layoff Order - The order of layoff of regular employees is based on the recommendation of the Department Director. In preparing a recommended order of layoff, the Department Director should consider the lengths of service and the job performances of the employees involved. Employees within the classifications involved generally will be laid off in the following order: emergency employees, temporary employees, trial service period employees, regular part-time employees, and regular full-time employees.

Notification - In cases involving a regular full-time or regular part-time employee, notice of layoff is given to the employee within a reasonable time, generally at least ten (10) working days before the effective date of termination. Employees so notified may be allowed to use reasonable amounts of work time during that period to seek other employment. These terminations are not subject to appeal.



Reinstatement from Layoff - The names of regular full-time and regular part-time employees are placed on the official layoff reinstatement list for a period of eighteen (18) months. Employees on a layoff reinstatement list are eligible for reinstatement to the same classification if a position comes open. Employees on the layoff list may also be considered for any open position for which they meet the minimum qualifications. Laid-off employees are recalled in the inverse order to the layoff with consideration given to qualifications. Laid off employees who are reinstated to full-time employment with the City within twelve (12) months of the effective day of the layoff, shall be reinstated with an accrual rate for vacation, sick leave, and longevity benefits as if there were no break in service.

**5.04 Retirement.** All regular full-time and regular part-time employees in City service who retire under the provisions of any present or subsequent retirement policy or plan are treated as having been separated from City service in good standing.

**5.05 Requirements.** An employee who becomes unable to meet the physical, licensing or certification requirements of the employee's position may be terminated from City employment. The recommendation of termination will be made by the Department Director to the City Administrator.

## **Chapter 6**

### **TRIAL SERVICE PERIOD**

**6.01 Purpose of Trial Service Period.** The trial service period is a continuation of the testing and orientation process during which the employee has an opportunity to demonstrate his/her ability to perform the requirements of the appointed position at a level that meets City and departmental expectations and standards. The period is a time for management to observe closely the employee's performance in order to achieve an effective match and/or adjustment of a trial service employee to his/her position, or to determine that a trial service employee's performance does not meet the acceptable standards of the position.

**6.02 Length of Trial Service Period.** All original and promotional appointments are conditional and subject to a trial service period from the time of appointment. The trial service period is for a minimum of six (6) consecutive months of actual service. The City Administrator, upon written request from a Department Director, may grant an extension of the trial service period up to a maximum of six (6) additional months. The successful completion of trial service means that the employee has been appraised and found capable of meeting the performance expectations of the position during the trial service period and is therefore eligible to receive a merit step increase within their classification range. Absent successful completion of trial service, the employee shall not be eligible to receive a step increase until such time as the trial service period has been successfully completed. The performance appraisal confirming successful completion of the trial service period must be submitted to effectuate the merit step increase.

**6.03 Trial Service Employee Status.** During the trial service period, a trial service employee may be suspended, demoted, or terminated at any time without cause by the City Administrator, with approval of the Mayor. The employee's Department Director gives a copy of the trial service employee's performance report(s) to the City Administrator. The Department Director gives the City Administrator a written appraisal of the employee's performance as well as any written recommendation for the employee's suspension, demotion, or termination. A copy of the notification of suspension, demotion, or termination is given to the trial service employee. Termination, suspension or demotion of a trial service employee becomes effective only after approved by the City Administrator, following consultation with the Mayor. An employee termination, suspension or demotion is not subject to appeal. An exit interview is conducted with a terminated trial service employee by a representative of the Human Resources office.

Trial Service Due to Promotion - A promoted employee may voluntarily revert to their former position within their six (6) months trial service period due to the promotion, if the position is vacant. A promoted employee contemplating such action must communicate their interest in this regard to the Department Director as soon as possible in order to coordinate the timing of the necessary administrative actions.

**6.04 Employee Performance Appraisals.** The performance of a trial service employee is appraised at the end of three (3) months of service. More frequent appraisals may be conducted if deemed appropriate by the employee's immediate supervisor or the Department Director. A performance appraisal will also be done prior to the employee completing trial service, and at least annually from that date forward.

Process - The original written appraisal of a trial service employee's performance is sent to the Human Resources office and approved by the Human Resources Assistant, City Administrator, and placed in the employee's personnel file. A copy of the employee's performance appraisal is given to the employee.

Annual Performance Appraisal - The performance of each regular full-time employee and regular part-time employee is evaluated at least annually by the employee's immediate supervisor and reviewed by the employee's Department Director. The approved City-wide performance appraisal system shall be utilized by all departments for employee performance evaluations. This evaluation may occur at a more frequent interval if deemed appropriate by the immediate supervisor or the Department Director.

**6.05 Regular Appointment.** The Department Director (or their designee) and immediate supervisor shall be responsible for tracking the timing of the completion of the midpoint trial service appraisal and the final trial service appraisal. If the performance of the trial service employee has been satisfactory, the Department Director submits a written appraisal to the Human Resources office at least two (2) weeks prior to the expiration of the employee's trial service period. The City Administrator shall act on the recommended action changing an employee's status from trial service to regular. Regular employment status means that an employee has been deemed capable of meeting the performance expectations of the position.

## **Chapter 7 SICK LEAVE**

**7.01 Use of Sick Leave.** An employee is authorized to use sick leave for the following reasons:

1. An absence resulting from an employee's mental or physical illness, injury, or health condition; to accommodate the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; or an employee's need for preventative medical care;
2. To provide care for a family member with a mental or physical illness, injury, or health conditions; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; or
3. When an employee's place of business has been closed by order of a public health official for any health-related reason, or when an employee's child's school or place of care has been closed for such a reason.
4. For absences that qualify for leave under the domestic violence leave act, chapter 49.76 RCW.

Definitions for the purpose of this Chapter are:

1. "Family member" means any of the following:

(a) A child, including a biological, adopted, or foster child, stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status;

(b) A biological, adoptive, de facto or foster parent, step-parent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child;

(c) A spouse;

(d) A registered domestic partner;

(e) A grandparent;

(f) A grandchild; or

(g) A sibling.

2. "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves (a) inpatient care in a hospital, hospice, or residential medical care facility; or (b) continuing treatment by a health care provider;

3. "Sick leave" means time allowed to an employee for one of the uses outlined in this Section 7.01. Other paid time off (i.e., vacation, compensatory time, and personal holidays) can be substituted for sick leave if the employee chooses; and

Chapter 11 – Family and Medical Leave Policy describes other conditions under which leave may be requested for the employee's own health condition or to care for a family member.

Request – An employee requesting sick leave must inform their immediate supervisor or Department Director no later than fifteen (15) minutes after (sooner if possible) the employee is scheduled to begin work if the leave is unplanned, and if possible, ten (10) days in advance if the leave is scheduled. Advance notice is essential in cases where replacement employees or rescheduling is necessary as a result of planned absences. The employee's immediate supervisor approves the sick leave on the timesheet and other applicable leave-requesting form that may be used in the department/City. Accrued sick leave must be used in increments of at least 15 minutes.

Activities Incompatible with Sick Leave – Any employee who is absent after requesting sick leave or who is on leave as provided by this Chapter or Chapter 10 (Other Leaves of Absence) may not engage in work or other activities that are in conflict with the reasons given by the employee for being on sick leave. While on sick leave, an employee must not engage in any activity that would hamper their ability to return to work.

Abuse of Sick Leave – The abuse of sick leave privileges may result in disciplinary action against an employee.

Verification – If the employee is absent three (3) or more days, the employee's immediate supervisor, Department Director, or the City Administrator may require verification that an employee's use of paid sick leave is for an authorized purpose. The employee must provide verification within a reasonable time period during or after the leave. A verification must be appropriate to the circumstances. However, an employee need not incur unreasonable burden or expense in order to comply with a verification request. A reasonable time period for an employee to verify that their use of paid sick leave is for an authorized purpose will generally be no longer than 14 days from the verification request.

**7.02 Eligibility.** Regular full-time, regular part-time, trial service employees, temporary/seasonal employees and emergency employees are eligible to accrue and use sick leave.

**7.03 Accrual and Carry Over.** Regular full-time employees accrue sick leave at the rate of eight (8) hours for each full calendar month of service beginning with the date of employment. Regular part-time employees accrue sick leave in proportion to the number of hours worked per week. Temporary/seasonal employees and emergency employees shall accrue one hour of paid sick leave for every forty hours worked by the employee.

Sick leave accruals during months when an employee works less than the standard workweek are prorated based on the number of hours actually worked. Sick leave may be used after the first month of employment and is based on an employee's current balance of accumulated sick leave hours. New full-time employees or currently serving full-time employees who have served as volunteer firefighters or reserve police officers for the City of Grandview shall be granted one day sick leave for each year of past service as a volunteer firefighter or reserve police officer, prior to full-time employment with the City.

An employee may carry over from calendar year to calendar year no more than 225 work days of accumulated sick leave.

**7.04 Accumulation and Sick Leave Benefit upon Death or Retirement.** Regular full-time employees hired prior to January 1, 2007 shall receive fifty percent (50%) of their accrued sick leave, employees hired after January 1, 2007 shall receive twenty-five percent (25%) of their accrued sick leave, paid out in hours upon death or retirement from the City of Grandview provided they have a minimum of 360 hours in said bank (retirement as defined by DRS or ICMA-RC).

**7.05 Re-hiring of an Employee within Twelve Months.** When there is a separation of employment and the employee is rehired by the City within twelve months of separation, previously accrued unused paid sick leave will be reinstated and the previous period of employment will be counted for purposes of determining the employee's eligibility to use paid sick leave.

**7.06 Sick Leave Usage.** Sick leave may be used as approved by the employee's immediate supervisor, Department Director, or the City Administrator. Pay for approved sick leave is authorized until an employee's accumulated total of sick leave hours has been exhausted.

**7.07 Workers' Compensation and Disability Payments.** All regular full-time employees will be covered by State Worker's Compensation or some program with equal or better benefits. Any employee who is eligible for time off because of an on-the-job injury shall be paid sick leave. Any State Industrial benefit received by the employee shall be endorsed to the City. Upon receipt of this compensation by the City, the employee shall be credited with sick leave on a pro-rata basis of the State Industrial benefit to the original amount of sick leave taken. Sick leave benefits shall be limited to that amount which the employee has accumulated.

**7.08 Medical and Disability Insurance.** The regular full-time non-union employees of the City and their dependents shall be covered by medical, dental, vision, and orthodontia insurance. Employees shall be covered for group life insurance in the amount of \$25,000.00 per employee through an insurance coverage of a standard insurer, approved by the State of Washington and selected by the City Council with the advice and consent of the City employees. The City shall also provide dependent life insurance coverage for the non-union employee's spouse in the amount of \$2,000 and children in the amount of \$200 (birth to 180 days) or \$2,000 (180 days to age 23). The cost of said coverage shall be at the expense of the City beginning January 1, 2019. A non-union employee may through payroll deduction purchase additional group life insurance, including spouse and children, at the employee's expense. The City shall pay one hundred percent (100%) of any increase in premium cost of the above plans as necessary to maintain benefits at contract finalization levels without additional cost to the

employee.

All regular part-time employees who otherwise qualify for coverage shall be covered for employee-only medical after the completion of their six (6) month probationary period. Regular part-time employees satisfying the eighty (80) compensable hours eligibility threshold for Washington Teamsters Welfare Trust in the previous month shall be eligible for medical insurance coverage contributions only.

**7.09 Compliance with Regulations.** The policies and procedures set forth in this chapter shall be interpreted and applied in a manner consistent with chapter 296-128 of the Washington Administrative Code.

## **Chapter 8 VACATION LEAVE**

**8.01 Eligibility.** Regular full-time employees and regular part-time employees are eligible to use accumulated vacation leave from the initial date of hire. Use of these accrued and accumulated vacation hours are subject to approval by the employee's immediate supervisor. An employee's vacation may not exceed the amount of vacation time the employee has actually accrued and accumulated.

Temporary and emergency employees are not eligible to earn vacation leave with pay.

**8.02 Vacation Accrual.** Vacation leave is accrued starting on the employee's first day of employment, with the following amounts being accrued each year:

1. One year to five years of service:

Employees working four ten-hour shifts per week	8 work days
Employees working five days per week	10 work days
  
2. Six years to ten years of service:

Employees working four ten-hour shifts per week	12 work days
Employees working five days per week	15 work days
  
3. Eleven years to twenty years of service:

Employees working four ten-hour shifts per week	16 work days
Employees working five days per week	20 work days
  
4. Twenty-one years of service and over:

Each employee shall receive one (1) additional day of vacation for each year served in excess of twenty (20) years.

New full-time employees or currently serving full-time employees who have served as volunteer firefighters or reserve police officers for the City of Grandview shall be given one month's vacation service credit for each full year of past service as a volunteer firefighter or reserve police officer, prior to full-time employment with the City.

Vacation leave for a regular part-time employee is accrued from their employment date at a prorated amount.

### **8.03 Use of Vacation.**

Scheduling – Accrued vacation must be used in increments of at least 15 minutes. The dates and length of time an employee uses accumulated vacation leave requires prior approval by the employee's immediate supervisor. Employees are expected to plan as far in advance as is practical their request for and use of vacation time and communicate those requests to their supervisor. The supervisor takes into account the wishes of the employee as well as the needs of the City.



Maximum Hours - Vacation leave may be used as accumulated. Vacation leave is however, not available for use until earned and posted to the employee's accrued vacation leave following the end of the current pay period. As of December 31<sup>st</sup> of each year, no employee will be permitted to have an accumulated amount of accrued vacation leave in excess of two hundred forty (240) hours. Any accrued vacation leave in excess of 240 hours will be forfeited on an annual basis. Employees are expected to responsibly manage their vacation leave balance to avoid shortfalls and excesses.

**8.04 Vacation Payoff at Termination.** A terminating employee is paid for accrued and accumulated vacation leave at the rate of pay in effect at the time of separation.

When termination is caused by an employee's death, payment for accumulated vacation leave is paid to the beneficiary designated by the employee. The designation must be in writing, signed by the employee, and filed with the Human Resources office. If an employee has not designated a beneficiary, the payment will be made to the employee's estate.

**8.05 Effect of Extended Military or Other Leave of Absence.** An employee who is granted a military or other leave of absence exceeding one hundred and eighty (180) calendar days may request payment for accumulated vacation leave that remains on their record. An employee may also request payment for any accrued vacation as of the date the employee's military leave commences.

**8.06 Vacation Cash-Out and Required Vacation.** A full-time employee may, no more than twice each calendar year, request and receive payment in exchange for accrued vacation leave. The maximum number of vacation hours that may be exchanged is eighty (80) hours. An employee who requests a cash payment for up to eighty (80) hours of vacation leave does not need to provide justification. However, the employee is required to take the equivalent of at least one (1) week of actual vacation leave or compensatory leave each calendar year. In addition, the utilization of this benefit may not draw down the employee's vacation below forty (40) hours. Employees requesting a vacation cash-out must complete an Employee Leave Request Form and be approved by the employee's Department Director.

## **Chapter 9 LONGEVITY PAY**

**9.01 Additional Compensation.** In addition to the monthly salaries to be paid to the regular full-time employees of the City there shall accrue, and be paid at the time and in the manner herein after set forth, longevity pay as follows:

5 years	1.5% of base pay
10 years	2.5% of base pay
15 years	3.5% of base pay
20 years	4.5% of base pay

Employees hired prior to January 1, 2010 that have not yet met the 10-year mark for longevity shall be grandfathered in at the old longevity rate of 1% for their 3-4 years of service and 1.5% for their 5-9 years of service. Once the employee reaches the 10-year mark, they shall follow the above chart for longevity pay.

**9.02 Initial Accrual.** The amounts set forth shall accrue from the first day of the calendar month following the month in which the periods above set forth have been completed.

**9.03 When Payable.** The accrued amount payable to any employee, shall be paid monthly based on yearly gross salary, for each employee.

## **Chapter 10 OTHER LEAVES OF ABSENCE**

Note: All leave provided in this chapter, if taken for purposes covered by the Family and Medical Leave Act, run concurrently with FMLA and apply toward an employee's 12 week entitlement, unless otherwise indicated.]

**10.01 Authorized Leave of Absence without Pay.** A leave of absence is not a right, but a privilege. Leaves of absence, other than those that qualify as family or medical leave (see Chapter 11), may be granted without pay in cases of emergency and when a leave of absence would not be contrary to the best interests of the City. A leave of absence is granted only upon written request by an employee who presents the reason for the leave. Approval will be made in writing according to the following provisions:

1. A request for a leave of absence without pay for one (1) week or less may be granted by the Department Director, depending on the merit of the individual case;
2. A request for a leave of absence without pay in excess of one (1) week may be granted by a Department Director with the approval of the City Administrator, depending on the merit of the individual case; and
3. A leave of absence, without pay, longer than one week, requires that accrued vacation leave be used first. A leave of absence may not exceed twelve (12) consecutive months. Failure to return at the end of the agreed-upon length of leave may be considered abandonment of one's position and grounds for termination.

**10.02 Bereavement Leave.** Bereavement leave may be granted up to forty (40) work hours per occurrence for immediate family members of the employee or the employee's spouse (for purposes of such leave, immediate family of the employee or spouse of the employee includes: Parent, child, spouse, brother, sister, son-in-law, daughter-in-law, grandparent, grandchild, and equivalent step relatives); up to 24 work hours per occurrence for other extended family members (i.e., aunts, uncles, nieces, nephews or cousins) where overnight travel out of town is required; up to 4 hours per occurrence for close friends and acquaintances that may have resided within the normal commute area of the employee's residence. Employees may make written request to their respective Department Directors asking for exceptions to these guidelines and describing the justification for a deviation from the bereavement time off.

### **10.03 Military Leave of Absence.**

Military Training Leave – Pursuant to RCW 38.40.060, employees who are members of the National Guard or federal reserve military units are entitled to paid leave for a period of up to twenty-one (21) workdays per year beginning October 1<sup>st</sup> and ending the following September 30<sup>th</sup>, or any greater period required by law, for performing ordered active duty training. If the active duty exceeds twenty-one (21) workdays, the employee may take accrued compensatory time, available vacation, or leave without pay.

Leave for Active Duty Military Services – Employees who are called to or volunteer for active duty military service in excess of twenty-one (21) workdays will be placed on an indefinite unpaid leave of absence during the time the employee is in an active duty status with any branch of the United States Armed Forces or state militia. The employee may choose to use accrued vacation leave prior to moving to an unpaid status. Any unused leave accruals remaining when the unpaid leave begins will be held until the employee returns to active employment with the City. During the unpaid leave, the employee will neither earn additional vacation or sick leave nor be entitled to health insurance benefits except as may be provided for under COBRA or other applicable law. Reinstatement following active duty will be in compliance with state and federal laws at the time of the return to work.

