

**Connell City Hall
104 E. Adams Street**

**City of Connell, Washington
CITY COUNCIL
PRELIMINARY AGENDA**

**REGULAR MEETING
November 20, 2017**

REGULAR MEETING

6:00 PM

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. CORRESPONDENCE/PRESENTATIONS/APPOINTMENTS
5. CONSENT CALENDAR

All matter listed within the Consent Calendar have been distributed to each member of the Connell City Council for reading and study, are considered to be routine, and will be enacted by one motion of the Council with no separate discussion. If separate discussion is desired, that item may be removed from the Consent Calendar and placed on the Regular Agenda by request.

- a) Minutes of the Regular Council Meeting November 6, 2017
 - b) Accounts Payable 11/20/17 for \$115,306.31
 - c) Payroll Register 11/15/17-11/20/17 for \$60,087.64
6. PRESENTATIONS FOR COUNCILMEMBERS
 7. APPROVAL OF AGENDA

ORDER OF BUSINESS

8. Great Northern Corridor Coalition – Curtis Shuck
9. Body Camera presentation – Police Chief Turner
10. RESOLUTION NO. 2017-21 - Personnel Policy update

11. COMMITTEE, CITY ADMINISTRATOR, AND DEPARTMENT REPORTS
12. EXECUTIVE SESSION
13. CITIZEN COMMENT/NON-AGENDA ITEMS
14. CITY COUNCIL CLOSING REMARKS
15. ADJOURNMENT

The public is welcome and encouraged to attend this meeting. The City of Connell wishes to provide reasonable access to all public meetings for individuals with disabilities. Please contact the City Clerk at least three business days prior to the meeting for accommodations to be arranged.

MEETING OF THE CITY OF CONNELL, WASHINGTON
CONNELL, FRANKLIN COUNTY, WASHINGTON
November 6, 2017

The regular semi-monthly meeting of the Connell City Council was called to order by Mayor Blackwell at 6:00 pm in the City Hall and was opened with the Pledge of Allegiance.

ROLL CALL

PRESENT: Mayor Bruce Blackwell and Councilmembers: Ray Minor, Rhonda Quinton and Joe Escalera.

EXCUSED: Councilmember Quinton moved to excuse Mayor Pro Tem Monty Huber and Councilmember Kathy Silva. Councilmember Escalera seconded motion. Motion carried unanimously.

STAFF: City Administrator Maria Peña, Accounting Clerk Marissa Ortiz, Public Works Director Larry Turner, Chief Police Chris Turner, Fire Chief Chris Schulte and City Attorney Dan Hultgrenn.

VISITORS: Franklin PUD; Ben Hooper and Vic Scarano. Mid-Columbia Libraries; Kyle Cox. Port of Pasco; Randy Hayden. Franklin County Graphic; Katherine Trowbridge. Citizens; Pat Barrera, Helen Tobin, John Linder, John & Gail Eilmes, Carolyn & Florian Nordhus.

CORRESPONDENCE

Mayor Bruce Blackwell presented correspondence:

A letter of resignation from Cassandra Hart who had officially resigned from the Planning Commission Board as of October 31, 2017.

The Franklin County Planning & Building Department sent notice of a Public Hearing for a proposed zoning designation change.

CONSENT CALENDAR

Motion: Councilmember Quinton moved to approve the consent calendar with corrections:

- a) Minutes of the Regular Council Meeting October 16, 2017:
(Misspelled-museum & total bidder results ranged from \$400,000 to \$182,000 was changed to \$437,616.00 to \$186,798.96).
- b) Accounts payable November 6, 2017 for \$163,462.52
- c) Check Register 11/1/17 for \$204.48
- d) Payroll Register 10/17/17 for \$16,838.44
- e) Payroll Register 10/31/17-11/5/17 for \$91,251.31

Councilmember Minor seconded motion. Motion carried unanimously.

PRESENTATIONS

Port of Pasco; Economic Needs-

Randy Hayden Executive Director for the Port of Pasco voiced that in the Ports strategic planning process, Port Commissioners were looking to make an investment in the City of Connell that would impact economic development. An informal survey to see what the community felt would be a benefit was passed around with the help of Michael Jay's Restaurant owner David Hart. The top three items included an expanded library, retail businesses and broadband services. The Port also received feedback from community meetings. Mr. Hayden said they had not yet heard feedback from the City Council. The Port Commissioners would then review the feedback and make a final decision on how the funds would be spent.

Ben Hopper with the Franklin PUD's broadband was also present and spoke briefly on the PUD broadband project phase I. He mentioned this phase covered the west side of town. Phase II would take place in 2018 on the east side of town.

Kyle Kox with the Mid-Columbia Library also spoke and explained their staff would like a larger building space but was aware there were costs for both the City of Connell and the Library district. The library district was conducting an assessment study on the current facility.