Employees shall notify their supervisor as soon as they receive notice of the need to report for military training or active duty, and provide the supervisor with a copy of the military orders.

Military Spousal Leave – Pursuant to RCW 49.77.030, during times of military conflict declared by the President or Congress, an employee, working 20 hours per week or more, whose spouse is a member of the United State Armed Forces, National Guard or Reserves who had been notified of an impending call or order to active duty, or who has been deployed, or when the military spouse is on leave from deployment, is eligible for a total of fifteen (15) days of unpaid leave per deployment.

The employee must give notice of intention to take leave within five (5) days of the soldier/spouse receiving official notice of the order to active duty, or official notice of receiving leave from active duty.

This leave is unpaid leave. However, employees may substitute accrued vacation, compensatory time or sick leave for any part of their spousal military leave.

During leave under this policy, the City will continue to pay the employer's portion of health insurance premiums, provided that the employee continues to pay their share of insurance premiums, if any. Failure of the employee to pay his/her portion of the premium may result in cancellation of health insurance. If an employee fails to return to work at the end of the leave, the employee may in some cases be responsible to pay back the City for the employer portion of the health insurance premiums.

Upon return from military spousal leave, an employee shall be entitled to return to the employee's former position or a position with equivalent pay, benefits and conditions of employment, unless unusual circumstances have arisen (i.e., the employee's position or shift was eliminated for reasons unrelated to the leave). If the employee chooses not to return to work for any reason, the employee should notify the City as soon as possible. Failure to return as agreed from an approved leave may be treated as a voluntary resignation of employment.

**10.04 Maternity Leave of Absence.** Maternity leave is leave granted an employee for the period of disability related to pregnancy and childbirth. The time taken as maternity leave is considered an off-the-job disability until the employee's physician releases her for work. Maternity leave is provided in addition to the leave that may be available to the employee outlined in Chapter 11 - Family and Medical Leave.

Paid Leave - Maternity leave may be charged to the employee's accrued sick leave, vacation, and compensatory leave. The City will continue its contribution towards the employee's health care insurance as long as the employee remains in paid status. Should the employee go on a leave of absence without pay, the employee would be responsible for both the City and employee's portion of the health care premiums, except if the employee is on Family and Medical Leave.

Breastfeeding break policy – For one year after the birth of a child, employees who are nursing are entitled to breaks of reasonable duration each time the employee has a need to express milk. If the employee expresses milk during a standard 15-minute rest break, she will be paid for the time. If the employee is taking an additional break for the purpose of expressing milk, the time will be unpaid. The City will provide a location, free from intrusion from coworkers or members of the public, which may be used for this purpose. Employees will not be retaliated against for exercising their rights under this policy.

### **10.05 Subpoena.**

Related to Employment - An employee who is subpoenaed to appear in court as a witness in a matter arising from their job-related duties with the City is granted leave with pay when the employee is appearing during their workday. If the employee appears when off-duty, the employee receives overtime pay or compensatory time. Compensation received by the employee for witness or subpoena fees, and for mileage when traveling in a City-owned vehicle must be remitted to the City. Compensation for mileage, when traveling in a private vehicle, is retained by the employee.

Not Related to Employment - If an employee is subpoenaed to appear in court during their workday as a witness in a matter not arising from their job-related duties with the City, they must provide a copy of the subpoena to their immediate supervisor and may use accrued leave if they wish to be paid for the time away from work. In such a case, compensation for witness or subpoena fees, mileage, and subsistence is retained by the employee.

**10.06 Jury Duty.** A regular employee required to report for jury duty during the employee's workday is granted leave with pay. The employee receives full pay from the City for the time served on the jury up to a maximum of two (2) weeks and/or until released, whichever is less, provided the employee remits to the City all fees for jury duty as soon as the duty fees are received. Exempt employees will be paid their regular salary for two weeks of jury duty plus any partial weeks in which they perform any work for the City. Compensation for mileage when the employee uses his/her own vehicle will not be considered as fees and may be retained by the employee. If an employee exceeds the two-week period of paid jury duty leave, he/she may use accrued paid leave during any additional jury leave. If a regular employee is serving jury duty when he/she is off duty, using vacation or personal leave, or has exceeded the two-week period of paid leave, the employee may retain all fees, mileage, and subsistence allowances.

Notice - Before a regular employee can be granted leave with pay for jury duty, the employee must give their immediate supervisor a copy of the summons to serve on a jury. In addition, the employee must present documentation from the court clerk showing evidence of jury duty pay and time served.

**10.07 Administrative Leave.** On a case-by-case basis, the City may place an employee on administrative leave with or without pay for an indefinite period of time. Administrative leave may be used in the best interest of the City (as determined by the City Administrator) during a pending investigation or other administrative proceeding.

The length of such leave is solely at the discretion of the City, provided, however, that the length of the leave shall not exceed the length of the situation for which the leave is approved.

Leave may also be approved for employees in positions exempt from the Fair Labor Standards Act to compensate for unusual, non-customary work demands.

**10.08 Leave Without Pay (LWOP) and Absence Without Leave (AWOL).**

1. Leave without pay (LWOP) is a short-term, temporary non-pay status and absence from duty which may be granted by the supervisor at the employee's request. Even though the employee will not be paid during their LWOP absence, it should not be assumed that LWOP will be approved in all cases. Just like other types of leave, LWOP must be requested in advance, whenever possible, so that adequate arrangements can be made for completion of the employee's work while they are out on LWOP. When making a decision on a request for leave without pay that is not required by law, the supervisor in consultation with the Department Director must consider the impact the leave will have on the work unit and the City. LWOP will not be granted when an employee has vacation, compensatory time or sick leave (when applicable) accruals available for use.
2. LWOP and AWOL are treated much the same way since no pay is received in either case. There is however a significant difference. LWOP is an approved absence, i.e., a non-pay status which the employee has requested and has been approved by the supervisor. Being charged with AWOL (absent without leave) means that the employee's absence is not authorized even though they may have requested leave. AWOL is considered a serious conduct matter and can result in disciplinary action, up to and including termination of employment.
3. Minimum and Maximum Amounts of LWOP - Like vacation and sick leave, the minimum increment for LWOP is 15 minutes. LWOP is not ordinarily approved for longer than a few days at a time, except where it is required by law or is in the best interest of the City.
4. LWOP of up to twenty-four (24) consecutive hours may be approved by the supervisor. For periods of LWOP exceeding twenty-four (24) hours, the Department Director shall be the approving official.
5. It is important to note that LWOP and AWOL will affect certain employee benefits.
  - A. Leave Accrual - When an employee is in a non-pay status for any part of the pay period, the prorated amount of vacation or sick leave for the pay period shall be accrued for those hours only that the employee was in a paid status;

- B. Insurances - Except when the LWOP period is associated with an FMLA-eligible period, the City portion of health care and life insurance benefit premiums shall only be paid for those hours that the employee was in a paid status during the pay period. All remaining portions of the premiums shall be the employee's responsibility, and must be paid to the City within forty-five (45) days of the end of the pay period in which LWOP or AWOL hours were accumulated; and
- C. Holidays - Employees must be in paid status on both the workday before and the workday after a legal holiday to be eligible to receive holiday pay. Employees who are on an extended period of leave without pay may not return to duty solely in order to be paid for a holiday.

**10.09 Domestic Violence Leave.** The City is committed to working with employees who are victims of domestic violence, sexual assault or stalking, to prevent abuse and harassment from occurring in the workplace. RCW 49.76 allows victims of domestic violence, sexual assault, or stalking to take reasonable leave including leave on intermittent or reduced schedule basis or intermittent leave from work to engage in remedial activities related to the abuse including: participating in legal proceedings; seeking medical treatment or mental health counseling; obtaining social services; or taking other actions to increase the safety of the employee and his/her family members. Family members may also take reasonable or intermittent leave to help a victim obtain needed treatment or services. Per RCW 49.76.020(5), a family member is defined as an individual whose relationship to the employee can be classified as a child, spouse, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship.

An employee must give notice that they will be taking this leave in advance, when possible. When advance notice cannot be given because of an emergency or unforeseen circumstances due to domestic violence, sexual assault, or stalking, the employee or his or her designee must give notice to the employer no later than the end of the first day that the employee takes such leave.

Verification for leave will be required by the City. An employee may provide one or more of the following: a police report indicating the employee or employee's family member was a victim; a court order providing protection to the victim; documentation from a healthcare provider, advocate, clergy, or attorney; an employee's written statement that the employee's family member is a victim and needs assistance. Family relationship may be determined by birth certificate, court document, other similar record, or an employee's written statement.

An employee who utilizes leave under this policy may elect to use sick leave, accrued vacation leave or unpaid leave.

During leave under this policy, the City will continue to pay the employer's portion of health insurance premiums, provided that the employee continues to pay their share of insurance premiums, if any. Failure of the employee to pay his/her portion of the premium may result in cancellation of health insurance. If an employee fails to return to work at the end of the leave, the employee may in some cases be responsible to pay back to the City for the employer portion of the health insurance premiums. Leaves such as vacation and sick leave will continue to accrue during paid leave, but not during unpaid leave.

Upon return from domestic violence leave, an employee shall be entitled to return to the employee's former position or a position with equivalent pay, benefits and conditions of employment, unless unusual circumstances have arisen (i.e., the employee's position or shift was eliminated for reasons unrelated to the leave). If the employee chooses not to return to work for any reason, the employee should notify the City as soon as possible. Failure to return as agreed from an approved leave may be treated as a voluntary resignation of employment.

**10.10 Unpaid Leave for Reasons of Faith or Conscience.** All City of Grandview employees are entitled to take two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization. The employee may select the days on which he or she desires to take the two unpaid holidays after consultation with his or her Department Head. If an employee prefers to take the two unpaid holidays on specific days, then the employee will be allowed to take the unpaid holidays on the days he or she has selected unless the absence would unduly disrupt operations, impose an undue hardship, or the employee is necessary to maintain public safety. The term "undue hardship" has the meaning contained in the rule established by the Office of Financial Management.

If possible, an employee should submit a written request for an unpaid holiday provided for by this section to the employee's Department Head a minimum of seven (7) days prior to the requested day. The written request should include the following information: 1) the employee's name; 2) day or days off requested; and 3) description of the reason for the unpaid holiday sufficient for the City to determine if the request is appropriate under the law.

Approval of the unpaid holiday shall not be deemed approved unless it has been authorized in writing by the employee's Department Head. The employee's Department Head shall evaluate requests by considering the desires of the employee, scheduled work, anticipated peak workloads, response to unexpected emergencies, the availability, if any, of a qualified substitute, and consideration of the meaning of "undue hardship" developed by the Office of Financial Management.

The City may deny a request based on the following criteria: 1) the request was not submitted seven (7) days in advance and/or without a valid description; 2) the reason for the unpaid leave is not appropriate under the law; 3) the employee has already exhausted his/her allotment of unpaid holidays under the law; 4) the employee is in a public safety position and granting the unpaid leave would result in shifts falling below the necessary staffing levels; and 5) granting the request would cause an undue hardship as defined by the Office of Financial Management.

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



## **Chapter 11**

### **FAMILY AND MEDICAL LEAVE POLICY**

**11.01 Policy Statement.** In accordance with the federal Family and Medical Leave Act and the Washington State Family Leave Act (jointly referred to here as FMLA), the City grants job-protected, unpaid family and medical leave to eligible employees for up to twelve (12) weeks per twelve-month period for any of the following reasons:

1. The birth of and care for a newborn child, or the placement of a child with an employee in the case of adoption or foster care. Leave for these reasons will expire at the end of the 12 month period beginning on the date of such birth or placement;
2. In order to care for an immediate family member (spouse, child, or parent) if that family member has a serious health condition; and
3. An employee's own serious health condition that makes the employee unable to perform the essential function(s) of their position.

#### **11.02 Definitions.**

Twelve-Month Period - A rolling twelve-month period measured backward from the date family and medical leave is taken. The period continues with each additional family and medical leave day taken.

Spouse - Either member of a legally-married pair. If both spouses work for the City, they are entitled to a combined total of 12 weeks of leave if the leave is taken for the birth of a child, the placement of a child for adoption or foster care, or to care for a sick parent. If each spouse uses a portion of the 12 weeks of leave for the purposes specified above, each would be entitled to the difference between the amount they had taken and 12 weeks of FMLA leave for a different purpose. Example, if each spouse took 6 weeks of leave as a result of the birth of a child, each could use an additional 6 weeks due to his or her own serious health condition.

Child - A person younger than eighteen (18) years of age, or a person older than eighteen (18) years of age and incapable of self-care due to a mental or physical disability. An employee's "child" is one for whom the employee has actual day-to-day responsibility. A "child" includes a biological, adopted, foster, or step-child.

Serious Health Condition - A serious health condition is an illness, injury, impairment, or a physical or mental condition involving inpatient care or continuing treatment by a health provider. Continuing treatment involves:

1. A period of incapacity of more than three (3) consecutive calendar days (not working days) and subsequent treatment including either two visits to a health care provider or one visit followed by continuing treatment under the health care provider's supervision;
2. A period of incapacity due to pregnancy or for prenatal care;
3. Treatment for chronic serious health conditions such as asthma and diabetes which (1)

requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider; (2) continues over an extended period of time (including recurring episodes of a single underlying condition); and (3) may cause episodic rather than a continuing period of incapacity; and

4. Treatments for serious conditions such as cancer that may not be incapacitating but without treatments would result in a period of incapacity of more than three (3) consecutive days.

Health Care Provider - Any health care provider that is recognized by the City or accepted by the City's group health plan. This may include physicians, dentists, clinical psychologists, optometrists, and chiropractors, nurse practitioners, nurse midwives and clinical social workers.

**11.03 Eligibility for Leave.** To be eligible for family and medical leave, an employee must have been employed by the City for at least twelve (12) months. Employees must have worked 1,250 hours during the 12 months prior to the commencement of leave. Vacation, personal leave, sick leave or unpaid leave is not included in the 1,250 hour calculation.

**11.04 Intermittent or Reduced Leave.** An employee may take FMLA leave on an intermittent basis (a few days or few hours at a time) or on a reduced leave schedule as a result of the birth of a child and for the placement of a child for adoption or foster care if the City and the employee agree to such a schedule.

Leave for a serious health condition may also be taken intermittently or on a reduced leave schedule when medically necessary. The City may request certification from the health care provider of the employee or family member of the medical necessity of the intermittent leave schedule and its expected duration. Employees are required to schedule intermittent leave that is foreseeable so as not to unduly disrupt the City's operations. The City may assign employees on intermittent FMLA leave temporarily to alternative positions with equivalent pay and benefits that better accommodate such recurring periods of intermittent leave.

For regular part-time employees and employees who work variable hours, the FMLA entitlement will be calculated on a prorated basis. A weekly average of the employee's hours worked over the twelve-week period before the beginning of the family and medical leave will be used for calculating the employee's normal workweek.

**11.05 Substitution of Paid Leave.** An employee on FMLA leave must use any accumulated vacation and sick leave they have available. After an employee on FMLA leave has exhausted their accumulated vacation and sick leave, the remainder of the leave will be unpaid.

An employee who incurs a work-related illness or injury may be eligible to receive worker's compensation benefits. Any time off due to the work-related illness or injury will count toward the employee's FMLA leave entitlement.

The FMLA Act does not allow for the substitution of compensatory time for unpaid FMLA leave.

**11.06 Designating Leave as FMLA Leave.** The City has the authority to designate before leave starts, whether any paid leave to be taken counts towards an employee's FMLA leave entitlement, and will notify the employee immediately upon learning that it qualifies as FMLA leave. The initial notification to the employee may be oral, but will be confirmed in writing by the next regular payday. The City's designation is based upon information obtained from the employee or the employee's spokesperson (e.g., spouse, parent, physician, etc. if the employee is incapacitated). The employee must provide enough information to enable the City to make a determination, if not; the City may make a tentative designation until further inquiry is made to obtain the additional information.

**11.07 Employee Notice Requirements.** An employee must provide the City with at least thirty (30) days advance notice before FMLA leave is to begin if the leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition. Failure to provide the notice with no reasonable excuse will give the City the right to delay the taking of leave until at least thirty (30) days after the date the employee provides notice to the City of the need for FMLA leave. If thirty (30) days notice cannot be provided, notice must be given as soon as practicable. Verbal or written notification to the City should be provided within one or two business days of when the need for leave becomes known to the employee. When planning medical treatment, the employee must consult with his/her supervisor and make a reasonable effort to schedule the leave so as not to unduly disrupt the City's operations, subject to the approval of the health care provider.

Medical Certification - If the employee's leave is to care for the employee's seriously ill spouse, child, or parent, or due to the employee's own serious health condition, the request must be supported by a certification issued by the health care provider of the employee or the employee's ill family member. When the leave is foreseeable and at least 30 days notice has been provided, the medical certification should be provided before the leave begins. The City will allow 15 calendar days for the employee to comply with a request for medical certification. Medical certification forms will be made available by the Human Resources office.

Second Opinion - The City may require a second medical opinion (at the City's expense). Pending receipt of the second opinion, the employee is provisionally granted leave. The City may also request periodic reports on the employee's status and intent to return to work, and a fitness-for-duty report from the employee's attending physician advising that the employee can return to work.

If the opinions of the employee's and the City's designated health care providers differ, the City may require a third opinion (at the City's expense). The third health care provider will be designated or approved jointly by both the employee and the City. The third opinion is final and binding. The City will reimburse an employee or family member for any reasonable travel expenses incurred to obtain the second and third opinions.

Confidentiality - All documentation related to the employee's or family member's medical condition is held in strict confidence and maintained in the employee's confidential medical file in the Human Resources office.

**11.08 Payment of Group Health Premiums.** The City will maintain (including the continuation of paying the City's share of the premiums) the group health insurance coverage for an employee's FMLA leave period whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. Any portion of group health plan premiums which the employee has paid before starting an FMLA leave must continue to be paid by the employee during the leave. Any changes to premium rates and levels of coverage or other conditions of the plan that apply to other active employees also apply to eligible employees on FMLA leave. The City will give advance written notice to employees of the terms for payment of premiums during FMLA leave. If FMLA leave is unpaid, the City requires that payment of the employee's portion of the payment of health benefit premiums will be made by the employee to the City. Payment is required at the same time as if it would be made by payroll deduction.

The City's obligation to maintain group health benefits ends after an employee's premium payment is more than 30 days late. The City will provide 15 days notice that coverage will cease if the employee's premium is more than 30 days late. If coverage should lapse while the employee is on FMLA leave, they will be restored to equivalent coverage upon return to work and will not be required to meet any qualification requirements imposed by the health care plan such as preexisting waiting periods or passing a medical exam to obtain coverage.

Failure to Return to Work - The City may recover its share of health plan premiums during a period of unpaid FMLA leave from an employee if the employee fails to return to work at the end of leave. The only exception is where the employee does not return due to the continuation, recurrence, or onset of a serious health condition of the employee or the employee's family member or other circumstances beyond the employee's control.

**11.09 Rights Upon Return to Work.** When an employee returns from an FMLA leave, they will be restored to the same or an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. The Family Medical Leave Act does not require the City to place a returning employee in the same position. If a position in which an employee is placed is equivalent, the employee has no right to be restored to the original job.

The employee's restoration rights are the same as they would have been if the employee had not been on FMLA leave. For example, if the employee's position would have been eliminated, or if the employee would have been terminated, regardless of the employee having taken leave, the employee does not have the right to be reinstated upon return from FMLA leave.

Seniority - An employee is not entitled to seniority or benefit accruals during periods of unpaid family and medical leave. However, an employee does not lose seniority or benefits accrued prior to family and medical leave.

Early Return -If an employee requests to return to work earlier than originally scheduled, he/she should give the City reasonable advance notice, generally at least two working days. The City may require that before returning, the employee present a certification from his/her health care provider that the employee is able to resume work.

Request for Extension - In certain circumstances, an FMLA leave of absence may be extended beyond 12 weeks, upon request, when accompanied by an explanation of the need for an

extension period from your health care provider. The employee should give reasonable notice to the City of the need for an extension, and provide updated medical certification, prior to the expiration of the originally scheduled leave period.

An employee who does not (or is unable to) return to work after exhausting available FMLA leave is no longer protected by FMLA. Group insurance coverage may terminate at the end of the month in which the extended leave begins. If the employee desires to continue group coverage he/she must make arrangements to prepay individual and dependents' premiums each month. These arrangements should be taken care of before beginning the extended leave of absence, but in no case later than 30 days after the end of the month in which the extended leave began.

The City cannot guarantee that an employee will be able to return to the same or equivalent job after his/her return from an extended leave of absence. Failure to return from an extended leave on or before the agreed-upon date may result in termination.

**11.10 Military Caregiver Leave.** An employee who is a spouse, son, daughter, parent, or next of kin of a covered servicemember with a serious injury or illness may take up to 26 workweeks of unpaid leave during a single 12 month period to care for the servicemember. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. A covered servicemember is also a veteran who was a member of the Armed Forces at any time during the period of 5 years preceding the date on which the he or she undergoes medical treatment, recuperation or therapy for a serious injury or illness. A serious injury or illness is one that was incurred by a servicemember in the line of duty on active duty, or that existed before the beginning of the service member's active duty and was aggravated by service in the line of duty on active duty, that may render the servicemember unfit to perform the duties of his or her office, grade, rank or rating. For a veteran, a serious injury is a qualifying injury or illness (as defined by regulation) that was incurred in the line of duty on active duty (or that existed before the beginning of active duty and was aggravated by service in the line of duty on active duty) and that manifested itself before or after the servicemember became a veteran. The "single 12 month period" for leave to care for a covered servicemember with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12 month period established by the employer for other types of FMLA leave. An eligible employee is limited to a combined total of 26 workweeks for any FMLA-qualifying reason during the "single 12-month period." (Only 12 of the 26 weeks total may be for a FMLA-qualifying reason other than to care for a covered servicemember.) Medical Caregiver Leave may be taken intermittently whenever necessary to care for a covered servicemember with a serious injury or illness.

**11.11 Qualifying Exigency Leave.** An employee may take up to a total of 12 workweeks of unpaid leave during the normal 12-month period established by the employer for FMLA leave for "qualifying exigencies" arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty status, or has been notified of an impending call or order to active duty status in support of a contingency operation. For purposes of this leave, covered active duty for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country. Covered active duty for members of the

reserve components of the Armed Forces (members of the U.S. National Guard and Reserves) means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined in section 101(a)(13)(B) of title 10, United States Code. Specific qualifying exigencies are defined by regulation and may be found at 29 CFR 825.126, but include generally short notice deployments, military events and related activities, childcare related activities, financial and legal arrangements, counseling, rest and recuperation, and post-deployment activities. Please consult with Human Resources if you have questions about the scope of leave authorized under this section. FMLA leave may be taken intermittently for a qualifying exigency.

**11.12 Additional Medical Leave During Disability Due to Pregnancy or Childbirth and to Care for Newborn.** In addition to the FMLA leave described above, any employee entitled to leave for the period during which she is temporarily disabled due to pregnancy or childbirth. This pregnancy/ childbirth disability leave is unpaid and health benefits are not automatically continued; however, accrued leave may be used and the employee may continue insurance coverage at her expense. Certification from the employee's health care provider may be required. If the employee is eligible for FMLA leave, the Pregnancy Disability leave will run concurrently with FMLA leave.

The Washington Family Leave Act (FLA) provides certain additional leave benefits to care for a newborn. The FLA largely mirrors the FMLA, with the same eligibility standards and entitlement to 12 weeks of leave for family and medical reasons. In most situations, leave under the FLA runs concurrently with FMLA leave. However, the FLA leave does not run concurrently with any leave taken for pregnancy/childbirth disability; this affords an employee time off to care for her newborn once she has recovered from the disability.

For Guidance: For more information on any of these leave policies, or if you think you may need to take Family and Medical Leave, contact the Human Resource Assistant. The leave laws, particularly those applicable to pregnancy and childbirth, can be confusing. Employees are encouraged to contact Human Resource with any questions about how the various laws are coordinated in a particular situation.

## **Chapter 12**

### **SHARED LEAVE POLICY**

**12.01 Policy Statement.** The purpose of shared leave is to permit City employees to come to the aid of a fellow City employee who is suffering from or has an immediate family member suffering from an extraordinary medical emergency. The severity of the emergency would cause the employee to take leave without pay or to terminate employment without shared leave. Shared leave also may be donated to enable an employee out on FMLA leave to continue to be paid during his/her absence. Application of shared leave will not affect the duration of the employee's 12-week FMLA entitlement.

**12.02 Eligibility Criteria.** The Human Resources Assistant, with the City Administrator's approval, permits an employee to receive shared leave if:

1. The employee suffers, or has an immediate family member suffering from, an illness, injury, impairment, physical or mental condition which is of an extraordinary or severe nature and which would otherwise cause, or be likely to cause, the employee to go on a leave without pay or terminate employment with the City;
2. The employee has or shortly will have exhausted all vacation leave, sick leave, personal leave, compensatory time, and holiday compensatory time;
3. Prior to the use of shared leave the employee has abided by the City's sick leave policy;
4. The employee has diligently pursued and is found to be ineligible for worker's compensation insurance benefits, if the illness, injury, impairment, or condition is work-related;
5. The use of shared leave will not significantly increase the City's costs, except for those costs which would otherwise be incurred in the administration of this program or which would otherwise be incurred by the employee's department; and
6. The employee provides appropriate medical justification and documentation both of the necessity for the leave and the length of time which the employee reasonably can be expected to be absent due to the condition.

**12.03 Amount of Leave Received.** The Human Resources Assistant, with the City Administrator's concurrence, verifies the amount of shared leave, if any, the employee needs to receive per the guidelines below:

1. An employee may not receive more than 1040 hours of shared leave throughout the employee's employment; and
2. To the extent possible, shared leave is to be used in a consecutive and continuous basis.

**12.04 Transfer Process.** Employees may request the Human Resources Assistant to approve the transfer of a specified amount of vacation leave or compensatory time to an employee who is authorized to receive shared leave as provided therein. All transferred leave will be in increments of one (1) hour and is voluntary.

1. To be eligible to donate vacation leave, an employee must retain a minimum vacation leave balance of 40 hours after subtracting the donated hours;
2. An employee may donate all compensatory time accrued;
3. While on shared leave, an employee continues to be classified as a City employee and is eligible for all compensation (salary and benefits) they would otherwise be receiving if using paid leave;
4. The employee's total compensation, including worker's compensation insurance, may not exceed the compensation the employee would have received while in regular paid status; and
5. For those employees who prefer to donate or receive shared leave in confidence, every effort will be made to respect the individual's privacy.

**12.05 "Value" of Leave.** Shared leave will be transferred on an hour-for-hour basis.

1. Shared leave will be converted to sick leave for the recipient;
2. The Human Resources office is responsible for transferring the donated hours to the leave balances of shared leave recipients. Records will be maintained in the event any unused leave time is returned at a later date; and
3. Unused leave will be returned to donating employees on an equal basis. The Human Resources office determines when shared leave is no longer needed.

**12.06 Monitoring.** The Human Resources office will monitor the use of shared leave to ensure equal treatment of all City employees. Inappropriate use may result in the cancellation of donated or unused shared leave.

An employee currently receiving shared leave who leaves City service is not paid for the remaining balances of any donated and unused shared leave.



## **Chapter 13**

### **WORK-RELATED TRAVEL**

**13.01 General.** Employees required to travel on business for the City are paid a sufficient amount to cover expenses incurred in a reasonable manner.

#### **13.02 Definitions.**

"Routine" Travel Time To and From Work - Travel time to and from work before and after the regular workday is not work time. This is true whether the employee works at a fixed location or at different job sites.

"Extraordinary" Travel Time To and From Work - In contrast, however, if an employee is given a special one-day work assignment in another City, this travel time is not regarded as ordinary home-to-work travel and would qualify as working time. For example, an employee who works in Grandview, with regular working hours from 8:00 a.m. to 5:00 p.m., may be given a special assignment in Pasco with instructions to leave Grandview at 7:00 a.m. The employee arrives in Pasco at 8:00 a.m., the special assignment is completed at 5:00 p.m. and the employee arrives back in Grandview at 6:00 p.m. This travel is not regarded as ordinary home-to-work travel because it is performed for the employer's benefit and at the employer's special request to meet the needs of the particular and unusual assignment. However, not all the travel time involved must be counted as working time. Since, except for the special assignment, the employee would have had to report to their regular work site, the amount of time it would take the employee to travel between their home and the normal work site need not be counted as hours worked.

"Extraordinary" Travel Involving Overnight Travel - Required travel that keeps an employee away from home overnight is travel from home and is work time when it cuts across the employee's workday. The time is not only hours worked if it occurs during the employee's normal working day and working hours, but also if it occurs during the corresponding hours on non-working days. Thus, if an employee regularly works Monday through Friday, from 8:00 a.m. to 5:00 p.m., travel time between 8:00 a.m. - 5:00 p.m. is work time if it occurs on Saturday and Sunday as well as on weekdays.

In contrast, time spent in travel away from the home but outside of regular working hours will not be counted as hours worked if the employee is a passenger, e.g., traveling by airplane, bus, car, or train. If the employee is designated as FLSA non-exempt and a driver of a vehicle, all time spent driving in the vehicle to and from the assignment is regarded as working hours, except that if public transportation would have required less time, the City may count as hours worked the less time-consuming method of transportation. The employee is expected to choose the most economical and expedient mode of transportation in terms of time and cost.

Travel From Work Site to Work Site - Time spent traveling from one work site to another must be counted as hours worked. If an employee is required to drive a vehicle to transport tools, equipment, or other employees from the employer's place of business to the job site, that is considered work time. It makes no difference whether the vehicle is the employee's, the City's, or rented by the City.

**13.03 Travel Pay.** When employees, which for the purposes of this section shall include elected officials, appointed officials, appointed volunteers, volunteer firefighters, and reserve police officers, are required to travel outside the City limits on City business or when they are required to attend a City business function within City limits, reimbursement for expenses incurred shall be in accordance with this section.

Prior to traveling outside the City, the employee shall obtain approval for the trip and the mode of travel from the Department Director. A Department Director will obtain approval from the City Administrator.

Expenses for consultants or contractors performing authorized work or services for the City may also be reimbursed if the expenses would otherwise be billed to and paid by the City.

It shall be the responsibility of the City Administrator to ensure that these policies are adhered to and to provide the forms and instructions necessary for their implementation.

Exceptions to the rules set forth herein may be made only for unusual or extenuating circumstances, upon the written approval of the City Administrator.

#### 13.03.1- PROCEDURES

This section outlines procedures to be followed by employees prior to, during, and after travel for the City.

##### A. Employee Request for Leave

1. The Employee Leave Request Form is to be completed, signed, and approved in advance of departure for overnight travel.
2. The remarks section on the form must include:
  - a. Workshop, meeting, or conference location;
  - b. Title of workshop, meeting, or conference; and
  - c. An estimation of total expenditures (i.e., registration, meals, lodging, mileage, materials, etc.).

##### B. Advance Travel - Request for Funds

1. Advance travel funds are available to City employees prior to travel to offset the costs of travel and to avoid placing an undue financial burden on the employee while he/she is conducting the City's business.
2. The Advance Travel-Request for Funds Form is to be completed, signed, approved by the Department Director and presented to the City Administrator a minimum of two administrative working days in advance of departure. Advance travel checks will be distributed one business day preceding the day of departure. Two of the three copies of this form will be retained by the employee--one of which must accompany the City voucher upon return. Vouchers to advance travel funds must be completed within ten (10) days of return and have a copy of the travel certification attached. Also, unexpended advance travel funds must be returned to the City Treasurer at the time of submitting the voucher.

- C. Use of the City's Gasoline Credit Card  
The gasoline credit card may be utilized for required fuel and repairs to City vehicles while on official City business. This card may be checked in and out with the City Treasurer at the time the advance travel check is picked up. The City credit card may not be used for private vehicle expenses.
- D. Travel Expense Certification  
Prior to departure, a copy of the Travel Expense Certification Form should be obtained to aid in recording expenses incurred during travel. Within ten (10) working days of return, the Travel Expense Certification Form should be completed (including receipts and unexpended funds) and submitted to the Department Director. The Department Director then is responsible for vouchering the reimbursement applicable. If no reimbursement is due the employee, then the Travel Expense Certification Form and receipts are attached to the advance travel fund reimbursement voucher.

### 13.03.2 - EXPENDITURES

- A. Meals
1. Employees may be reimbursed for cost of meals on official trips only for the amount of actual and reasonable expenses incurred during the performance of official duties as a City employee for the City's benefit.
  2. Reimbursement for actual meal costs must be documented by a vendor's receipt. Receipts should include the date, amount, and name of vendor. Grocery receipts are paid for meal items only if those items are specifically and mechanically named on the receipt.
  3. Reasonable expenses for each meal (including tip) are:

Breakfast	\$19.00
Lunch	\$22.00
Dinner	\$33.00

Exceptions may be granted by the City Administrator if the travel required is to a location where meal costs are unduly high. Further exceptions may be granted if group, conference, or speaker meals are presented as one package over which the employee has no control. To provide flexibility in the use of the meal allowance, the employee may apply the unused portion of one meal allowance to that of another. Reimbursement for one day's meals will not exceed \$74.00.
  4. Where the employee has meals with other parties or a spouse, a separate receipt showing only the employee's expenses is required.
  5. If travel requires overnight accommodation, an employee will be allowed one miscellaneous meal receipt not to exceed \$2.50.
  6. Employees may be reimbursed for cost of meals of other elected or appointed state and local government officials during the performance of

official duties for the City's benefit.

B. Travel

1. City vehicles, if available, shall be used for approved travel. City vehicles shall not be used for private purposes.
2. Whenever an officer or employee drives their own motor vehicle outside the City of Grandview and pays for the gasoline and maintenance themselves, the City shall allow such officer or employee the reimbursement rate as established by the Internal Revenue Service (IRS) as the business standard mileage rate. Reimbursement shall be the IRS standard rate per mile for each such authorized trip.
3. When driving time exceeds four (4) hours or where it is less expensive than private vehicle reimbursement, a common carrier may be used for travel.
4. Miscellaneous travel costs, such as bus, taxi, bridge or other tolls, parking, and ferry are authorized and must be listed on the Travel Expense Certification Form. Receipts should be obtained if possible.

C. Lodging

1. The City may make payments for lodging directly to the hotel or motel, if authorized, by submitting a City Purchase Order, or the employee may seek reimbursement for lodging expenses upon return. If necessary, advance deposits may be paid by claims fund warrant.
2. In the event the employee takes his or her spouse to a conference or meeting, the City will reimburse the employee only for the single room rate. Employees should request that the hotel/motel indicate on the receipt the room rate for a single person.
3. Employees are expected to use good judgment in choosing reasonable lodgings. Lodging above that which is required, such as first class hotels or suites, will not be acceptable.

Exceptions may be granted by the City Administrator if the lodging required is in a location where lodging rates are unduly high or are related to a conference.

D. Incidental Expenses

This category includes, but is not limited to, the following allowable and non-allowable incidental expenses an employee might incur:

1. Allowable Incidental Expenses
  - a. Books required for conference or workshop topics;
  - b. Baggage checking; and
  - c. Business telephone and postage expenses.
2. Non-Allowable Incidental Expenses

- a. Personal entertainment;
- b. Theft, loss, or damage to personal property;
- c. Expenses of a spouse, family, or other persons not authorized to receive reimbursement under this policy;
- d. Barber or beauty parlor;
- e. Airline and other trip insurance;
- f. Personal postage, reading material, or telephone calls;
- g. Personal toilet articles;
- h. Alcoholic beverages;
- I. Tobacco products; and
- j. Groceries, merchandise, and variety items, except as provided in Section 13.03.2.A.2

## **Chapter 14**

### **GRIEVANCE PROCEDURE**

**14.01 Policy Statement.** Use of this procedure will not reflect unfavorably on the employee, the employee's immediate supervisor, the Department Director, or the general management of the City. Retaliatory or discriminatory action against an employee for using this procedure or discrimination in the application of this Personnel Policy may constitute a violation of City policy. The purpose of this procedure is:

1. To promote full communication between the City and employees in City service by providing a reasonable method for resolving disputes regarding terms and conditions of employment between the City and an employee and/or a City-recognized employee organization;
2. To assure an employee of a prompt and fair discussion and resolution of the issue involved;
3. To provide that grievances will be settled as near to the point of origin as possible;
4. To provide that grievances will be heard and settled informally; and
5. To enable employees to make their grievances known in an orderly process.

**14.02 Grievance.** A grievance is a written statement of dissatisfaction regarding the administration of this Personnel Policy. Employees represented by a Union should utilize the grievance procedure contained in their Collective Bargaining Agreement.

**14.03 Grievance Submission.** In the grievance procedure, the complainant will present grievances in writing.

**14.04 Department Level Discussion.** When possible, any grievance arising out of employment is considered within an employee's department.

**14.05 Discrimination Complaints.** Discrimination and harassment complaints are given to the Human Resources office for investigation.