Fire Presentation-Fire Chief Chris Schulte-

Fire Chief Schulte presented and discussed where he spent the summer. He stated he was on assignment for 86 days in row and worked 78 days on a total of four wildland fires. The other 8 days were for a rest period. The highpoints he shared were the safety record, no loss of structures and his team. He voiced his appreciation.

APPROVAL OF AGENDA

Motion: Councilmember Quinton moved to approve the agenda as presented. Councilmember Escalera seconded motion. Motion carried unanimously.

ORDER OF BUSINESS

PUBLIC HEARING-2018 FINAL BUDGET

Mayor Blackwell recessed the regular meeting at 6:58 pm and opened a Public Hearing to allow for comment from the public in regards to 2018 final budget.

STAFF REPORT: City Administrator Maria Peña notified Council that attached for their review and discussion was the 2018 Fiscal Year Budget. The 2018 budget presented was a balanced budget but was still subject to change. The following changes were made from the preliminary 2018 Budget Hearing held on October 2, 2017. Budget changes could still be made up until the final 2018 budget was adopted by Council.

Street Fund: Increased revenues by \$12,500 due to State Natural Gas taxes came in higher than projected. Expenditures were decreased by \$14,000 by lowering professional services to \$1,000 (from \$5,000) and lowering machinery & equipment for capital

MEETING OF THE CITY OF CONNELL
Regular Meeting – November 6, 2017

expenditures to \$5,000 (from \$15,000). A net change of \$26,500 and no other changes were made.

Totals for each fund without beginning and end fund balances:

- General Fund revenues were \$2,247,940.00 and expenditures were \$2,247,940.00.
- General Reserve Fund revenues were \$158,950.00 and expenditures were \$219,000.00.
- Street Fund revenues were \$1,705,500.00 and expenditures were \$1,879,950.00.
- Hotel/Motel Tax Fund revenues were \$13,270.00 and expenditures were \$13,280.00.
- General Support Fund revenues were \$126,730.00 and no expenditures.
- Capital Facilities Fund revenues were \$44,400.00 and expenditures were \$17,500.00.
- Water Fund revenues were \$3,084,400.00 and expenditures were \$3,005,600.00.
- Sewer Fund revenues were \$816,300.00 and expenditures were \$802,900.00.
- Solid Waste Fund revenues were \$700.00 and expenditures were \$3,600.00.
- Water Emergency fund balance was \$200,000.00.
- Water Bond Reserve revenues were \$26,000.00 and expenditures were \$26,000.00.
- State Remittance Fund revenues were \$51,550.00 and expenditures were \$51,550.00.

Overall 2018 budget total revenues were \$8,275,740.00 and expenditures were \$8,267,320.00.

PUBLIC COMMENT: None

COUNCILMEMBERS COMMENT PORTION OF THE HEARING:

Councilmembers: Gave gratitude to City staff.

Mayor Blackwell closed the hearing and opened the regular meeting at 7:11 pm.

PERSONNEL POLICY UPDATE

City Administrator Maria Peña stated she had met with the City's insurance risk carrier Clear Risk Solutions (CIAW). They wanted to see changes incorporated into the City's Personnel Policy. Those changes have been included as well as a few other changes. The policy showed the changes proposed and were attached for Council to review. City Administrator Peña reviewed the policy and highlighted the changes. She stated the policy would need to be approved before the 2018 New Year.

TASK ORDER-NORDHEIM ROAD PROJECT

Public Works Director Larry Turner stated that attached for Council was the Task Order from Anderson Perry to perform design engineering services for the Norheim Road project not to exceed \$25,000. He stated this particular project was not funded by the City; it was fully funded by the Federal Emergency Management Agency (FEMA).

Motion: Councilmember Minor moved to approve the Task Order for the 2017 FEMA Street Repair Project not to exceed \$25,000. Councilmember Escalera seconded motion. Motion carried unanimously.

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COLUMBIA AVE SURFACE RESTORATION CONSULTANT AGREEMENT

Public Works Director Larry Turner notified Council that attached for their review was the consultant agreement for the Columbia Avenue Surface Restoration project. This agreement in the amount of \$10,000 was for bituminous surface restoration on Columbia Avenue from State Route 260 to Highway 395.

Motion: Councilmember Quinton moved to approve the Professional Services Consultant Agreement for the Columbia Avenue bituminous surface restoration project not to exceed \$10,000. Councilmember Escalera seconded motion. Motion carried unanimously.

LAMBWESTON WATER AGREEMENT EXTENSION

City Administrator Maria Peña explained that the attached amendment was an extension to the current LambWeston (ConAgra) water agreement. The agreement expired on November 20, 2017 and staff was working with LambWeston future water rates. She stated this amendment would give more time to meet and work out the rates.

Motion: Councilmember Minor moved to approve the LambWeston Water Agreement extension. Councilmember Quinton seconded motion. Motion carried unanimously.

COMMITTEE / DEPARTMENT REPORTS

CITY ADMINISTRATOR-Maria Peña

1. Reported on the Connell Rail Project, she had submitted the TIGER & INFRA grant applications.
2. Received notice that the City was awarded Co-sponsorship of the Connell Rail Interchange Project from the Great Northern Corridor Coalition (GNCC). It was a great honor to receive Co-sponsorship with them.

CITIZEN COMMENT/NON-AGENDA ITEMS

Pat Barrera- commented on the Mid-Columbia Library discussion, said the expansion of the library was more than just about the books.

CITY COUNCIL CLOSING REMARKS

Councilmember Minor – Believed the library was important and a compromise had to be made.

Councilmember Quinton- Stated she was not against the library and would continue to help.

Councilmember Escalera- Agreed with Mrs. Barrera, but where would the money come from to expand.

APPOINTMENTS

Mayor Blackwell temporarily appointed Councilmember Minor to the finance committee.

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MEETING ADJOURNED

There being no further business before the City Council of Connell Mayor Blackwell adjourned the meeting at 7:53 pm.

ATTEST: _____
Marissa Ortiz, Accounting Clerk

Bruce Blackwell, Mayor

ACCOUNTS PAYABLE

City Of Connell
MCAG #: 0286

As Of: 11/20/2017

Time: 15:50:40 Date: 11/16/2017
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Accts Pay #	Received	Date Due	Vendor	Amount	Memo
17651	11/20/2017	11/20/2017 31	Anderson Perry & Assoc.	12,470.00	Final Payment On GIS Contract 68-245
17666	11/20/2017	11/20/2017 92	B/F Health Dist. Dept.	719.00	Water/WW Labs
17664	11/20/2017	11/20/2017 2625	Bank of America/EFT, Merchant Services	518.57	Online Payments Fee
17652	11/20/2017	11/20/2017 79	Basin Disposal Inc.	194.71	Garbage Shop And Pioneer Park
17650	11/20/2017	11/20/2017 3849	Blackwell, Bruce A.	19.57	Reimbursement To Mayor Blackwell-(BF Council Of Governments) Business Meeting Travel Expense.
17662	11/20/2017	11/20/2017 155	City Of Connell	21,642.01	Fire Suppression, Utility Taxes, Utilities
17679	11/20/2017	11/20/2017 2729	Columbia Basin Junior Livestock	600.00	Hotel Motel Allocations
17653	11/20/2017	11/20/2017 2160	Connell Dntown Dev. Assoc.	1,500.00	Reimbursement Of Hotel/motel For Mural
17648	11/20/2017	11/20/2017 180	Connell Grange Supply Co.	24.82	Fire Dept Small Tools
17684	11/20/2017	11/20/2017 180	Connell Grange Supply Co.	1,405.68	Misc. Supplies/Fuel
17688	11/20/2017	11/20/2017 180	Connell Grange Supply Co.	9.71	Oil For #123
17667	11/20/2017	11/20/2017 4356	Core & Main	937.20	Water Parts
17668	11/20/2017	11/20/2017 217	Coyote Ridge Corrections	1,201.25	Inmate Labor
17669	11/20/2017	11/20/2017 713	Crop Production Services	2,511.72	Pesticide
17685	11/20/2017	11/20/2017 229	Dept Of Licensing-Firearm	18.00	CPL
17655	11/20/2017	11/20/2017 3640	Devfuzion, Rockwalla IT LLC	1,400.00	Monthly Back Up And Service Agreement
17670	11/20/2017	11/20/2017 2058	Ferguson Enterprises, Inc.	345.17	Water Parts
17671	11/20/2017	11/20/2017 269	Fernandez, Leonardo	102.00	CDL Renewal
17691	11/20/2017	11/20/2017 292	Franklin Co Pud	31,247.26	OCTOBER Electricity Bills
17658	11/20/2017	11/20/2017 298	Franklin Co Treasurer	56.16	Criminal Victim
17657	11/20/2017	11/20/2017 286	Franklin County	1,250.07	2018 Local Assessment
17687	11/20/2017	11/20/2017 3090	Jiffy Car Wash, Inc.	48.87	Car Washes
17656	11/20/2017	11/20/2017 400	Kuffel, Hultgrenn,	3,017.25	Packets, Telcon, Prop No. 1, Lamb Weston Contract
17665	11/20/2017	11/20/2017 412	Lep-Re-Kon Mart #4	34.47	
17672	11/20/2017	11/20/2017 127	M Campbell & Company, Inc.	821.77	HVAC Maintenance
17572	11/20/2017	11/20/2017 4771	Melgren, Shawn	892.50	Professional Services - DOT Inspections, Oil Analysis Reports And Identified Repairs For E-2011 And L-2021.
17673	11/20/2017	11/20/2017 2147	Northstar Chemical, Inc.	2,333.45	Chlorine For Wells
17674	11/20/2017	11/20/2017 4158	PAPE MACHINERY INC, The Pape Group Inc	365.79	Street Broom Parts
17675	11/20/2017	11/20/2017 2824	Phanthavong, Kimberly	91.18	Clothing Allowance - Kim
17686	11/20/2017	11/20/2017 4104	PoliceOne Academy, Praetorian Digital	1,275.00	2018 PoliceOne Academy Training
17690	11/20/2017	11/20/2017 4677	Pollock, Onna L	263.22	Mileage Reimbursement
17676	11/20/2017	11/20/2017 519	QCL Inc.	309.50	EAP Program
17649	11/20/2017	11/20/2017 520	Quill	76.17	Quill Supplies For City Hall
17677	11/20/2017	11/20/2017 526	RDO Equipment Co.	132.42	Linkage Kit For Street Broom
17689	11/20/2017	11/20/2017 3480	Red Waggin' RescueDBA Connell Pet Rescue	1,100.00	Dog Relocation Service
17678	11/20/2017	11/20/2017 2695	Roylance Backflow Testing, Roger Roylance	180.00	Backflow Testing
17680	11/20/2017	11/20/2017 546	Signs By Sue	381.19	City Vehicle Decals
17660	11/20/2017	11/20/2017 233	St.of Washington Dept Of Revenue-EFT	9,292.10	October Excise Taxes