#### **14.06 Process at Department Level.**

1. Employees should bring any grievance, as defined in this Personnel Policy, to the attention of the employee's immediate supervisor as soon as possible. If an employee fails to bring the grievance to the attention of the immediate supervisor within seven (7) calendar days from the date of the action or incident causing the grievance, an employee has waived the right to submit the grievance;
2. The employee's immediate supervisor takes action on the grievance and notifies the complainant of their action or decision within a reasonable time, generally seven (7) calendar days from the date the grievance was submitted to the supervisor. If the matter can be resolved by the employee's immediate supervisor to the satisfaction

of the employee, then the grievance will be terminated;

3. If the matter cannot be resolved by the immediate supervisor within a reasonable time, generally seven (7) calendar days from the date of submission to the supervisor, the employee may submit the grievance to their Department Director. The employee may also submit the grievance to the Department Director if the employee is still dissatisfied after the supervisor's decision. The grievance will be submitted to the Department Director within ten (10) calendar days from the date of the immediate supervisor's decision, or the grievance will be terminated; and

The Department Director confers with the complainant, the immediate supervisor, and such other persons as necessary, to gather all the facts. The Department Director takes action to resolve the grievance and notify the complainant of the Department Director's action or decision within a reasonable time, generally seven (7) calendar days from the date the grievance was submitted to the Department Director.

#### **14.07 Process at the City Administrator's Level.**

1. If the complainant is not satisfied after informal discussion(s) regarding the Department Director's decision, the complainant may, within ten (10) calendar days from the date of the Department Director's decision, submit a written request to the City Administrator. Failure by the complainant to submit a written request to the City Administrator within the ten-day period terminates the grievance.
2. Upon receiving the written request, the City Administrator within a reasonable time, generally seven (7) calendar days, discusses the grievance with the complainant, the complainant's representative, if any, and all principals involved for the purpose of resolving the grievance. The City Administrator conducts any inquiry, investigation, or compilation of facts deemed necessary to assist in reaching a decision.
3. The City Administrator renders a decision in writing to the complainant within a reasonable time, generally fourteen (14) calendar days from the date the City Administrator receives the complainant's written request. The City Administrator also gives copies of the decision to the complainant's immediate supervisor and Department Director. The decision of the City Administrator is final.

## **Chapter 15 DISCIPLINE**

**15.01 Policy Statement.** Progressive discipline focuses on the corrective nature of discipline and provides employees an opportunity to correct deficiencies in their performance by providing notice, setting goals and measures, monitoring procedures, providing feedback, and including clearly-defined disciplinary measures that may be taken if performance does not improve. It also provides the employer an opportunity to document the reasons for the outcomes of the disciplinary procedure.

However, the City will review each situation independently and make a decision on what it deems to be appropriate discipline, up to and including termination, and may conclude that progressive discipline is not appropriate or necessary in some circumstances. The decision to use progressive discipline in a given case is an attempt to improve the performance or behavior, but does not change the at-will nature of the employment relationship.

**15.02 Causes for Disciplinary Action.** Causes for disciplinary action against an employee may include, but are not limited to, the following:

1. Fraud or dishonesty in securing appointment;
2. Incompetence, inefficiency, or neglect of duty;
3. Insubordination (unwillingness to submit to authority) or willful disobedience;
4. Dishonesty;
5. Being under the influence of or consuming any alcoholic beverage while on duty (refer to Chapter 18 -- Substance Abuse Policy and Physical Examinations Policy), except for authorized undercover police officers;
6. Unlawfully possessing, selling, using, or being under the influence of any drug, except as authorized by a physician (refer to Chapter 18);
7. Unauthorized leave of absence, continued tardiness, or abuse of sick leave or other leaves;
8. Conviction of a felony or conviction of a misdemeanor that impacts the employee's ability to perform his or her job;
9. Discourteous behavior or treatment of the public or other employees that violates City or departmental conduct standards;
10. Unlawful use of City Resources for political activity (refer to Section 19.06 -- Political Activities of Public Employees);
11. Misuse or abuse of City property, time, equipment, or supplies, or the appropriation of such for personal use;



12. Violation of any of the provisions of this Personnel Policy or departmental guidelines;
13. Unlawful workplace harassment (refer to Chapter 21 -- Anti-Harassment Policy);
14. Possession of unauthorized firearms or other weapons while on duty (with the exception of commissioned police personnel);
15. Off-duty employment that negatively affects the City and/or performance of the employee while in City service;
16. Solicitation or acceptance of gifts or gratuity for performing duties that are expected during an employee's work period or workday;
17. Engagement in any off-duty activity which may later be subject to review, inspection, or enforcement by that employee in the exercise of their City duties;
18. Use of tobacco products in a City-owned facility, automobile, or common area; and
19. Other grounds reflected in applicable statutes, case law, and/or arbitration case law.

**15.03 Types of Disciplinary Action.** Disciplinary actions, if implemented, may include but are not limited to:

1. Counseling - Initial action may include the supervisor's decision to counsel the employee, during which time deficiencies are described, goals are set, and the employee has the opportunity to respond. A notice and written record of counseling should be retained by the supervisor in the supervisor's working file;
2. Oral Reprimand - An oral reprimand shall be recorded and placed in the employee's personnel file. At the request of the employee, if there is no recurrence of the event prompting discipline, the record of an oral reprimand may be removed from the employee's personnel file after a one (1) year period, in the discretion of management;
3. Written Reprimand - A written reprimand is recorded and placed in an employee's personnel file and may be followed within a reasonable time, generally within sixty (60) days, by a written evaluation of the employee's performance, if deemed helpful to improve performance. If after five (5) years there is no recurrence of the event(s) prompting the discipline, at the request of the employee the records of a written reprimand may be removed from the employee's personnel file, in the discretion of management;
4. Disciplinary Probation - An employee placed on disciplinary probation accrues vacation leave and sick leave, but not time for compensation review or promotion. The employee is not allowed to compete in promotional examinations or recruitment during the disciplinary probation period;

Disciplinary probation shall not be less than three (3) months nor more than six (6) months in duration. An employee placed on disciplinary probation may be discharged prior to the end of the probationary period for failure to meet performance requirements;

5. Suspension - An employee may be suspended by the City Administrator at any time, pending the results of disciplinary investigation and/or action. The employee is suspended with pay pending the results of the investigation.

An employee suspended from City service as a form of disciplinary action forfeits all rights, privileges, and compensation during the suspension, except for the employee's health plan, retirement plan, disability plan (if applicable), and life insurance plan. Suspension without pay for disciplinary reasons shall not exceed sixty (60) calendar days in any calendar year;

6. Disciplinary Demotion - A disciplinary demotion results in an employee's change in status to a lower pay step in the same classification or to a position in a different classification with less responsible duties, lower qualifications, and a lower maximum rate of pay. No employee will be demoted to a classification for which the employee does not possess the minimum qualifications; and
7. Discharge - An employee who has been discharged from City service is paid his/her compensation accumulated to the effective separation date, any accumulated compensatory time, and any accrued vacation leave.
8. Notice - Prior to a disciplinary action involving loss of pay or job (suspension or discharge) being taken, the employee will be advised in writing of the nature of the allegations and that disciplinary action and/or termination is being contemplated. The employee will be given the opportunity to respond and shall be afforded the right of representation.

**15.04 Authority to Take Disciplinary Action.** The City Administrator, an employee's Department Director, or an employee's immediate supervisor may take disciplinary action against an employee under their control for one or more of the causes for discipline specified above in Section 15.02, or for other causes that are deemed to warrant discipline in the given situation.

Immediate Supervisors may give an official (oral or written) reprimand to an employee under their supervision. An immediate supervisor may recommend disciplinary probation, suspension, disciplinary demotion, or discharge against an employee under his/her supervision to the Department Director.

Department Directors may execute suspensions against an employee within their department. The Department Director may recommend disciplinary demotion, disciplinary probation, or discharge against an employee under his/her supervision to the City Administrator.

Department Directors may suspend an employee under their supervision for not more than three (3) working days at any one time without the approval of the City Administrator. Written

notice of suspension is given an employee within three (3) working days and preferably earlier after a suspension. An employee may appeal a suspension in the manner provided in Section 15.06 - Appeal Procedure.

Department Directors may delegate to supervisory employees the authority to relieve an employee of the employee's duties in an emergency situation, pending further action by the Department Director.

City Administrator\Mayor - Disciplinary probation, demotion and discharge are actions that may be taken only by the City Administrator and Mayor. A Department Director may submit a written recommendation for a disciplinary probation, demotion or discharge of an employee to the City Administrator. The recommendation should include the specific allegations and the basis of the recommendation. A copy will be provided to the employee. The City Administrator will advise the employee in writing if there is to be a pre-disciplinary-probation, pre-discharge or pre-demotion hearing. The employee will also be notified in writing of the basis of the recommendation for disciplinary probation, discharge or demotion and when to meet with the City Administrator to discuss the proposed disciplinary probation, discharge or demotion.

### **15.05 Notice of Disciplinary Action.**

Investigation - Before executing an unpaid suspension, disciplinary demotion, disciplinary probation or discharge, the employee's immediate supervisor, Department Director or the City Administrator, as appropriate, shall advise the employee in writing of the factual details of the alleged behavior and that disciplinary action is being contemplated. A meeting (referred to as a Loudermill hearing) between the investigating management official and employee shall be scheduled as soon as possible following the event and issuance of written notice of contemplation of disciplinary action. The management official shall permit the employee to have a representative present if the employee desires.

The purpose of this meeting is to allow the employee the opportunity to provide his/her immediate supervisor or Department Director any appropriate information in response to the allegations.

Notice of Disciplinary Action - Upon completion of the investigation phase and if discipline is deemed appropriate then the suspension or discharge process will proceed.

Suspension or discharge is valid only if written notice is delivered to the employee by the City Administrator. This notice should be delivered to the employee either personally or by certified mail and should include the following:

1. A written report of the nature of the disciplinary action that will be taken as a result of the Loudermill meeting;
2. The effective date of the disciplinary action;
3. The policy or procedure violated and/or the deficient performance on which the discipline is based;

4. Feedback that was given to the employee during any monitoring period;
5. The acts or conduct upon which the disciplinary action is based; and
6. The conditions/goals/measures or future actions to be met and/or taken.

Allegations are kept confidential unless an employee, through the employee's own actions, allows the allegations to become public information, or the investigation of the allegations necessarily results in some disclosure to involved individuals.

**15.06 Appeal Procedure.** Regular employees have the right to appeal to the City Administrator concerning any disciplinary action taken by the employee's immediate supervisor or Department Director. The appeal must be filed with the City Administrator, with a copy given to the Department Director, within seven (7) working days after receipt of the written notice of the disciplinary action. The appeal must specifically state the facts or other grounds upon which the appeal is based.

The City Administrator will render a decision on the matter, generally within fourteen (14) working days after receipt of the appeal. The City Administrator's decision on the appeal is final.

## **Chapter 16** **RECORDS, REPORTS AND NOTICES**

**16.01 Purpose for Maintaining Personnel Records.** Objectives for maintaining adequate personnel records and reports are:

1. To demonstrate that legal, regulatory, and procedural requirements for all personnel actions have been satisfied;
2. To provide a basis for making decisions involved in personnel actions;
3. To provide a basis for reports on personnel activities;
4. To document the attainment of employees' educational, development and training goals; and
5. To maintain security and confidentiality of information to the degree possible and appropriate.

**16.02 Notice of Employee Change of Status.** Every appointment, transfer, promotion, demotion, change in compensation, resignation, suspension, vacancy, leave of absence, official reprimand, commendation, address change, name change, reclassification, and all other temporary or permanent changes in status of employment is reported to the City Administrator and the Human Resources office on a proper form (PM-7) with original documents attached. The effective date and a record of the change are kept by the Human Resources office.

Change of Personal Information - Employees are responsible for keeping their personnel records up to date by notifying the Human Resources office in writing of any personal information changes to the following information: name, address, telephone number, marital status (for benefits and tax withholding purposes only), addresses and telephone numbers of dependents and spouse or former spouse (for insurance purposes only), beneficiary designations for any of the City's insurance, disability, retirement, and deferred compensation plans, and persons to be notified in case of emergency. Failure to do so may delay or have an adverse effect on the timely receipt of correspondence being mailed, insurance coverage, and/or accurate assessment of premium rates for the City.

### **16.03 Personnel Files.**

Human Resources Office - The Human Resources office maintains complete personnel files for employees showing each employee's name, address, classification title, position, compensation, assigned department, changes in pay rates, employment status, performance appraisals, commendations, official disciplinary actions and other pertinent information, in addition to records for each employee's vacation leave, sick leave, administrative leave, compensatory time, and compensation schedules. The City Administrator determines the form and manner in which this information will be maintained.

Separate files for confidential, medical-related information will be maintained.

**16.04 Records Open to the Public.** Neither the Human Resources office nor any employee may release the address, telephone number, Social Security number, or date of birth of any employee, officer, or appointed official as shown in the personnel records (except upon request from law enforcement agencies) without the prior consent of that employee, officer, or appointed official. The Human Resources office has the authority to verify or confirm the above information without prior written permission from the employee, officer, or appointed official.

The exemption of City personnel records from public disclosure is governed by applicable statutes. Refer to RCW Chapter 42.17.310.

**16.05 Destruction of Records.** Personnel files and payroll records are retained in accordance with state and federal laws and guidelines.

## **Chapter 17**

### **SUBSTANCE ABUSE AND PHYSICAL EXAMINATION POLICY**

**17.01 Examinations.** Following a conditional offer of employment, an applicant may be required to take a physical exam to determine fitness to perform the essential functions of the position. All employees are expected to make a reasonable effort to keep themselves fit to perform the duties of their particular position and/or classification. Documentation from the examining physician as to an employee's fitness for duty shall be made available to the City upon completion of such examination. Examinations may be required during employment if the City has reason to believe that the employee is unable to perform the essential functions of the job, if the employee requests an accommodation, or if the City has reason to believe that the employee may be a threat to him/herself or others.

**17.02 Substance Abuse.** The City considers its employees to be its most valuable asset and believes that professionalism in the delivery of public services can only be maintained within a drug-and alcohol-free work environment. Further, the City believes that employees have a right to work in an environment free of drugs and alcohol and have the obligation not to place themselves in situations where their job performance is impaired by substance abuse.

**17.03 Drug-Free Work Place.** The City recognizes that the maintenance of a drug-free workplace is essential to the safety and welfare of employees. The chapter is intended to express the City's commitment to a drug-free workplace, to educate employees as to the dangers of drug abuse in the workplace and the penalties that may be imposed for drug violations in the workplace, and to comply with the Drug-Free Workplace Act of 1988. The chapter also expresses the City's commitment of support for employees undergoing treatment and rehabilitation of chemical dependencies.

#### **17.04 Provisions.**

1. Controlled Substances:

A. The manufacture, distribution, dispensing, possession or use of a controlled substance or alcohol in the workplace is prohibited, except where possession or use of prescription medications is pursuant to a valid prescription, issued in compliance with federal, state and local law, and will not impair the employee's performance. Reporting to work under the influence of a controlled substance or alcohol is prohibited; and

B. As a condition of employment, all employees must notify their Department Director of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such a conviction.

2. Prescription or Over-the-Counter Drug Use - The use of prescription and over-the-counter drugs which compromise safety in the workplace is prohibited. All drugs the use or sale of which is prohibited by federal, state or local law compromise the safety of the workplace and are prohibited. It is employee's responsibility to check with their physician as to whether or not a prescription drug will impair safe performance. Employees are required to notify their immediate supervisors when they are taking

medications with warning labels that the medications may affect their ability to remain alert or operate equipment. The City will make a form available to employees to assist them in reporting such medically authorized drug use. This form will be maintained in a separate confidential file in the Human Resources office.

3. 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.
4. 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 discipline of the employee, up to and including termination. An employee found to have violated these provisions may be required to participate satisfactorily in an alcohol or drug abuse assistance or rehabilitative program as a condition of continuing employment.
5. 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.
6. Drug Abuse Education Program - The City will utilize all available resources to educate employees as to the dangers of drug abuse.
7. Confidentiality - The confidentiality of all reported violations of the provisions of this directive will be strictly maintained, except as required by public disclosure laws or court order.

### **17.05 Drug and Alcohol Testing.**

Purpose - This chapter is intended to support the drug-free work place and establish compliance with the federal regulations for Commercial Driver's License holders. Federal regulations mandate urine drug and evidential breath alcohol testing for employees in safety-sensitive positions, including those who are required to hold a Commercial Driver's License.

Application - This chapter applies to all employees, with the additional requirement of random testing for employees who are required to have and maintain a Commercial's Driver's License in order to perform the duties of their job. Contractors performing functions for the City of Grandview involving the use of a vehicle requiring a Commercial Driver's License will be subject to alcohol and drug testing as required by federal regulations.

Statement - The City has a significant interest in the health and safety of employees. In furtherance of that interest, the City will take those steps necessary to ensure that employees perform their duties and responsibilities free from the influence of drugs and alcohol. Employees are encouraged to seek confidential counseling on problems associated with alcohol and drug abuse through the Employee Assistance Program. There will be mandatory drug and alcohol testing for employees and job applicants under the circumstances outlined in this



chapter. All drug and alcohol testing (pre-employment, random, and reasonable suspicion) shall be conducted following the current testing standards and thresholds established by the U.S. Department of Transportation.

Training and Education - Employee education and supervisor training are essential parts of this program. All existing and new employees will receive information on the impact of drug and alcohol use and will receive information on resources for assistance. Supervisors will receive this same training, as well as additional training in the recognition and detection of signs and symptoms of alcohol and drug misuse. Supervisors will not be permitted to make reasonable suspicion test referrals unless they have completed training required by federal regulations.

### **17.06 Definitions.**

Accident - Accident means an occurrence involving the employee which results in (1) a fatality; (2) bodily injury of a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; (3) overall property/vehicle damage estimated at \$1,000 or more; (4) circumstances such that the employee cannot be completely discounted as a contributing factor to the accident; (5) one or more motor vehicles incurring disabling damage requiring the vehicle to be transported away from the scene by a tow truck or other vehicle; or (6) a citation for a moving traffic violation arising from the accident.

Driver - This term includes all employees whose positions may involve driving a commercial vehicle and require the possession of a Commercial Driver's License (CDL).

Commercial Vehicle - A commercial vehicle is one that either: (1) has a gross vehicle weight of over 26,000 pounds (including combined weight if towed unit weighs over 10,000 pounds); (2) is designed to transport 16 or more persons, including the driver; or (3) is used to transport hazardous materials.

Drugs - In accordance with the applicable federal regulations, "drugs" refers to the following five substances: marijuana (THC), cocaine, opiates, phencyclidine (PCP), and amphetamines.

Medical Review Officer (MRO) - The Medical Review Officer is the licensed physician responsible for receiving and interpreting laboratory results from the urine drug tests.