ACCOUNTS PAYABLE

City Of Connell
 MCAG #: 0286

Time: 15:50:40 Date: 11/16/2017
 Page: 2

As Of: 11/20/2017

Accts Pay #	Received	Date Due	Vendor	Amount	Memo
17661	11/20/2017	11/20/2017 4854	The Beckett Group	10,500.00	WSDot Grant Money For Tiger/Infra Application
17682	11/20/2017	11/20/2017 3397	USABlueBook	1,102.31	Sewer Ball
17681	11/20/2017	11/20/2017 665	Utilities Underground	9.03	Utility Locates
17683	11/20/2017	11/20/2017 686	WA St Department Of Ag	99.00	Pesticide License Renewals
17659	11/20/2017	11/20/2017 695	WA St Treasurer Office	3,980.92	State Submissions For October
17654	11/20/2017	11/20/2017 727	Xerox Corporation	585.12	Copy Machine
17663	11/20/2017	11/20/2017 2626	Xpress Bill Pay/EFT	242.15	Monthly Web Transactions Fees
Report Total:				115,306.31	

CERTIFICATION: I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described and that the claim is a due and unpaid obligation against the City of Connell and that I am authorized to authenticate and certify to said claim.

() Finance Director () Auditing Officer _____ Date: _____
 () Deputy Finance Director

CHECK REGISTER

City Of Connell
MCAG #: 0286

11/15/2017 To: 11/20/2017

Time: 17:01:23 Date: 11/16/2017

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
4181	11/15/2017	Payroll	7	EFT		1,884.34	
4182	11/15/2017	Payroll	7	EFT		1,151.33	
4183	11/15/2017	Payroll	7	EFT		1,074.36	
4184	11/15/2017	Payroll	7	EFT		497.69	
4185	11/15/2017	Payroll	7	EFT		1,561.81	
4186	11/15/2017	Payroll	7	EFT		1,695.79	
4189	11/15/2017	Payroll	7	EFT		2,161.91	
4191	11/15/2017	Payroll	7	EFT		1,519.01	
4192	11/15/2017	Payroll	7	EFT		1,836.46	
4193	11/15/2017	Payroll	7	EFT		1,186.51	
4194	11/15/2017	Payroll	7	EFT		161.40	
4195	11/15/2017	Payroll	7	EFT		1,222.22	
4196	11/15/2017	Payroll	7	EFT		2,403.45	
4197	11/15/2017	Payroll	7	EFT		1,306.43	
4198	11/15/2017	Payroll	7	EFT		1,318.18	
4199	11/15/2017	Payroll	7	EFT		878.62	
4200	11/15/2017	Payroll	7	EFT		1,829.68	
4202	11/15/2017	Payroll	7	EFT		1,852.63	
4203	11/15/2017	Payroll	7	EFT		2,006.47	
4204	11/15/2017	Payroll	7	EFT		161.40	
4205	11/15/2017	Payroll	7	EFT		929.26	
4206	11/15/2017	Payroll	7	EFT		1,081.34	
4207	11/15/2017	Payroll	7	EFT		2,468.10	
4208	11/15/2017	Payroll	7	EFT		2,053.48	
4209	11/20/2017	Payroll	7	EFT	Community First Bank	13,507.18	941 Deposit For 11/15/2017 - 11/15/2017
4210	11/20/2017	Payroll	7	EFT	Department Of Retirement	9,274.24	11/15/2017 To 11/15/2017 - PERS 2; 11/15/2017 To 11/15/2017 - LEOFF 2; 11/15/2017 To 11/15/2017 - Deferred Comp; 11/15/2017 To 11/15/2017 - PERS 3
4211	11/20/2017	Payroll	7	EFT	MT457-306685	500.00	11/15/2017 To 11/15/2017 - ICMA-457
4187	11/15/2017	Payroll	7	37018		161.40	
4188	11/15/2017	Payroll	7	37019		1,155.15	
4190	11/15/2017	Payroll	7	37020		161.40	
4201	11/15/2017	Payroll	7	37021		161.40	
4212	11/20/2017	Payroll	7	37022	Case # 2549720 WA State Support Registry	650.00	11/15/2017 To 11/15/2017 - Child Support
4213	11/20/2017	Payroll	7	37023	WSECU	275.00	11/15/2017 To 11/15/2017 - WSECU
						38,955.07	
						2,302.78	
						9,769.21	
						9,060.58	
						60,087.64	Payroll: 60,087.64



City of Connell

**EASTERN
WASHINGTON'S
HARVESTLAND**

MEMORANDUM

DATE: NOVEMBER 20, 2017
TO: MAYOR & COUNCIL
FROM: MARIA PEÑA, CITY ADMINISTRATOR
RE: GREAT NORTHERN CORRIDOR COALITION

Curtis Shuck, Executive Director for the Great Northern Corridor Coalition (GNCC) will be present to provide information in regards to the role of the GNCC in our Connell Rail Interchange project and to answer any questions Council may have.

The Great Northern Corridor runs through eight North Central and Pacific Northwestern States and helps to deliver essential products throughout the world. Unifying these states is the rail network which is the primary focus of this Corridor. The Great Northern Corridor Coalition is comprised of these eight states as well as, numerous ports, BNSF Railway, CBRW, and other interested stakeholders along the Corridor.

As you may recall, I recently mentioned that we had been awarded Co-sponsorship of the rail project by GNCC. Staff, along with Mayor Blackwell, recently met with Mr. Shuck and discussed the rail project. The City is very fortunate to have been awarded Co-sponsorship and is privileged to be working with GNCC. With the valuable expertise of members from the GNCC we will be in a better position when we finally do get to the construction stage of this project.



City of Connell

**EASTERN
WASHINGTON'S
HARVESTLAND**

MEMORANDUM

DATE: NOVEMBER 20, 2017
TO: MAYOR & CITY COUNCIL
FROM: CHIEF OF POLICE CHRIS TURNER
RE: **BODY CAMERA PRESENTATION**

Police Chief Chris Turner will provide a presentation on Body Worn Cameras on behalf of the Connell Police Department.



MEMORANDUM

DATE: NOVEMBER 20, 2017
TO: MAYOR & COUNCIL
FROM: MARIA PEÑA, CITY ADMINISTRATOR
RE: RESOLUTION NO. 2017-21 - PERSONNEL POLICY UPDATE

Attached is Resolution No. 2017-21 amending the Personnel Policy for your review.

Spelling corrections as noted by Councilmember Minor have been made. The following is the proposed language for Section 4.17 Stand By (Public Works Crew Only);

4.17 Standby (Public Works Crew Only) Proposed

On Saturdays, Sundays and holidays Public Works personnel will be assigned weekend standby duty to perform necessary Public Works services. Normal weekend standby time is from 4:00 p.m. Friday to 7:00 a.m. ~~the following~~ Monday. If a three-day weekend ~~holiday is required~~ occurs because of a holiday, standby time is from 4:00 p.m. the last workday to 7:00 a.m. ~~the first beginning of the next scheduled~~ workday. Standby personnel are required to ~~be within the local area with City beeper and/or City mobile phone~~ have their city issued phone on their person, respond to alarms or calls within 10 minutes and arrive on scene if necessary within 45 minutes. Standby personnel ~~and~~ will receive \$25.00 for each day of standby ~~duty performed~~ status. ~~Scheduled~~ In addition, standby personnel will ~~work~~ be scheduled to work two (2) hours on each day (excluding holidays) during the spring and summer months of ~~standby~~ to perform standard maintenance duties. During these months we have added responsibilities to ensure public safety (pool testing, clean parks restrooms etc.). And, if non-exempt, time worked will be paid their regular rate of pay unless the employee has worked at least forty (40) hours in the applicable work period, in which case the overtime rate would apply. If emergency response to a problem is necessary and the employee is called back and reports to work outside ~~the of~~ scheduled hours ~~for conducting standard maintenance duties~~ then the overtime rate for a minimum of two hours is applicable for non-exempt employees. All other call back provisions defined in Section 4.15 will apply.

Recommendation: Council move to approve Resolution No. 2017-21 amending the City of Connell Personnel Policy.

City of Connell, Washington

RESOLUTION NO. 2017-21

**A RESOLUTION OF THE CITY OF CONNELL, WASHINGTON,
RELATING TO CITY'S PERSONNEL POLICY.**

WHEREAS, the City adopted Resolution No. 2009-13 on December 2, 2009 adopting the City's Personnel Policy; and

WHEREAS, the City has found it necessary to amend the policy in accordance with the provisions of Connell Municipal Code Section 2.02.010; and

NOW THEREFORE, be it resolved by the City Council of the City of Connell, Franklin County, Washington, as follows:

SECTION 1: The City of Connell Personnel Policy is hereby amended as attached hereto:

SECTION 2: This resolution shall be in full force and effect January 1, 2018.