Safety Sensitive Position - These are positions associated with the driving of commercial vehicles.

Substance Abuse Professional (SAP) - A Substance Abuse Professional is a licensed physician, or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug-related disorders. The SAP is responsible for evaluating employees with positive test results.

Prohibited Conduct - The following conduct regarding alcohol and drug use or abuse is prohibited:

1. Alcohol Concentration - An employee may not report for or remain on duty, for the performance of duties covered under this chapter while having an alcohol concentration of 0.02 or greater;
2. Alcohol Possession and On Duty Use of Alcohol - An employee may not possess or use alcohol while on duty or while operating a City vehicle;
3. Pre-Duty Use of Alcohol - An employee may not report for duty or operate a commercial vehicle within eight (8) hours after using alcohol. An on-call employee who consumes alcohol within eight (8) hours of being called in must acknowledge the use of alcohol and may not report for duty;
4. Alcohol Use Following an Accident - An employee required to take a post-accident alcohol test may not use alcohol for eight (8) hours following the accident, or until a post-accident alcohol test is given, whichever comes first;
5. Use of Drugs - An employee may not report for duty, remain on duty, or drive a City vehicle when the employee has used a drug or drugs, except when the use is consistent with federal, state and local law, and undertaken pursuant to instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely perform their duties or operate a commercial vehicle. Employees who are taking a prescription or over-the-counter medication that may impair their ability to perform their duties safely should provide written notice from their physician with respect to the effect of such substances. The City will make a form available to employees to assist them in reporting such authorized drug use. This form will be maintained in a separate confidential file in the Human Resources Department;
6. Refusal to Submit to a Required Test - An employee may not refuse to submit to a post-accident, reasonable suspicion, or follow-up alcohol and drug test as directed by this chapter. In addition, employees required to have and maintain a CDL may not refuse to submit to random testing as directed by this chapter;
7. Positive Drug Test – An employee may not report for duty or remain on duty, if the employee tests positive for drugs or alcohol;
8. Tampering with a Required Test - An employee may not tamper with, adulterate, alter, substitute or otherwise obstruct any testing process required under this chapter; and
9. Possession, Transfer or Sale - No employee may possess, transfer or sell drugs or alcohol while on duty.

### **17.07 Testing.**

1. Pre-Employment Drug Testing - All individuals in safety-sensitive positions must pass a drug test as a post-offer condition of employment. Employees who do not pass will not be employed and will not be considered for employment for at least 12 months.

2. Reasonable Suspicion Testing - Employees shall submit to a drug and/or alcohol test when the City reasonably suspects that this policy may have been or is presently being violated. A referral for testing will be based on current, clearly described observations. Such referrals will be made by supervisory personnel who have received training concerning the signs and symptoms of drug and alcohol use, confirmed by a second trained supervisor. Prior to beginning a discussion with the employee about the observed behavior, the supervisor will inform the employee of their right to have applicable representation present during the meeting. Employees' requests for representation will be honored to the extent that honoring the request does not unreasonably delay testing. When reasonable suspicion exists, the affected employee will be questioned and observed. A decision to request a specimen will be based upon eye witness reports, facts of the event and observed physical and behavioral characteristics of the affected employee. The employee will be interviewed in a private area.
  - A. Verification - A reasonable suspicion request will be documented in writing with a copy provided to the affected employee.
  - B. Relief of Duty - The employee will be placed on leave until the results of the drug and/or alcohol test are complete and verified. If the test results are negative, the employee will be compensated during the waiting period for all work time lost. If the test results are positive employees will be allowed to use vacation, or compensatory time, at their discretion, or sick leave if entitled or applicable during the period of absence to eliminate any loss of income. Personal leave is not authorized for this purpose. If an employee chooses to use paid leave during the period of absence they must notify the City which type of paid leave will be used. The City shall have five (5) working days after positive test results to notify the employee of disciplinary actions in accordance with Chapter 15.
  - C. Transportation Assistance - The employee will be accompanied to the collection site by a supervisor or director. The employee will be provided transportation home. If the employee refuses and demands to drive their vehicle, the City shall notify law enforcement.

If removed from duty based on reasonable suspicion of alcohol or drug use and an alcohol test is not administered within eight (8) hours, the employee will not be allowed to return to duty until:

- (1) An alcohol test is administered and the employee's breath alcohol concentration measures less than 0.02; or
- (2) 24 hours have elapsed following the determination that there is reasonable suspicion to believe that the employee has violated this policy concerning the use of alcohol or drugs.

3. Post-Accident Testing - Following an accident, as defined in this chapter, the employee is required to submit to alcohol and drug tests. Testing should occur as soon as possible, but may not exceed eight (8) hours after the accident for alcohol testing and 32 hours after the accident for drug testing.

An employee who is subject to post-accident testing must remain readily available for such testing and may not take any action to interfere with testing or the results of testing. Employees who do not comply with post-accident testing requirements will be considered to have refused to submit to testing and will be subject to sanctions for refusal to test as provided in this policy.

4. Random Testing - Employees required to have a CDL will be subject to random, unannounced alcohol and drug testing whenever they are on duty.
5. Return to Duty Testing - Employees who have violated this policy chapter including those who have tested positive on a drug or alcohol test, and who under the discipline section are allowed to return to work, must test negative prior to being released to duty. A return to duty test following alcohol misuse may not exceed an alcohol concentration of 0.02.
6. Follow-Up Testing - An employee who is referred for assistance related to alcohol misuse and/or use of drugs is subject to unannounced follow-up testing for a period not to exceed 60 months as directed by a SAP and the City. The number and frequency of follow-up tests will be determined by the SAP and the City, but will not be less than six tests in the first 12 months following the employee's return to duty. The employee will be responsible for costs associated with follow-up testing not covered by insurance should a positive test result occur and the employee be retained in the City workforce.
7. Re-Testing - Employees who test positive for drugs may request a second test of the remaining portion of the split sample within 72 hours of notification of a positive test result by the MRO. The cost of the second test will be borne by the employee, with reimbursement if the test is negative.
8. Testing Compensation - All time spent administering alcohol or controlled substance tests, including travel time, will be paid at the employee's regular rate of pay, or at their overtime rate if applicable. Any employee who is not allowed to return to work while awaiting test results will be placed on paid leave during the waiting period. If the test results are negative, the employee will be compensated during the waiting period for all work time lost. If the test results are positive, employees will be allowed to use vacation, compensatory time, sick leave or other paid leave time during the period of absence to eliminate any loss of income. The City shall pay all costs associated with the administration of alcohol and controlled substance tests except follow-up testing. The employee will be responsible for costs associated with follow-up testing not covered by insurance should a positive test result occur and the employee is retained in the City workforce.

9. Refusal to Take an Alcohol or Drug Test - No employee shall refuse to submit to an alcohol or drug test as directed under this chapter. A refusal to submit shall include, but is not limited to:
  - A. A failure to provide adequate breath for testing without a valid medical explanation after the employee has received notice of the requirement for breath testing in accordance with the procedures manual;
  - B. Failure to provide adequate urine for drug testing without a valid medical explanation after the employee has received notice of the requirement for urine testing in accordance with the procedures manual;
  - C. Tampering with the sample; and
  - D. Engaging in conduct that obstructs the testing process.

Refusal to submit to a test shall be considered insubordination and shall be deemed the same as a positive test result.

**17.08 Securing Information from Previous Employers:** As a condition of employment, and following a conditional offer of employment, all applicable applicants who will be holding a position requiring a CDL must authorize a request for all employers within the past two (2) years to release information of the following:

1. Positive alcohol and drug tests; and
2. Refusal to be tested.

This information must be obtained before the person is employed by the City. However, if the information has not arrived by the anticipated start date, and the person has passed the pre-employment drug test, the person may be hired and the requested information obtained from the previous employers within 14 calendar days of the date of hire. If the information has not been received within the 14 calendar days, the person will not be permitted to drive commercial vehicles until the information has arrived. If the information obtained from previous employer(s) indicates either a positive test or a refusal to be tested occurred within the past two years, that person shall not be hired by the City.

If no such information was generated about the applicant, or the past employer(s) cannot be located or refuse(s) to cooperate, the supervisor will document and send a report to Human Resources. Normal hiring may proceed when a memo documenting the lack of information has been sent to Human Resources.

**17.09 Confidentiality and Record Retention.** All records related to drug and alcohol testing will be maintained in a secure location with controlled access. For CDL employees, record retention time frames shall be in accordance with U.S. Department of Transportation criteria; for all other employees, records for negative tests shall be removed and destroyed after one (1) year, and records of positive tests shall be retained. These records will be kept

separate from all other records.

**17.10 Consequences of Engaging in Prohibited Conduct or Positive Drug or Alcohol Tests.**

Discipline and Rehabilitation - An employee will be subject to appropriate disciplinary action up to and including termination from employment if:

1. The employee tests positive for a drug or drugs;
2. Results from an alcohol test indicate a blood alcohol level of 0.04 or greater; and/or,
3. The employee has engaged in prohibited conduct as outlined above.

All employees, regardless of disciplinary action taken, will be advised of resources available to the employee for evaluating or resolving problems associated with drug use or alcohol misuse.

The City shall make reasonable efforts to afford employees the right to applicable representation whenever an employee is directed to submit to an alcohol or drug test which is for cause, post accident, or reasonable suspicion.

***The following section of this policy applies to those employees who are not terminated for their violations:***

**17.11 Positive Test Results and/or Engaging in Prohibited Conduct.** If an employee tests positive for drugs or has an alcohol test that indicates blood alcohol level of .04 or greater from a random, reasonable suspicion, post-accident, or other authorized test, or engages in prohibited conduct as outlined in this chapter, the employee will be immediately removed from all duties including the driving of a commercial vehicle. The employee will not be permitted to return to work unless they:

1. Have been evaluated by a qualified SAP;
2. If recommended by a SAP, have properly followed any rehabilitation prescribed; and
3. Have a verified negative result on a return-to-duty alcohol (<0.02) and/or drug test.

Upon completion of a recommended rehabilitation program and successful return to work, an employee will be subject to follow-up random testing for up to sixty (60) months as recommended by the SAP and the City, with a minimum of six (6) such unscheduled tests within the first twelve (12) months of returning to duty.

Alcohol Concentration of 0.02 but less than 0.04: Employees having a breath alcohol concentration of at least 0.02 but less than 0.04, shall be removed from duty requiring the driving of a commercial vehicle for at least 24 hours.

Employee Assistance Program/Voluntary Referral: The City supports employees who volunteer

for treatment of alcohol or drug abuse. Employees are encouraged to seek treatment voluntarily and to utilize the Employee Assistance Program. Any employee who comes forth and notifies the City of alcohol or drug abuse problems will be given the assistance extended to an employee with any other illness.

Any such program, however, may not interfere with the tests required or disciplinary action called for by these rules. For example, a driver may not identify themselves as unfit to drive after having been notified of a random or reasonable suspicion test and expect to avoid the consequences for a positive test or a refusal to test. In addition, voluntarily seeking assistance does not excuse any failure to comply with all of the provisions of this chapter.

Sick leave, vacation leave, or leave of absence without pay may be granted for treatment and rehabilitation as in other illness. Insurance coverage for treatment will be provided to the extent of individual coverage. Confidentiality of information will be maintained as much as possible at all times.

An employee who successfully completes a treatment or rehabilitation program shall be returned to his/her regular duty assignment, subject to follow-up testing as called for above.

## **Chapter 18**

### **EMPLOYEE ETHICS, STANDARDS OF CONDUCT, AND PERSONAL ACTIVITIES**

**18.01 Policy Statement.** The City expects its employees to subscribe to the highest set of ethics, values, and principles in providing services to customers inside and outside of City employment. The City expects employees to be fair, honest, consistent, and committed to high levels of customer service and professionalism. Anyone who fails to live up to such ethical standards reflects negatively on the entire City work force.

**18.02 General Principles.** Employees shall adhere to the following principles in and in connection with their work for the City:

1. Employees shall not engage in financial transactions using non-public City government information or allow the improper use of such information to further any personal or private interest;
2. Employees shall not hold financial interests that conflict with or may appear to conflict with, the conscientious performance of their duty;
3. To ensure that every citizen can have complete confidence in the integrity of the City government, each employee shall respect and adhere to the principles of ethical conduct set forth in applicable laws, policies, and regulations;
4. Employees shall not, except as permitted by law, regulation, or policy, solicit or accept gifts or other items of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the City, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties;
5. Employees shall put forth honest effort in the performance of their duties;
6. Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the City government;
7. Employees shall not use their position for private gain or personal influence;
8. Employees shall act impartially and not give preferential treatment to any private organization or individual;
9. Employees shall protect and conserve City property and shall not use it for other than authorized activities;
10. Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official assigned City job duties and responsibilities;
11. Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities;



12. Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those — such as applicable federal, state, or local taxes—that are imposed by law;
13. Employees shall adhere to all laws and regulations that provide equal opportunity for all citizens and City employees regardless of race, color, religion, sex, national origin, age, sexual orientation, marital status, disability, or other legally protected status;
14. Employees shall endeavor to avoid any actions creating the appearance that they are violating these ethical standards;
15. During an employee’s workday, an employee shall devote 100% of their time, attention, and efforts to the duties and responsibilities of the employee’s position in City service; and
16. Employees have the right to work in an environment where mutual respect and consideration are shown among all employees and with the public. The City expects that employees shall conduct themselves in a respectful and professional manner in the work place and avoid any behavior that may be construed to be harassing, menacing, demeaning, and/or of a violent nature.

**18.03 Incompatible Personal Activities of City Employees.** An employee will not engage in any off-duty employment or activity that is inconsistent, incompatible or in conflict with the employee’s duties in City service. The Department Director determines which activities are inconsistent, incompatible, or in conflict with duties in City service. Examples of prohibited activities include, but are not limited to:

1. The use of City time, facilities, equipment, or supplies for private gain or advantage;
2. The use of the badge, uniform, prestige, or influence of an employee’s position for private gain or advantage;
3. The direct or indirect solicitation or acceptance of any gratuities, loans, gifts, merchandise, meals, beverages, or any other thing of tangible value in connection with or resulting from an employee’s official position. Nor will employees use their official position, badges, or identification cards to obtain privileges not otherwise available to them; and
4. The performance of an act when an employee is off duty that may later be subject to direct or indirect control, inspection, review, audit, or enforcement by that employee of the City in the exercise of his/her City duties.

**18.04 Off-Duty Employment.** An employee may engage in off-duty employment that is not inconsistent, incompatible, or in conflict with the employee’s duties in City service, and that will not negatively affect the performance of the employee while in City service. The employee must provide his or her Department Director written notice of off-duty employment.

**18.05 Employee's Personal Financial Affairs.** Employees need to arrange their personal financial affairs so that credit and collection agencies do not have to make use of the offices of the City, the Department Directors, or the City Administrator to make collections.

**18.06 Political Activities of Public Employees.** There are no restrictions on the right of an employee to participate off duty in political activities that involve ballot measures that relate to wages, hours, or working conditions. An employee can, when off duty, campaign for or against elected City officials or ballot measures. The employee may not, however, disturb employees during their work periods or workdays.

In compliance with Washington State RCW 42.17.130, employees may not: campaign or solicit political contributions during work hours, using public telephones or other equipment, or on City property; carry or display political material in or on publicly owned vehicles; display or distribute campaign posters, placards or other promotional materials on City-owned or operated premises; use City supplies, equipment or facilities to print, mail, or otherwise produce or distribute campaign materials; or solicit signatures for any initiative, recall or referendum campaign on publicly-owned or operated premises. Employees who are seeking an elected office will not use their positions to influence another person or persons for political purposes.

**18.07 Casual Dress Policy.** All non-uniformed personnel in City departments are permitted to wear casual clothing on Friday of each week. Casual clothing will include dress jeans, walking shorts, polo shirts, and special community event shirts.

**18.08 Employee Privacy.**

Searches of Employees' Property - The City cannot assume responsibility for any theft or damage to the personal belongings of City employees. Therefore, the City encourages its employees to avoid bringing private articles or property to work. Employees are also advised that searches of employee property that is on the City's property may be conducted without advance notice and with probable cause. Employees may not use a personal lock on City property, unless authorized by management. The City retains a copy of the key or combination to all locks that are provided for use by employees in the work place. Employees who do not consent to the inspections described above may be disciplined up to and including immediate termination.

Use and Surveillance of Computers and E-Mail Communications - All employees who are granted access to the City's Electronic mail (E-mail) system will be issued an initial identifying password. The City will retain all initial passwords, and employees who change the initial password shall provide the new one to their Department Director. Employees shall not gain access to another employee's file or E-Mail messages without that employee's authority. However, the City reserves the right to enter, search, and/or monitor its computers, E-mail system, and the files/transmission of any employee without advance notice. Authorized City personnel will have unrestricted access to information stored on computers and in the E-mail system. Therefore, employees should not consider private any files, documents, or messages generated or received on or stored in City-owned computer equipment. Employees shall grant the systems administrator permission to sign on and use their computers.

**18.09 Reporting of Criminal or Civil Offenses by Employees.** Whenever an employee is arrested or issued a citation by any law enforcement agency for any criminal or civil matter, the employee shall notify his/her Department Director immediately upon reporting for the next work duty shift.

## **Chapter 19**

### **WORKPLACE VIOLENCE PREVENTION POLICY**

**19.01 Policy Statement.** To establish a policy and procedure for the City of Grandview protecting employees and the general public from acts of Workplace Violence.

**19.02 Policy.** The policy of the City is to conduct its operations in an environment free of violence. Accordingly, the City has a "ZERO TOLERANCE" policy on workplace violence. Any form of workplace violence will not be tolerated and will be acted upon IMMEDIATELY. Any City employee who engages in workplace violence will be subject to discipline up to and including termination. Further, any person who visits a City facility and engages in workplace violence and/or threatening behavior will be referred to local law enforcement and be subject to applicable laws.

Department Directors and supervisors are to ensure that any form of threat (direct, confrontational, or veiled) be immediately confronted/acted upon by management, then documented and assessed. The respective Department Director and the City Administrator are to be informed immediately of any threats that have been made and the response that has been taken.

It is not the intent of this policy to infringe upon or negate any I rights afforded by the United States constitution.

#### **19.03 Definitions.**

Workplace Violence - means a violent act or threatening behavior that is directed at an employee or member of the public at a work location. Workplace violence does not include the use of reasonable force in self-defense or the defense of others.

Violent Act - means any non-consensual touching (such as hitting, pushing, kicking, holding or blocking the movement of another person) that results in physical harm or would cause a reasonable person to feel threatened with physical harm.

Threatening Behavior - means any physical or verbal communication that would cause a reasonable person to feel threatened with physical harm.

Unauthorized Weapon - means any firearm, knife (such as a switchblade), explosives, dangerous chemical or any object that is not necessary and authorized for a City employee's job (e.g., commissioned police officers), and has the potential to cause substantial injury to others, as determined by the appropriate Department Director.

Prohibited Activities - include but are not limited to: violent acts and threatening behavior; destruction of property belonging to the City of Grandview or its employees; the possession or use of unauthorized weapons in or on any City premise or vehicles; frightening or annoying behaviors in the workplace including stalking or continuous unwelcome contact, in any form, by an employee towards another, and bizarre or offensive comments regarding violent threats or events.

#### **19.04 Procedures.**

1. All City employees shall:
  - A. Not engage in workplace violence;
  - B. Not bring unauthorized weapons to work locations. For purposes of this restriction, City-owned parking lots adjacent to City buildings shall constitute a work location;
  - C. If they are involved in prohibited activities or witness workplace violence:
    - (1) Protect themselves or others based on their best judgment under the circumstances; or
    - (2) Call 9-1-1 for police assistance if necessary in light of the circumstances.
  - D. After being involved in a prohibited activity or witnessing workplace violence, immediately report the incident to the employee's supervisor, who in turn shall inform the Department Director;
  - E. Immediately provide to their supervisor a copy of court-issued protective or restraining orders (either temporary or permanent) that include any City work areas/locations as protected areas; and
  - F. Participate in periodic training sponsored by the City on identifying and defusing workplace problems or conflicts that could potentially lead to workplace violence.

For the safety of co-workers, employees should give serious consideration to making their supervisor aware of potential threatening or violent situations occurring in their personal life that may become problematic for the safety and security of the workplace. The purpose for this notification is to heighten the supervisor's awareness of any possible dangerous and preventable violent situations that may occur in the workplace.

2. All supervisors and managers shall:
  - A. When work place violence occurs, make every reasonable effort to ensure that persons involved are safe;
  - B. Notify police if necessary, if notification has not already occurred;
  - C. Immediately provide verbal notification of incidents of prohibited activities and workplace violence to their Department Director and confirm the incident in writing as soon as reasonably possible;
  - D. Provide to the Department Director a copy of any court-issued protective/restraining order that includes any City work areas/locations as protected areas;

- E. Take appropriate steps to diffuse workplace violence that they witness; and
  - F. Consult with the Human Resources Assistant and Department Director regarding communication with the affected work group and others regarding potential workplace violence situations.
3. Department Directors shall:
- A. Immediately upon observing or receiving a report of an incident of prohibited activity or workplace violence:
    - (1) take every reasonable effort to ensure that persons involved are safe;
    - (2) notify the police, if necessary;
    - (3) notify the City Administrator;
    - (4) ensure the incident is appropriately documented;
    - (5) contact the Human Resources Assistant to jointly initiate an investigation.
  - B. Take appropriate corrective action against any employee who engages in a prohibited activity or workplace violence, up to and including termination. Factors such as the nature of the conduct, past disciplinary action and work history of the employee, and other mitigating or aggravating circumstances may be considered in the disciplinary process.
  - C. Notify both the Human Resources Assistant and the Police Department of any court-issued protective/restraining order that includes any City work areas/locations as protected areas. Other department/office management staff in the location where the individual works should also be notified. If the order is violated, those in positions of responsibility will be aware of the issue and can notify the police and ask the person who violated the order to leave.
  - D. Where appropriate and in consultation with law enforcement in the City, take steps to provide security measures at work locations where violence is anticipated or threatened.
4. The Human Resources Assistant shall:
- A. Review, monitor, and recommend necessary modifications to this policy to ensure its effectiveness and compliance with employment trends and laws;
  - B. Design and implement periodic workplace violence prevention/awareness training for City personnel;

- C. Assist Department Directors, office managers and supervisors in investigating incidents involving prohibited activities and workplace violence;
- D. Review job applications and references of prospective employees in the applicant recruitment/screening process for any indications of workplace violence in prior employment; and
- E. Ensure a quality Employee Assistance Program (EAP) is available for all City employees and immediate family members as a resource to assist with anger management, stress, conflict management, and/or alternative dispute resolution.

## **Chapter 20**

### **ANTI-HARASSMENT POLICY**

**20.01 Policy Statement.** As an employer, the City values the dignity of all employees and is committed to providing a respectful workplace, one that is harassment free and in which all individuals are treated with respect. The expectation is that managers, supervisors and employees will create and maintain a work environment that is respectful of all persons in it.

**20.02 Application.** This policy applies to all workplaces and employees of the City, volunteers working on behalf of the City, and individuals under contract to the City.

**20.03 Roles and Responsibilities.** Harassment is a concern for everyone and maintaining a harassment-free workplace is everyone's responsibility. The City has a responsibility and a legal obligation to ensure employees are not exposed to harassment in the workplace and for the implementation of this policy. Supervisors and managers are responsible for ensuring a harassment-free workplace and adherence to the policy. This includes taking appropriate preventive or corrective action and stopping any harassment of which they are aware. Supervisors and managers should ensure that all employees' rights are protected and should support employees in the conflict resolution process.

Employees have a responsibility to create and support a workplace that is free of harassment by complying with this policy and by ensuring their behavior meets acceptable standards. Employees must refrain from discriminatory or harassing behavior. Employees who feel they have been harassed should make their objections known to the alleged harasser or other appropriate person, document incidents of harassment, and bring them to the attention of management as described below. Employees witnessing harassment are encouraged to take action to bring the incident to the attention of an appropriate City official.

**20.04 Policy.** Harassment in the workplace will not be tolerated. The abuse of one's authority or position to intimidate, coerce or harass is forbidden and is considered absolutely intolerable in the City workplace. Harassment constitutes a disciplinary infraction that shall be dealt with through appropriate measures up to and including termination.

This policy does not limit or constrain the City, as the employer, in the right to manage the workplace. For example, work assignments, operational reviews, performance reviews, coaching, work evaluation and disciplinary measures taken by a manager or supervisor, in good faith for valid reasons, do not constitute harassment in the workplace. These supervisory and management actions must remain respectful of the individual. This policy will not, under any circumstances, be used to impede the supervisory relationship, nor is it intended to inhibit normal and acceptable day-to-day social interaction in the workplace.

#### **20.05 Definitions.**

Discrimination - Discrimination is defined in civil rights law as unfavorable or unfair treatment of a person or class of persons in comparison to others who are not members of the protected class because of race, creed, sex, color, religion, national origin, age, disability, sexual orientation, marital status, reprisal for opposition to discriminatory practices or participation in



the Equal Employment Opportunity (EEO) process, or any other legally-protected status. Federal and state law prohibit an employer from discriminating against persons in all aspects of employment, including recruitment, selection, evaluation, promotion, training, compensation, discipline, retention and working conditions, because of their protected status. Discrimination can be intentional or unintentional, direct or indirect.

Discrimination based on any legally-protected status is prohibited in City employment.

Harassment - Harassment is a form of discrimination. This policy defines harassment as any objectionable conduct, comment or display by a person that:

1. is made on the basis of an individual's race, creed, religion, color, sex, sexual orientation, marital status, disability, age, national origin, or other legally-protected status;
2. is unwelcome; and
3. creates an intimidating, hostile, or offensive working environment or interferes with an individual's work performance or employment opportunities.

Examples of Harassment - Harassment can include, but is not limited to, the following examples:

1. Unwelcome remarks, jokes, innuendoes, or taunts causing embarrassment or offense;
2. Displaying objectionable materials, graffiti or pictures;
3. Insulting gestures, comments, and disparaging written materials;
4. Unwelcome sexual advances, propositions, or inquiries and/or comments about a person's sex life;
5. Persistent, unwanted contact or attention;
6. Inappropriate touching;
7. Shunning and ostracizing;
8. Threats, bullying, coercion, isolation;
9. Actual or threatened physical assault;
10. Verbal assault;
11. Malicious gestures or actions; and
12. Stalking.

Workplace - For the purposes of this policy, the workplace includes, but is not limited to, the physical work site, break rooms, training sessions, business travel, field locations, conferences, work-related social gatherings or any other place where the employee is in service to the City.

**20.06 Unfair Treatment versus Unlawful Discrimination.** Unfair treatment is not necessarily unlawful discrimination. Treating a person unfavorably in comparison to others may violate the law only when that person's protected status is a factor in the treatment.

Employment decisions should be based only on job-related merit factors. All employees should avoid conduct which undermines fair and equal treatment. Although all unfair treatment may not be discriminatory, it is poor personnel management and should be avoided.

**20.07 Confidentiality.** The City will not disclose the name of a complainant or an alleged harasser or the circumstances related to the complaint to any person except where disclosure is necessary for the purposes of investigating the complaint or taking corrective action with respect to the complaint or required by law.

**20.08 Processes and Procedures for Addressing Harassment in the Workplace.**

1. Dispute Resolution Options - There are several ways to resolve conflict and disputes that involve harassing behavior. The ideal resolution takes place quickly and is handled solely by the individuals directly involved. This is not always possible, however. If this option is not acceptable or satisfactory, an employee who believes he/she is being harassed should take one or more of the other actions described below.
  - A. Individual Problem Solving - If conflict resulting from the harassing behavior can be resolved by those directly involved, it reduces the disruption in the workplace and contributes to better relationships in the future. Some people are not aware that their behavior is perceived as harassing. Often, simply telling them about the offensive nature of their behavior is enough to end it. Employees who believe they are being or have been subjected to harassment are encouraged to clearly and firmly make known to the perceived harasser that the behavior is objectionable and must stop. Refer to this policy if necessary. If an employee wishes assistance in planning his/her approach with the other employee, the employee should contact his/her supervisor, Department Director, or the Human Resources office.
  - B. Facilitated Problem Solving - If an employee is uncomfortable with confronting the perceived harasser or the confrontation does not improve the situation, the employee should discuss the problem with his/her supervisor, Department Director, or the Human Resources office. These individuals can help assess options, develop an action plan for resolution, and implement the plan. Alternatively, they may help identify and access a facilitator who may assist the parties to work out an acceptable resolution, and they can also be responsible for following up to ensure that the conflict has been resolved.
  - C. Mediation - If the conflict cannot be resolved by the individuals, their

supervisor(s), Department Director(s) or Human Resources, mediation or a similar third-party intervention can be requested upon the mutual agreement of those involved in the conflict. Trained and experienced mediators should conduct the mediation process. They can assist two or more parties to reach a resolution to their differences and can also help to resolve conflicts among groups.

- D. Formal Complaint and Investigation - When it is not possible to resolve a conflict through individual or facilitated problem solving or mediation, or if the conduct involved is of sufficient severity or a recurring nature that less formal steps are not appropriate, an investigation may be initiated through a formal complaint, or at a supervisor's, Department Director's, Human Resources', or the City Administrator's own initiative (see Formal Complaint Procedures, below). A formal complaint should never be undertaken frivolously. It requires careful consideration and should usually be the last resort. This process may take longer and involve more people (witnesses).
2. What to Do if Accused of Harassment - The Anti-Harassment Policy is based upon the principles of fairness and due process. Employees will be notified in the event that a complaint is made against them. The accused employee should review this policy chapter and develop an action plan for restorative resolution of the complaint. However, unless directly spoken to by the accuser about his/her perception that he/she is being harassed, the accused should not take it upon himself/herself to talk to the accuser without first consulting his/her supervisor or the Human Resources office. These individuals will help the employee determine how to begin the resolution process.

Once an employee becomes aware that a complaint has been made against him/her, he/she is encouraged to become involved in order to resolve the conflict constructively. This will require the willingness to listen and be open to the other person's perspective. The restorative process focuses on conflict resolution rather than blame or punishment. If this approach is unacceptable to either party or inappropriate due to the seriousness of the allegations, an investigation may take place.

### 3. Other Situations Involving Harassment

- A. What to do if Harassment is Observed Toward Others in the Workplace - If an employee observes another individual experiencing humiliating, degrading or disrespectful behavior, the observer may offer support, for example by referring to this policy to help the person assess options. If the matter is not resolved and the harassing conduct continues, the observer-employee is encouraged to contact his/her supervisor or the Human Resources office. If an employee observes any incident that involves assault, sexual assault, a threat to cause bodily harm, or any other risk to another individual, the observer-employee must report it to his/her supervisor, Department Director, or Human Resources immediately.

Supervisors, directors, and other management employees who observe or are informed of workplace harassment are required to take immediate corrective action to address,

investigate, and/or report the conduct to their supervisor or Human Resources, depending on the circumstances. Failure to do so constitutes misconduct and is grounds for disciplinary action.

B. Harassment by Clients and Members of the Public - The employer's obligation to provide a harassment-free workplace extends to circumstances where employees may be subjected to harassment by persons external to the workforce, e.g., clients or members of the public. The following process and procedures apply to circumstances of harassment of City employees by clients or members of the public.

1. Employees who believe they have been subject to harassment by clients or members of the public should report the incident(s) to their supervisor or Department Director if the harassment is of a serious nature or made in circumstances where the employee feels the harassment may continue or re-occur.
2. Upon receipt of such a harassment complaint, the supervisor or Department Director shall, in consultation with the employee, take such action as is appropriate and reasonable in the circumstance to ensure that harassment does not continue.

The Department Director shall consider what, if any, policies and procedures are appropriate at the workplace to minimize or control harassment of employees by clients and members of the public. The Department Director is encouraged to consult with Human Resources.

**20.09 FORMAL COMPLAINT PROCEDURES.** Formal harassment complaints may be made to the employee's supervisor, Department Director, Human Resources Assistant, or the City Administrator. Any supervisor or director receiving a complaint should contact the City Administrator and Human Resources Assistant. In cases where the complaint is in regards to the City Administrator, the employee should file the complaint with the Mayor. Human Resources, the City Administrator, or the Mayor will determine the appropriate investigation steps and assign an investigator.

1. Discipline - If a formal complaint and investigation take place, the Department Director will make the final decision, based on the investigator's report, as to whether or not harassment has occurred and will determine the appropriate action to recommend or be taken. If the Department Director is the employee alleged to be harassing another individual, the City Administrator shall determine appropriate action based upon the investigation report. If the City Administrator is alleged to be harassing another individual, the Mayor will determine appropriate action based on the investigation report.

If it is determined, after investigation, that harassment has occurred, the offending party will be subject to disciplinary action, up to and including termination. All disciplinary action will follow the appropriate Personnel Policy Manual reference or collective bargaining agreement clause.

2. Evidence and Documents Relating to the Investigation - Due to the possibility of subsequent action, e.g., legal proceedings, arbitration, or judicial review, materials related to the investigation will be retained for the appropriate records retention period through the Human Resources Office.
3. Bad Faith Complaints – Formal complaints should be undertaken with care because they may result in pain and damage to the accused individual’s reputation. Complaints made frivolously or in bad faith and without factual basis may constitute defamation and may be actionable by the respondent. Such complaints may result in disciplinary action, up to and including termination.
4. Employee Assistance Program - Employees who require or could benefit from counseling are encouraged to contact and utilize the Employee Assistance Program that is available through the City benefits program.

**20.10 RETALIATION PROHIBITED.** Retaliation is strictly prohibited against anyone that has reported harassment, filed a complaint, or participated in an investigation. Any signs of retaliation should be reported immediately to the employee’s supervisor, Department Director, or Human Resources. Retaliatory conduct will be grounds for disciplinary action, up to and including termination.

## **Chapter 21 NO SMOKING POLICY**

**21.01 Policy Statement.** The object of this policy is to provide a healthy and productive work environment for all City employees. The policy responds to the growing medical and scientific evidence showing the detrimental effects of smoking on personal health and work performance. The policy also responds to public laws related to smoking in public facilities and to the strong desire of many City employees to work in a smoke-free environment. This policy intends to provide a smoke-free work environment for all employees. It does not intend to infringe upon the personal right and decision of an employee to smoke.

### **21.02 Definitions.**

Smoking or To Smoke - Inhaling, exhaling, or carrying any burning tobacco or other plant matter. This includes, but is not limited to, cigarettes, cigars, or pipes.

Enclosed Work Area - An area enclosed by a roof and walls with at least one opening for ingress and egress. The area is owned, leased, or rented by the City with intended use by officers and employees of the City.

Common Area - Includes, but is not limited to, employee lounges, lunch rooms, conference rooms, stairways, elevators, hallways, and rest rooms.

Smoking Debris - Includes, but is not limited to, smoke, ash or any other residue resulting from smoking. "Smoking debris" also includes cigarette or cigar butts, cigarette paper, or products packaging tobacco.

City Facility - An enclosed facility, including any automobile, that is owned, leased, or operated by the City and that is frequented by the public or represents the work station of an employee.

Automobile - Any car, truck, pickup, or other equipment or vehicle owned by the City.

**21.03 Uniform Smoking Policy.** Smoking and the chewing of tobacco is prohibited twenty-four (24) hours of the day, every day, in all City enclosed work and common areas, facilities, and automobiles. This prohibition applies to all City officers, employees, and contractors, and to members of the general public.

Smoking is only allowed in designated outside areas that are at least 25 feet from building entrances and exits, windows that open, and ventilation intakes. Employees are expected to exercise common courtesy and to respect the needs and sensitivities of coworkers with regard to the smoking policy. Smokers have a special obligation to keep smoking areas litter-free.

**21.04 Violations.** Discipline may be imposed, in accordance with the Personnel Policy, on any employee who violates the City smoking policy. The primary objective of discipline is to correct the behavior in violation of the policy, not to punish employees who smoke.

## **Chapter 22**

### **WHISTLEBLOWER POLICY**

**22.01 Policy Statement.** It is the policy of the City to encourage its employees to report improper governmental action taken by City officers or employees. It is also the policy to protect City employees, who in accordance with City policies and procedures have reported improper governmental actions, from retaliatory action.

#### **22.02 Definitions.**

Improper Governmental Action - Any action by a City officer or employee that is undertaken during 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 does the following:

1. violates any federal, state, or local law or rule;
2. abuses authority;
3. is of substantial and specific danger to public health or safety; or
4. is a gross waste of public funds.

Improper governmental action does not include personnel actions, including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, re-employment, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or Civil Service laws, alleged violations of labor agreements, or reprimands.

Retaliatory Action - An adverse change in the employment status or terms and conditions of an employee's employment.

Emergency - A circumstance that, if not immediately changed, may cause damage to persons or property.

**22.03 Reporting Procedures.** An employee who becomes aware of an improper governmental action should raise the issue first with the employee's immediate supervisor. If the supervisor requests, the employee must submit a written report to the supervisor or to a person designated by the supervisor. The written report should state in detail the basis for the employee's belief that an improper governmental action has occurred. When an employee believes that the action involves the immediate supervisor, the employee may raise the issue with the Department Director, City Administrator, or any such person whom the City Administrator designates to receive reports of improper governmental action. An employee may also report improper governmental action in the first instance to the County Prosecuting Attorney.