PASSED by the City Council of the City of Connell and **APPROVED** by the Mayor this _____ day of _____, 2017.

Bruce Blackwell, Mayor

ATTEST:

Rose Courneya, City Clerk Treasurer

APPROVED AS TO FORM:

Dan F. Hultgrenn, City Attorney

INTRODUCED: _____

ADOPTED: _____

APPROVED: _____

City of Connell, Washington

PERSONNEL

POLICY

Adopted December 2, 2009, City of Connell Resolution No. 2009-13.
Amended December 20, 2010, City of Connell Resolution No. 2010-10.
Amended November 4, 2011, City of Connell Resolution No. 2011-14.
Amended August 1, 2012, City of Connell Resolution No. 2012-10
Amended June 2, 2014, City of Connell Resolution No. 2014-06
Amended October 6, 2014, City of Connell Resolution No. 2014-14
Amended November 20, 2017, City of Connell Resolution No. 2017-21

PERSONNEL POLICIES ~ RECEIPT OF PERSONNEL POLICIES

All employees should read the following; then sign, date and return the form to City Clerk. The form will be placed in the employee's personnel file. Enclosed are the City of Connell's personnel policies. It is your responsibility to read these policies, as they will acquaint you with your employee benefits, our personnel practices and rules, and some organizational philosophy.

It is important to understand that these policies do not create an employment contract or a guarantee of employment of any specific duration between the City and its employees. These policies are general guidelines and do not constitute promises of specific treatment. Although we hope that your employment relationship with us will be long term, we recognize that at times things do not always work out as hoped, and either of us may decide to terminate the employment relationship at any time, with or without cause and with or without notice.

These personnel policies may contain provisions that differ from the provisions of current collective bargaining agreements. Where those differences occur, the language of the collective bargaining agreement will take precedence for those employees covered by the agreement.

As the City grows and changes, personnel policies may change. The City, therefore, reserves the right to revise, supplement, clarify or rescind any policy or portion of a policy when deemed appropriate by the Mayor and Council, with or without notice. You will receive a copy of any new or revised policies.

If you have any questions about these policies or any other policies of the City, please feel free to ask your supervisor, department head, or the Mayor.

I have read and understand the statement above.

Employee Signature _____

Employee Printed Name _____

Date _____

City of Connell, Washington
PERSONNEL POLICY

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PURPOSE AND SCOPE

0.1 INTRODUCTION

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

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

Policies of the City shall not create any enforceable right, contract, employment agreement or expectation on the part of any person to continued employment. Any deviation from a City Policy shall not in itself render any City action invalid, void or avoidable, nor shall such deviation constitute evidence of negligence. The City may deviate from policy when to do so serve the public interest or would avoid hardship as the City may determine. The City reserves the right to amend these policies at any time, with or without notice.

0.2 SCOPE OF POLICIES

These personnel policies apply to all City employees. In cases where these policies conflict with any City ordinance, Civil Service rules and regulations, the provisions of a collective bargaining agreement, or state or federal law, the terms of that law or agreement prevail. In all other cases, these policies apply.

0.3 POLICY IMPLEMENTATION

The Mayor or the City Administrator is responsible for the implementation of these policies and procedures. This includes posting the policy on the City bulletin board, making the policy available to any employee upon request, and providing the policy to all newly hired employees. Officers and department heads are responsible for ensuring the procedures are fully implemented within their areas of responsibility.

Violations of this policy and these procedures may result in appropriate disciplinary action, up to and including dismissal.

1. GENERAL PROVISIONS

1.1 NON-DISCRIMINATION

The City of Connell will fully comply with the spirit and the letter of the Civil Rights Act of 1964 (as amended), the Age Discrimination in Employment Act of 1967 (as amended), the Equal Pay Act of 1963 (as amended), and other applicable legislation and court rulings pertaining to prohibition of discrimination concerning race, color, religion, sex, national origin, sexual orientation, age or disability in all aspects of employment with the City.

1.2 SAVINGS CLAUSE

The provisions of these rules are declared to be severable (to stand alone), and if any rule, section, sentence, clause, phrase, or word contained in these rules shall for any reason be held to

be invalid, or unconstitutional, such decision shall not affect the validity of the remaining rules, sections, sentences, clauses, phrases and words of these rules and regulations, but they shall remain in effect; it being the intent that these rules and regulations shall stand notwithstanding the invalidity of any part.

1.3 AMENDMENTS TO RULES

If it becomes evident that a change in these rules and regulations, in part or in whole, is necessary for the proper administration of the City's personnel program, the employee(s) or official(s) shall present in writing the proposed amendment(s) to the Mayor, who shall present them to the City Council for approval or rejection. Changes in these rules and regulations shall require the approval of the majority of the City Council. In the event that any changes are made in these rules and regulations under the above procedure, employees shall receive written notification of these changes prior to the time in which the changes become effective, such that employees shall understand the nature and the consequences of the changes.