The immediate supervisor, Department Director, City Administrator, or City Administrator's designated representative will take prompt action in assisting the City to properly investigate

the report of improper action. Employees involved in the investigation (to the extent possible under law) must keep the identity of reporting employees confidential, unless an employee authorizes, in writing, the disclosure of his/her identity.

After an investigation has been completed, the employee reporting the improper governmental action will be given a summary of the results of the investigation. However, personnel actions taken as a result of the investigation may be kept confidential.

In the case of an emergency, an employee may, without following the steps above, report improper action directly to the federal, state, or local governmental agency responsible for investigating improper governmental actions of the kind the employee believes has occurred. In addition, if an employee believes the City's investigation of or response to the improper action is inadequate, or believes the improper action is likely to recur, the employee may then report the action to the applicable government agency . A list of agencies is attached.

If an employee fails to make a sincere attempt to follow the City procedures in reporting an improper governmental action, the employee will not receive the protection provided by the City in these procedures.

**22.04 Protection from Retaliatory Actions.** Employees are prohibited from taking retaliatory action against an employee who, in good faith and in accordance with the proper procedures, has reported an improper governmental action.

An employee who believes that they have been retaliated against shall advise the employee's Department Director, the City Administrator, or the City Administrator's designated representative. The Department Director, the City Administrator or representative shall take appropriate action to investigate and address complaints of retaliation.

If the employee's Department Director, the City Administrator, or the City Administrator's designated representative does not satisfactorily resolve an employee's complaint concerning retaliation, the employee may obtain protection under this Policy and in accordance with state law by providing a written notice to the City Council. The notice must specify the alleged retaliatory action and the relief requested.

An employee shall provide a copy of their written charge to the City Council, with a copy to the City Administrator, no later than thirty (30) calendar days after the occurrence of the alleged retaliatory action. After receiving the charge of retaliatory action, the City Council shall respond within thirty (30) calendar days.

Hearing - After receiving the response from the City Council or thirty (30) calendar days after the delivery of the charge to the Council, the employee may request a hearing before a administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing must deliver the request to the City Administrator within the earlier of these dates: either fifteen (15) calendar days after the delivery of the City Council's response to the charge, or forty-five (45) calendar days after the charge was given to the City Council for response.



Hearing Procedure - Upon receiving a request for a hearing, the City Administrator, within five (5) working days shall apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge:

Office of Administrative Hearings  
P.O. Box 42488, 4224 Sixth S.E.  
Row Six, Building 1  
Olympia, WA 98504-2488  
PH: (360) 664-8717  
Fax (360) 664-8717

The City shall consider any recommendation that the retaliator be suspended, with or without pay. As provided by the administrative law judge, the City shall also consider that the retaliator be discharged.

**22.05 Whistleblower Responsibilities.** The City Administrator is responsible for implementing the City's policies and procedures for reporting improper governmental action and for protecting employees against retaliatory actions. The City Administrator's responsibilities include: ensuring that this policy and these procedures are permanently posted where all employees shall have reasonable access to them; ensuring that this policy and these procedures are made available to an employee upon request; and ensuring that this policy and these procedures are provided to all newly appointed employees.

Department Directors and supervisors are responsible for ensuring that 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 discharge.

A list of agencies that are responsible for enforcing federal, state, and local laws and for investigating other issues involving improper governmental action is attached as Appendix A of this Manual. Employees having questions about these agencies or the procedures for reporting improper governmental action are encouraged to contact the City Administrator.

## **Chapter 23**

### **VEHICLE USE POLICY**

**23.01 Policy Statement.** The City of Grandview is committed to the safe operation of City-owned vehicles. It is the City's policy to provide vehicles for business use, to allow employees to drive on City business when necessary, and to reimburse employees for business use of personal vehicles.

**23.02 Assignment of City Vehicles.** The City Administrator may assign City vehicles to those departments that have demonstrated a continued need for them. The City Administrator may also assign vehicles for use by employees who need transportation in the course of their normal work. All other employees needing transportation for City business may use vehicles assigned to their department or those made available as needed.

**23.03 Use of City Vehicles.** No employee may drive a City vehicle without prior approval of their Department Director. No Department Director may authorize an employee to drive a City vehicle without (1) checking the employee's driving record, (2) confirming the existence of a valid Washington State driver's license, and (3) confirming that the employee is eligible for coverage under applicable insurance.

**23.04 Use of Personal Vehicles.** If no City vehicles are available, a Department Director may authorize an employee to use their own vehicles for business purposes. Employees who use personal vehicles for approved business purposes shall receive a mileage allowance at the Internal Revenue Service rate upon submittal of a complete expense reimbursement claim. Employees who operate personal vehicles for City business should obtain auto liability coverage for bodily injury and property damage with a special endorsement for Business Use, when necessary as determined by representing insurance agent. The employee's auto insurance will be primary and the City's auto liability insurance may provide excess coverage only if necessary.

**23.05 Taking City Vehicles Home.** The City Administrator may authorize an employee to take home a City vehicle for emergency response. No employee may take home a City vehicle without written authorization of the City Administrator. Such authorization shall be granted only for employees who reside within 15 miles of the City of Grandview. The vehicle is to be used for City business only, to include travel to/from the employee's home and employment with the City. Use of a City vehicle for personal business is prohibited. Personal business includes but is not limited to taking children to school or recreational activities, running personal errands such as going to the store or dry cleaners, and going to church. Family members are prohibited from riding in a City vehicle absent prior written approval of the City Administrator. An employee who violates this section forfeits their authorization to take home a City vehicle and may be subject to other disciplinary action as outlined in this policy.

The City Administrator may authorize an employee to use a City vehicle for limited personal business when on "stand by" duty.

**23.06 Employee Conduct while on City Business.** Employees who drive a personal or City vehicle on City business must exercise due diligence, drive safely and maintain the security of the vehicle and its contents. Employees are prohibited from operating any vehicle for City

business when 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. Employees must use the seatbelt/safety restraint device and require any passengers to do the same. Employees must comply with state laws pertaining to the use of cell phones and texting while operating motor vehicles.

**23.07 Employee Conduct while Driving a City Vehicle.** Employees are prohibited from driving a City vehicle anywhere which has no job-related function. No employee may allow a non-employee, non-business passenger to ride in City vehicles without prior approval of the City Administrator.

**23.08 Responsibility for Driving Infractions.** Employees are personally responsible for payment of any driving infractions or fines that result from their operation of a motor vehicle while on City business.

**23.09 Zero Tolerance Policy on Drugs and Alcohol.** No employee may operate a vehicle on City business with any detectable amount of illegal drug (specifically to include marijuana) or alcohol in their system. Tobacco use is prohibited in all City vehicles and equipment. Any employee who uses City vehicles and receives a citation for Driving Under the Influence (DUI) must notify his/her Department Director immediately.

**23.10 Travel Expenses.** Employees driving on City business may claim reimbursement for parking fees, tolls and other expenses directly incurred for business purposes upon submitting a complete expense reimbursement claim.

**23.11. Driving Abstract.** The Human Resource Assistant shall obtain a driving abstract for every employee whose job description requires operation of a City commercial vehicle or school bus.

**23.12 Mandatory Reporting.** Employees shall immediately report to their Department Director any incidents or accidents causing injury to employees or members of the public or damage to public or private property or equipment occurring during working hours or involving City equipment or property. In case of a motor vehicle accident involving City equipment or occurring during an employee's work hours, the employee(s) involved shall also immediately notify the Police Department. The City Administrator shall be notified of all accidents involving City employees and equipment as soon as possible and not later than the next work day on which the accident occurred. Employees shall compile any incident and/or accident reports requested by their Department Director or City Administrator.

**23.13 Drivers Licenses as Job Requirement.** Employees holding jobs designated as requiring regular driving for business must, as a condition of employment, be able to meet the driver approval standards of this policy at all times. These driver approval standards include maintaining a valid Washington State driver's license, retaining eligible coverage under applicable insurance and complying with the provisions of this policy. For all other jobs, driving is considered a non-essential function of the position.

**23.14 Reporting Requirement.** Any employee whose work requires the operation of a City vehicle and whose license is expired, suspended, or revoked, is subject to disciplinary action including demotion or termination, unless that employee is able to obtain an occupational permit from the State Department of Licensing. Should the employee fail to immediately report such a revocation or suspension of his/her license to the Department Director and continue to operate a City vehicle under such circumstances, that employee may be subject to disciplinary action up to and including termination.

**23.15 Commercial Drivers Licenses.** City employees who hold commercial driver's licenses ("CDLs") and who operate commercial motor vehicles while employed by the City are subject to additional rules and regulations imposed by the federal government. These regulations require urine drug testing and alcohol breath testing in the following circumstances: (1) Pre-employment; (2) Reasonable suspicion; (3) Post-accident; (4) Return to duty testing; (5) Random testing. CDL holders who test positive must be removed from service and are subject to discipline, up to and including termination. See Chapter 18, Substance Abuse and Physical Examination Policy.

**23.16 Reporting Mechanical Issues.** No employee shall operate a City vehicle without first conducting a pre-trip inspection. Employees are responsible for notifying their Department Director of any mechanical or physical deficiencies with a vehicle they have driven, for example, malfunctioning headlight or taillight or unusual noises, by completing the Driver's Vehicle Condition Report (VUP 1).

**23.17 Maintenance File.** Department Directors are responsible to ensure that City vehicles receive appropriate routine maintenance and repair. Department Directors shall keep a maintenance file on all City vehicles and equipment that records all maintenance, tire changes, major repairs, etc. See Service Maintenance Report (VUP 2).

**23.18 Police Department Vehicles.** Because the use of police vehicles may involve rapidly evolving emergency situations, and because officers routinely operate using their vehicles as their "office", some additional responsibilities may apply. Police Department employees will abide by Police Department written policy (Chapter 9) covering police use of vehicles. The Police Chief may grant exceptions to the Grandview City Vehicle Use Policy, to police department employees, in emergency\* situations. The Police Chief may authorize incidental personal use (i.e., meal breaks) of vehicles during the conduct of an employee's main job functions.

\*Emergency for the purpose of this section is defined as emergent or exigent circumstance(s).

**23.19 Violations Subject to Discipline.** Violations of this policy may result in disciplinary action up to and including termination.

## **Chapter 24**

### **ELECTRONIC MAIL & INTERNET USE POLICY**

**24.01 Policy Statement.** As an employee, you are likely to use computers extensively in your job. A few rules are necessary so that everyone can get the maximum benefit from the City's investment in technology.

In order to protect the City's computer system from viruses and ensure that the software used is compatible with the City's computers, only software purchased or approved by the City may be installed on City computers. Before installing any software not provided by the City, employees must check with their Department Director. Games and other non-business related software may not be installed on City computers or used during City work time.

Software is protected from unauthorized duplication by law. The City respects the legal rights of software developers and expects employees to do the same. No employee may duplicate software, or otherwise use software other than in accordance with the terms of its license. Software that has been duplicated without authorization may not be installed on City computers.

City-supported Internet use is the property of the City and also should only be used for official business purposes. E-Mail, as well as voice mail, may be used only for business. E-mail and Internet access should not be used to solicit others for commercial ventures, religious or political causes, outside organizations or other non-job-related purposes. All electronic media communications should be professional and business-like in tone. Use of electronic media for jokes, gambling, games, or discriminatory, derogatory, sexual, or otherwise inappropriate remarks is strictly prohibited. Remember, management has access to all electronic media, and you should not consider E-mail or voice mail communications private.

Any violation of this electronic media policy may result in disciplinary action, up to and including termination.

## **24.02 CONSENT AND PRIVACY WAIVER**

I hereby consent that the City of Grandview, or its authorized representative(s), may monitor, review, and/or copy any information on the electronic data processing system, including the electronic mail system, whether stored or in transit, at any time, and may, without further notice, disclose such information to any third party or parties, including government and law enforcement agencies.

### **Prevention of Unauthorized Access**

I will maintain the confidentiality of my computer and electronic mail system password(s) and will not permit access to my network account or to my electronic mail account by any person unless such access has been approved in advance by my immediate supervisor. If my password is disclosed to any individual other than an approved supervisor, for whatever reason, or if to my knowledge the security of my account is otherwise breached, I will immediately notify my supervisor.

### **Acknowledgment of Policies**

I acknowledge receipt of the policy on Electronic Mail and Internet Access and agree to comply with all stated policies. I further acknowledge that the City depends upon users to bring to its attention abuses of the system and I agree to promptly notify my supervisor or the Information Services department if such abuse comes to my attention.

Employee Name (Please Print)
------------------------------

Department
------------

Employee Signature
--------------------

Date
------

### **\*\*\*PLEASE NOTE\*\*\***

Only those individuals who have signed and submitted a copy of this form are authorized to use the employer's electronic mail system. Unauthorized access is a violation of law and City policies and may result in disciplinary action, up to and including termination.

## **Chapter 25**

### **CELLULAR TELEPHONE USE POLICY**

**25.01 Policy Statement.** The purpose of the Cellular Telephone Use Policy is to provide guidance regarding the purchase and use of cellular telephones and establish the protocol for reimbursement by employees for personal use of City cell phones.

It is the policy of the City to entrust employees with communications equipment for productivity and safety reasons; and it remains employees' responsibility to use such equipment prudently such that the safety of themselves, their co-workers and the general public is always their top priority.

Employees who abuse this policy for whatever reason may be subject to disciplinary action, up to and including termination.

#### **City-Owned Cell Phones**

1. Protocol for Assignment of City-Owned Cell Phones. A cell phone is considered a requirement under one or more of the following conditions:
  - A. Job Responsibilities require an employee to be away from regular land line access for long periods of time and communication by the employee is necessary to fulfill job objectives.
  - B. Cellular telephone use enhances the employee's personal safety on the job.
  - C. The employee's role carries responsibilities such that the ability to conduct two-way communication is necessary at all times.
2. No Right to Privacy. Employees have no right to privacy with respect to the use of City-Owned Cell Phones. This includes any and all voicemails, social media messaging, emails, text messages, call history and/or any other information stored on a cell phone, regardless of whether stored in the device or in remote sites and/or with remote services. The City has the right to inspect any and all City-Owned Cell Phones used by employees for such information at any time and without notice.
3. Authorized use of City-Owned Cell Phones. Cell phones provided by the City are the property of the City and are to be used to conduct City business as outlined below:
  - A. Cell phones should not be used for personal use, except for necessary work-related situations such as unanticipated overtime or family emergencies. Calls of this nature should be infrequent in number and brief in duration.
  - B. Employees must report non-work related, local and long-distance personal cell phone charges to the City and reimburse the City at the per-minute rate the City pays for minutes billable to the phone in excess of the "free-time" minutes.

- C. Cell phone use in violation of any local, state, or federal law is prohibited. Cell phone use in violation of City or department work policies or for the purpose of personal financial gain is prohibited. Cell phones may not be used for blogging, jokes, gambling, games, or social networking (e.g., Facebook, MySpace, Twitter). Cell phone use for any discriminatory, derogatory, sexual, illegal, unethical or otherwise inappropriate remarks or purposes is strictly prohibited.
  - D. Cell phone use and text messaging with a City-owned or privately-owned cell phone is prohibited while the employee is operating a City-owned motor vehicle, except as provided in RCW 46.61.667. Speaking on the cell phone while driving should be done so only with a hands-free device. If no hands-free device is available, the driver shall pull to the side of the road in a safe location prior to answering or initiating cell calls. The use of hands-free technology is encouraged.
3. Employee Responsibilities Regarding City-Owned Cell Phones.
- A. Protect the City-owned cell phone from theft, loss or damage.
  - B. Immediately report loss or theft of a City-owned cell phone to your supervisor or Department Director.
  - C. As cell phone calls are not secure, use discretion while making calls of a sensitive or confidential nature.
  - D. Immediately return the telephone to your supervisor or Department Director if it is determined that the phone is no longer necessary for your job or upon leaving employment with the City.

### **Use of Personal Cellular Telephones to Conduct City Business**

The City recognizes that some staff members carry personal cell phones for their personal use. Use of those cell phones during business hours should be kept at a minimum to discourage adverse impact on employee or co-worker performance and safety.

Employees using privately-owned cellular phones may be reimbursed by City for direct air time for calls to conduct authorized City business when evidenced by a billing detail. Reimbursement is made through the City's expense claim process with the billing detail attached. City business calls should be identified, including the name of the person/agency called and the reason for the call.

Any violation of this Cellular Telephone Use Policy may result in disciplinary action, up to and including termination.

Public Records Act – Employees should be aware that work-related texts and voice messages on cell phones are public records subject to the Public Records Act. Employees have a duty to maintain such records in accordance with the Washington Local Government Record Retention Schedules.



## **Chapter 26 EMPLOYEE RECOGNITION**

**26.01 Policy Statement.** The purpose of this policy is to provide for the recognition of employees and volunteers.

**26.02 Policy.** This policy shall apply to all departments of the city, employees and volunteers. The city and its various departments may provide awards and hold special events to recognize and acknowledge publicly the contribution of employees and volunteers to the successful conduct of the city's business. Recognition events may include any of the following elements:

- A. Public acknowledgment of excellence and/or achievement by elected officials or department heads.
- B. Presentation of individual awards such as certificates, plaques and other recognition mementoes.
- C. Recognition of group success and achievement.
- D. Meal and light refreshments whose purpose is to honor volunteers and/or employee service awards in recognition of exemplary service, notable achievements, i.e., course completion, length of service, outstanding safety performance, cost saving suggestions, exemplary service above and beyond the normal job requirements, and other achievements in support of the city's mission.

Such awards may be made by the Mayor upon recommendation by the City Administrator and should be a budgeted item in each department. The cost of individual awards shall not exceed \$100.00 each.

### **26.03 Annual Employee Recognition Celebration**

The City may celebrate and recognizes employees for meritorious achievements, the previous year service efforts to the community, and individual employee's lengths of service at an annual event. The City may provide reasonable food and refreshments at the annual event.

### **26.04 Retiring Officer Handgun**

This policy shall apply to commissioned police officers not covered under a current union bargaining agreement. A commissioned police officer in good standing who retires after 20 years of service may be allowed to keep a regular duty handgun that was assigned to the officer during that period.

The following elements shall apply:

- A. The value of the handgun shall not exceed Four Hundred Dollars (\$400.00). If the value of the handgun exceeds that amount, the retiring officer shall be given the option of reimbursing the City for the value in excess of \$400.00 in order to obtain the handgun.
- B. The Mayor shall be notified of any proposed award by a written request from the Police Chief. Upon written approval by the Mayor, the Police Chief shall prepare a Notice of Surplus Property to be presented to the City Council.
- C. An award of a handgun shall only include one handgun that was assigned to that officer. At the City's discretion, a handgun awarded to a retiring officer under this section may or may not be the actual handgun assigned to the officer at the time they retire.
- D. Any transfers shall comply with any state or federal laws applicable at that time.

## **Chapter 27 CREDIT CARD USE POLICY**

### **27.01 Policy Statement:**

To establish a policy on the use of City credit cards to transact official City business.

### **27.02 Departments Effected:**

City Administrator, Department Directors and Employees

### **27.03 References:**

RCW 43.09.2855

### **27.04 Policy:**

A. The City Council has authorized the City Administrator to implement procedures for the use of City credit cards for the following uses:

- Travel: Credit cards may be used by the above assigned individuals (section 2) for official business – related expenditures for hotel, parking, ferry, taxi, meals, gas, airline tickets, emergency city vehicle repairs and other travel related expenses as authorized by the Mayor or City Administrator. In addition the assigned individual may use the City credit card for conference and class registrations. Out of state travel and out of state registration require the Department Head to obtain the Mayor’s pre-approval.
- Purchases: The assigned credit cards may be used for ordering supplies, including on-line purchases, under \$1,000 for City purposes, when pre-approved by the Department Director. The City Clerk’s credit card shall be utilized for on-line purchases over \$1,000 with pre-approval by the City Clerk and City Administrator.
- Purchases where an open charge account exists may be utilized for convenience at the time of purchase with the approval of the City Administrator.
- Credit Limit: The credit limit for each assigned City credit card shall be \$1,000 for employees. The credit limit for the Police Chief and Assistant Police Chief shall be \$2,000. The City Clerk’s credit limit for said assigned City credit card shall be \$10,000.
- City credit cards shall NOT be used for cash advances or personal purchases.

B. Credit Cards may be issued to Departments as follows:

- Administration: City Administrator, City Clerk and City Treasurer
- Police Department: Police Chief and Assistant Police Chief
- Fire Department: Fire Chief and Fire Captain
- Library: Library Director
- Public Works: Public Works Director and Public Works Assistant

- C. The City has the following credit cards:
  - 1. Visa Cards for each Department as identified in (B)
  - 2. Chevron Fuel Card
  - 3. CNH Capital Credit Card
  - 4. Office Max Credit Card
  - 5. Office Depot Credit Card
  - 6. Safeway Credit Card
  - 7. Sears Commercial One Credit Card
  - 8. Stapes Credit Card
  - 9. Wal-Mart Credit Card

### **27.05 Procedures:**

A. Authorization: Payment of all credit card expenditures is contingent upon the City Administrator's or Department Director's approval of the monthly statement of transactions. If expenditure is deemed inappropriate, the assigned credit card holder will be responsible for reimbursing the City.

- B. Receipts/Verification:
  - 1. Receipts **must be obtained** for each credit card transaction.
  - 2. The purpose of the charge and the name of the individual(s) involved must be clearly written on the receipt. Meal receipts must note who ate and the purpose of the meeting.
  - 3. Receipts or purchase verification for on-line charges are to be saved and retained by the assigned individual or designee.

C. The Department Director will reconcile and voucher the credit card transaction as scheduled with a completed purchase order and all corresponding credit card receipts attached.

- D. The Accounting Clerk will:
  - 1. Verify all credit card expenditures against the monthly transaction summary.
  - 2. Notify the Department Director of missing receipts within 5 days of receiving the monthly statement.

### **27.06 Control:**

A. The assigned department is responsible for contacting the vendor when supplies purchased with the credit card are not acceptable (incorrect order, damaged, etc.) and for arranging a return for credit or exchange.

B. The City Clerk is responsible for administration of the cards to include, but not limited to, selection of the card provider, payment of credit card bills, managing the issuance of cards and ensuring proper use.

- C. The City Administrator will disallow the use of the assigned City credit card for

violation or misuse of the credit card in accordance with this policy. The following will be considered an unauthorized purchase or use of any City purchasing/credit card:

1. Cash advances
2. Payment of invoices or statements
3. Purchases where an open charge account would be utilized without prior approval from the City Administrator
4. Personal purchases of any kind even if the cardholder intends to reimburse the City
5. Purchases where no or inadequate documentation is provided substantiating the necessity, nature and cost of the purchase

D. Any exceptions to this policy must be approved in writing in advance by the City Administrator.

E. Assigned individuals will sign a Credit Card User Agreement (Attachment A) before they are eligible to use the card.

F. Credit cards are to be returned to the City immediately upon ending employment with the City.

G. Misuse of a City credit card may result in disciplinary action, termination and/or legal action.

H. Failure to provide detailed documentation as required by the policy will at a minimum result in the user being responsible for the charge and may result in disciplinary action.

**27.08 Credit Card User Agreement**

I, \_\_\_\_\_, as an employee of the City of Grandview accept personal responsibility for the safeguard and proper use of the City credit card

# \_\_\_\_\_

which has been assigned to me for use in the performance of my job, in accordance with the terms outlined below.

Credit cards are to be used solely for travel related business expenses (within and outside the city), and conference/class registrations incurred by the assigned individual only.

Credit cards may be used for purchasing department supplies up to \$1,000 only if prior approved by the assigned card holder's Department Director.

I have read and understand the credit card policies and procedures as set forth in the Credit Card Use Policy.

I understand the City Administrator will disallow my use of a City credit card for violation or misuse of the credit card and/or credit card policies and procedures. I understand that such violation or misuse may subject me to discipline, including termination, under the City's Personnel Policies and/or legal action.

I understand that each time I use, or authorize the use thereof, that I am adhering to the following statement:

"I hereby verify that this is a true and correct claim for necessary expenditures incurred by me and that no payment has been received by me on account thereof."

I understand that I will be held personally liable for inappropriate charges I incur to the City credit card, and payment for any such inappropriate charges is hereby authorized to be withheld from my paycheck. For represented employees there will be a meeting between the City Administrator or designee, the employee and the Union representative within 10 days from when the misappropriation was discovered to discuss the charges and terms of repayment.

The undersigned individual has read and understands the above statements.

Employee Name Printed: \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## DEFINITIONS

The following terms, if not previously defined in the body of the Personnel Policy, are defined as follows:

Accrued or Accumulated Vacation Leave – The hours/shifts an employee has in their records and that are added on a monthly basis.

Advancement – A salary increase within the limits of the pay range established for a classification.

Appointing Authority – The City Administrator or the City Administrator's designee has the authority to make appointments to fill positions.

Appointment – The offer to and acceptance by a person for a position according to this Policy.

Armed Forces – Includes the Army, Navy, Marine Corps, Coast Guard, Air Force and their auxiliaries.

At-Will Employment – The employment relationship for all employees not covered by a collective bargaining agreement or Civil Service rules and regulations may be terminated at any time by either party with or without cause or notice.

Bereavement – The death of a member of the employee's immediate family and/or the death of a loved one which may require the presence of the employee.

Budgeted Position – A position that is funded in the City's annual budget.

Candidate – An applicant who is participating in the recruitment for a position.

Child – Biological or adopted child, or a stepchild, who is financially dependent on and/or living with an employee.

City – The City of Grandview, Washington.

City Council – The City Council of the City of Grandview.

City Department – A major functional sub office of City government that is accountable through the Department Director to the City Administrator.

City Service – The performance of official duties and responsibilities for the City.

Classification – A group of positions with similar or equal duties, responsibilities, and pay ranges.

Classification Title – A name assigned to a position that indicates a particular level of rank and specific duties and responsibilities.

Compensation – The salary/wage and all other forms of valuable consideration earned by, or paid to, any employee in remuneration for services in any position. [“compensation is used in other contexts within the Policy, such as in the context of Worker’s Compensation, and compensation an employee receives for jury duty and mileage].

Demotion – A reassignment to a position or classification with a lower pay range. Demotions may be involuntary if associated with a disciplinary action or voluntary which includes changes by employee preference (location, hours, environment, etc.) and demotion to avoid layoff. In either case, the demotion shall be approved only if the employee is qualified to assume the duties of the new position/classification.

Department Director – The professional employee who administers the operation of a City department and is directly responsible to the City Administrator.

Department Guidelines – Guidelines issued by a Department Director and approved by the City Administrator designed for specific types of activities within a department's operation.

Discharge – A disciplinary termination of employment.

Disciplinary Action – There are several types of disciplinary action that may include, either individually or in combination; an official reprimand (verbal or written), disciplinary probation, suspension, reduction in salary, demotion or discharge.

Disciplinary Probation – A form of disciplinary action for a period that generally will not exceed six (6) months.

Eligibility – A candidate whose name is recorded on an eligibility or reinstatement list. [“Eligibility” is used elsewhere in the Policy to speak about employees’ eligibility for benefits, vacations, etc.]

Emergency – As it relates to City operations, an unforeseen circumstance beyond the control of the municipality that either: (a) present a real, immediate threat to the proper performance of essential functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken.

Emergency Employee – A person employed to meet unexpected operational emergencies for a temporary period in a position not specifically authorized or funded in the budget.

Employee or Incumbent – A person legally occupying a position in the City service.

Exempt Employee – A person in a budgeted position exempt from the overtime provisions of the Fair Labor Standards Act as an executive, administrative, or professional employee. Exempt employees include the City Administrator and Department Directors.

Fair Labor Standards Act (FLSA) – A federal law that sets minimum wage, overtime pay, equal pay, recordkeeping, and child labor standards for employees who are covered by the Act ([www.dol.gov/elaws/flsa.htm](http://www.dol.gov/elaws/flsa.htm)).

Grievance – A written statement of dissatisfaction about the administration of the Personnel Policy of the City as it affects an individual employee or group of employees.

In loco parentis – In place of a parent.

Military Duty – Training and service performed by an inductee, enlistee, reservist, or any entrant into any of the Armed Forces of the United States and their auxiliaries.

Non-Exempt Employee – A person in a position covered by the overtime provisions of the Fair Labor Standards Act, also referred to as a "non-exempt" employee.

[Note: there are references to the Human Resources "Office" and "office" throughout the Policy, without apparent reason for using one or the other form.

Official Reprimand – An oral or written notice to an employee informing the employee of an action or course of conduct on their part that is cause for disciplinary action.

Parent – Biological or adoptive parent, or a step-parent.

Performance Appraisal – An appraisal of the quality, quantity, effectiveness, and efficiency of work performed. The appraisal is to communicate with the employee about performance, expectations, departmental standards, provide positive feedback, define specific areas needing improvement, and to develop a specific growth plan to address learning needs. At minimum, informal appraisals are encouraged frequently; formal appraisals are made annually.

Personnel – All persons employed in City service.

Personnel Management – The process of defining and proposing policies for managing City staff and the implementation of those policies in collaboration with responsible managers and supervisors.

Policy – An approved course of action established by the City Administrator or other appropriate authority.

Position – The official rank within a given classification and held by an employee with a descriptive title.

Position Description – A complete and detailed statement about the general responsibilities, essential functions, specific duties, and minimum qualifications of a specific position within a given classification, as well as decision-making responsibilities, level of supervision received and exercised, working conditions, and equipment operated.



Promotion – A change in the employment status of an employee to a position in a higher classification with a higher rate of pay and increased responsibility.

Range – The distance between the minimum and maximum rates of pay within a given classification.

Rate of Pay – See Compensation. [See note on “Compensation”].

Regular Full-Time Employee – A person employed to work forty (40) hours (or the designated work week for fire and police-shift personnel) per week in a budgeted position. This person has successfully completed the trial service period and has been retained according to the Personnel Policy provisions.

Regular Part-Time Employee – A person employed to work less than forty (40) hours per week in a budgeted position. This person has successfully completed the trial service period and has been retained according to the Personnel Policy provisions. Regular part-time employees are paid at the equivalent hourly rate of the range and step in the classification to which they are appointed and receive benefits on a pro-rated basis commensurate with their budgeted part-time hours.

Revised Code of Washington (RCW) – A compilation of all permanent laws now in force in the state of Washington.

Reclassification – The process of reassigning a position to a different classification as a result of a position audit.

Recognized Employee Organization (REO) – A collective bargaining unit.

Recruitment – Activity intended to attract, inform, evaluate, and appoint persons to City service under the provisions of this Personnel Policy.

Rejection – The separation from employment during the employee's trial service period. [Note: this word is also used in the context of the “rejection” of a job applicant. I proposed changing it to termination in the context of employees let go during their trial service period].

Relative – Any person related to the employee including spouses, children, brothers, sisters, half-brothers and sisters, step-brothers and sisters, parents, step-parents, aunts, uncles, nephews, nieces, first cousins, grandparents, grandchildren, and the spouses of the above.

Represented Employees – All employees appointed to budgeted positions who are covered by collective bargaining agreements.

Retirement – Official retirement from a budgeted position and City service that is available when the requirements of the employee's retirement system are met.

Separation Date – The last day of an employee's work in City service, after which no vacation or sick leave is accrued or used.

Shall – As used in this Personnel Policy "shall" is mandatory, and is reserved generally for policies governed by federal or state laws.

Step Date – The date in which the employee moves within their assigned classification pay range to the next higher pay step. An employee's step date is established by the following personnel actions:

- Initial appointment - upon successful completion of the non-represented employees trial service period, the initial step date shall be established; the step date for represented employees will be one year following their appointment date;

Supervisor – An employee hired and/or appointed by the City Administrator at the recommendation of the director of the employee's department to assign/direct and evaluate the work of other employees within the designated work unit or Office of the same department.

Suspension – The temporary separation of an employee from their position, with or without loss of pay, for pending disciplinary action, disciplinary action, or for another reason as determined necessary by the employee's supervisor, and for a defined period of time.

Temporary Employee – A person appointed to a temporary position or temporarily appointed to a regular position. A temporary position means a position budgeted for a set period of time on an hourly, daily, weekly, seasonal or call-in basis. This period of time will normally not exceed six (6) consecutive months of continuous employment.

Termination – The separation of an employee from City service. Termination may be by discharge, death, lay-off, resignation, retirement, work completion, contracting out City services, or lack of work or funds. The termination date is the last day of an employee's work in City service. No vacation or sick leave is accrued or used from that date forward.

Transfer – A reassignment of an employee from one position to another position in the same classification or another classification having the same pay range, involving the performance of similar duties, and requiring substantially the same basic qualifications.

Trial Service Period – A working test or orientation period during which an employee demonstrates, by actual performance, the employee's suitability for the duties of the position to which the employee has been appointed. The trial service period is for a minimum of six (6) months unless otherwise designated by a collective bargaining agreement.

Workday – An employee's scheduled daily hours of employment.

Workweek – An employee's schedule of work hours within an appointed week.

## APPENDIX A

### **CITY OF GRANDVIEW**

Grandview City Administrator  
207 West Second Street  
Grandview, WA 98930  
(509) 882-9200

Grandview Police Department  
207 West Second Street  
Grandview, WA 98930  
(509) 882-9223

### **YAKIMA COUNTY**

County Prosecutor  
County Courthouse  
(509) 574-1210

Yakima County Sheriff's Department  
Yakima, WA 98901  
1-800-572-7354

### **STATE OF WASHINGTON**

Attorney General's Office  
1125 Washington St. SE  
PO Box 40100  
Olympia, WA. 98504-0100  
(360) 753-6200  
(360) 586-9667

State Auditor's Office  
Assistant Attorney General  
State Attorney General's Office  
PO Box 40108  
Olympia, WA 98504-0108

State Department of Ecology  
P.O. Box 47600  
Olympia, WA 98504-7600  
(360) 407-6000

Human Rights Commission  
402 Evergreen Plaza Building FJ-41  
711 South Capitol Way  
Olympia, WA 98504-2490  
(206) 753-6770

Department of Labor & Industries  
1 (800) 354-5423

### **UNITED STATES**

USDA, Office of Inspector General  
75 Hawthorne Street, Suite 200  
San Francisco, CA 94105-3920  
(415) 744-2851 Office  
(415) 744-2871 Fax

General Accounting Office  
Fraud Hot Line 800-424-5454  
Consumer Product Safety  
Commission  
(800) 638-2772 Hotline

Environmental Protection Agency  
Criminal Investigations  
1200 Sixth Avenue  
Seattle, WA 98101  
(206) 553-1200 or (800) 424-4EPA

Equal Employment Opportunity Commission  
909 First Ave, Suite 400  
Seattle, WA 98102-1061  
(206) 220-6883

Department of Labor  
Occupational Safety & Health (OSHA)  
200 Constitution Avenue  
Washington, D.C. 20210  
(800) 321-OSHA (6742)

**REVISIONS**

<u>Section</u>	<u>Date of Revision</u>	<u>Authority</u>
3.08	April 12, 2011	Resolution No. 2011-19
3.09	April 12, 2011	Resolution No. 2011-19
7.07	April 12, 2011	Resolution No. 2011-19
8.06	April 12, 2011	Resolution No. 2011-19
10.03	April 12, 2011	Resolution No. 2011-19
10.04	April 12, 2011	Resolution No. 2011-19
10.09	April 12, 2011	Resolution No. 2011-19
11.10	April 12, 2011	Resolution No. 2011-19
11.11	April 12, 2011	Resolution No. 2011-19
11.12	April 12, 2011	Resolution No. 2011-19
12.03	April 12, 2011	Resolution No. 2011-19
25.01	April 12, 2011	Resolution No. 2011-19
28	April 12, 2011	Resolution No. 2011-19
7.07	November 22, 2011	Resolution No. 2011-49
12.03	January 10, 2012	Resolution No. 2012-3
12.04	January 10, 2012	Resolution No. 2012-4
17.04	January 22, 2013	Resolution No. 2013-14
17.06	January 22, 2013	Resolution No. 2013-14
12.04	February 12, 2013	Resolution No. 2013-24
7.07	January 14, 2014	Resolution No. 2014-1
26.03	April 8, 2014	Resolution No. 2014-28
27	April 8, 2014	Resolution No. 2014-29
27.04	May 13, 2014	Resolution No. 2014-30
27.07	May 13, 2014	Resolution No. 2014-30
23	August 26, 2014	Resolution No. 2014-43
10.10	September 23, 2014	Resolution No. 2014-50
13.03.01(A)(1)	December 9, 2014	Resolution No. 2014-64
9.01	November 24, 2015	Resolution No. 2015-48
7.07	January 10, 2017	Resolution No. 2017-3
7	December 12, 2017	Resolution No. 2017-51
7.03	February 13, 2018	Resolution No. 2018-10
7.08	December 11, 2018	Resolution No. 2018-49
27.04	September 10, 2019	Resolution No. 2019-30
26	August 9, 2021	Resolution No. 2021-36
3.09	May 24, 2022	Resolution No. 2022-23
9	May 24, 2022	Resolution No. 2022-24
13.03.02(3)	July 12, 2022	Resolution No. 2022-33