1.4 EQUAL EMPLOYMENT OPPORTUNITY POLICY

The City is an equal employment opportunity employer. The City employs, retains, promotes, terminates and otherwise treats all employees and job applicants on the basis of job-related qualifications and competence. These policies and all employment practices shall be applied without regard to any individual's sex, race, color, religion, national origin, pregnancy, age, marital status, political ideology, disability, or any other classification protected by Federal, State, or local law.

1.5 DISABILITY DISCRIMINATION PROHIBITED

The City will not discriminate against qualified applicants or employees with a sensory, physical or mental disability, unless the disability cannot be reasonably accommodated and prevents proper performance of an essential function of the job. The City will reasonably accommodate qualified individuals with disabilities.

1.6 ANTI-HARASSMENT POLICY

It is the City's policy to foster and maintain a work environment that is free from discrimination, harassment, and intimidation. Toward this end, the City will not tolerate harassment of any kind by officials, supervisors, or employees toward co-workers or members of the public. All City employees are expected to show respect for each other and the public at all times, despite individual differences.

Harassment is defined as verbal or physical conduct that demeans or shows hostility or aversion toward another employee or members of the public. Examples of prohibited conduct include, but are not limited to, slurs or demeaning comments, inappropriate jokes, nonverbal conduct, such as staring, glaring, and hand gestures, showing, emailing, or hanging inappropriate photos or illustrations, and hazing, whether done to employees or members of the public relating to race, ethnic background, gender, religion, age, or disability.

See Discrimination Complaint Procedure, Policy 8.2 for guidance on what to do if you experience harassment.

1.7 SEXUAL HARASSMENT PROHIBITED

Sexual harassment is unacceptable conduct which takes various forms and is a violation of

Section 703 of Title VII of the Civil Rights Act of 1964. Sexual harassment is any unwelcome sexual conduct that is or becomes a term or condition of employment. Unwelcome sexual conduct constitutes sexual harassment when submission to such conduct is made, whether explicitly or implicitly, a term or condition of an individual's employment, pay, promotion, or job assignment. Sexual harassment may also occur when submission to or rejection by an employee of such unwelcome sexual conduct is used as the basis for employment decisions affecting the employee. In addition, sexual harassment may constitute any unwelcome sexual conduct that unreasonably interferes with an individual's job performance or creates an intimidating, hostile, or offensive working environment, such that the same becomes a term or condition of employment. Department heads and supervisors are expected to take all steps that are necessary to prevent sexual harassment. Department heads are responsible for clearly and regularly communicating to subordinates the City's strong policy of disapproval of any form of sexual harassment. All employees are expected to conduct themselves in a manner that would preclude harassment of any nature.

Employees engaging in improper harassment are subject to discipline, up to and including termination. See Discrimination Complaint procedure, Section 8.2 of this policy, for guidance on what to do if you experience sexual harassment.

1.8 EMPLOYMENT REFERENCES

Only the City Administrator or department head will provide employment references on current or former City employees. Other employees shall refer requests for references to the appropriate department director or the City Administrator. References will be limited to verification of employment and salary unless the employee has completed a written waiver and release.

1.9 CHILD AND VULNERABLE ADULT SAFETY POLICY

The City of Connell is dedicated to providing a safe environment for all children and vulnerable adults who participate in, or interact with, its workplace(s).

All City of Connell employees and volunteers understand that minors and vulnerable adults are vulnerable to abuse from adults and other children, and that all City employees and volunteers must make a concerted effort to create and maintain safe environments.

The City considers any person who meets the requirements of being a minor under state or local law is considered a minor under this policy. A vulnerable adult is any person who lacks the absolute most basic human life skills by reason of not having learned them through the formative years of childhood, adolescence and young adulthood.

Child/vulnerable adult abuse includes physical, emotional and sexual abuse and/or neglect of such minor/vulnerable adult.

Child/vulnerable adult sexual abuse can include unwanted and unnecessary touching or fondling of minors/vulnerable adults; voyeurism; exposing minors/vulnerable adults to sexual acts or pornography; requests for or offers of sex, solicitation of sex; sexual exploitation; lewdness or exposing private body parts; taking nude photographs without proper consent or for illegal purposes; and other sexual acts such as intercourse, penetration, rape, incest and sodomy with a minor or a vulnerable adult.

Both child/vulnerable adult abuse and child/vulnerable adult sexual abuse are serious crimes.

Relationships with Minors Prohibited

Employees are prohibited from having any type of sexual relationship with a minor/vulnerable adult even if his or her parent(s) provide their express consent.

Employees, volunteers and other workplace participants who are discovered to have committed or are reasonably suspected of committing child/vulnerable adult abuse will be reported to the proper legal authorities and subject to termination.

Proper Interaction with Minors or Vulnerable Adults

The City of Connell requires that all employees, volunteers and workplace participants interact with minors/vulnerable adults in a safe and proper manner including:

- Limiting the times they are alone with minors/vulnerable adults without other safe adults being present, accessible or in view;
- Never being with a minor/vulnerable adult in a concealed area including a locked room or a place where other adults cannot see or hear an adult's interaction with the individual;

Reporting Suspected Child or Vulnerable Adult Abuse

If you have a reasonable suspicion that abuse is occurring or that a child/vulnerable adult is in danger, you must immediately report the abuse to the Department of Human Services and as soon as possible to the City Administrator.

2. EMPLOYMENT

2.1 TYPES OF EMPLOYMENT

The following types of employment may be made to the city service:

Regular Full-Time Employee -- An employee who has been employed to work on a full-time (40 hours per week) and continuing basis and who has successfully served his or her initial probationary period with the City. All employees at the City of Connell can be terminated at-will, with or without notice, unless they are subject to a collective bargaining agreement or civil service rule that states otherwise.

Introductory Employee --An employee who has been employed to work on a full-time (40 hours per week) and continuing basis and who is working towards, but has not completed, his or her introductory period in the position to which he or she has been employed. An Introductory Employee's period shall last a minimum of six (6) complete months of actual service from the date of employment. All employees at the City of Connell can be terminated at-will, with or without notice, unless they are subject to a collective bargaining agreement or civil service rule that states otherwise.

Regular Part-time Employee -- An employee who has been employed to work less than full-time (40 hours per week), but on a regular and continuing basis. All employees at the City of Connell can be terminated at-will, with or without notice, unless they are subject to a collective bargaining agreement or civil service rule that states otherwise.

Temporary Full-Time Employee --An employee who is employed to work full-time (40 hours

per week) on a temporary basis in order to provide manpower to fulfill a seasonal need, to undertake a special project or projects, to fill a position of an employee on leave of absence, to prevent stoppage of public business or serious inconvenience to the public, etc. All temporary personnel shall be considered Introductory Employees during the full period of their employment. Temporary employees are not eligible for City benefits.

Temporary Part-Time Employee -- An employee who is employed to work part-time on a temporary basis in order to provide manpower to fulfill a seasonal need, to undertake a specific project, or provide additional staffing for a seasonal operation or activity conducted by the City. All temporary, part-time staff shall be considered Introductory Employees during the full period of their employment. Temporary, Part-Time employees are not eligible for City benefits.

2.2 AGE REQUIREMENT

All employees must be eighteen (18) years of age or older on the date they are employed to a position in the city service, unless the position is a summer temporary position for which new hires must at least be sixteen (16) years of age or older. Commissioned police officers must meet the requirements as established in the city's Civil Service Rules and Regulations must present a valid driver's license. Driving records of applicants will be checked. Applicants with poor driving records, as determined by the City, may be disqualified for employment with the City in positions requiring driving.

2.3 RESIDENCE REQUIREMENT

Employees need not reside within the City of Connell during their period of employment with the City. However, it is encouraged that an employee live within a fifteen (15) mile radius of the City (unless further restricted by departmental policy), so that they are able to report to work when reasonably necessary in a timely fashion according to the work schedule as set forth by the department head.

2.4 EMPLOYMENT OF RELATIVES (NEPOTISM)

The immediate family of current city employees, the Mayor and City Council members will not be employed by the City where:

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

Change in Circumstances: If two employees marry, become related or enter into a marital like relationship, and in the City's judgment, the potential problems noted above exist or reasonably could exist, only one of the employees will be permitted to stay with the City, unless reasonable accommodations, as determined by the Mayor or City Administrator, can be made to eliminate the potential problem. The decision as to which employee will remain with the City must be made by the two employees within thirty (30) calendar days of the date they marry, become

related, or begin sharing living quarters with each other. If no decision is made during this time, the City reserves the right to terminate one or both employees.

2.5 NOTIFICATION OF VACANCIES

In the event of the need to hire for a position, the head of the department in which the employment is to be made shall notify the City Administrator in writing regarding the position to which the employment is to be made, the number of the positions open, and the reason(s) such employment is necessitated. All requisitions for personnel must be approved by the City Administrator prior to beginning the employment process. The position may then be posted and/or advertised only after the City Administrator and the Mayor have approved the request.

2.6 POSTING OF VACANCIES

Notices for vacancies in positions requiring an appointment to be made shall be posted on the city hall bulletin board and may be posted on the City's web site. Such vacancy announcements shall be posted for the duration of the period within which a position remains open to applicants.

2.7 RECRUITMENT

In the event of a vacant position, the City reserves the right to fill the position from within the organization by direct appointment, recruit for the position through an application process limited to current City employees, or conduct a recruitment through an application process open to the public, where appropriate.

When recruitment is open to the public, individuals shall be recruited from a geographic area as wide as necessary to assure obtaining well qualified persons for the position. Recruitment may include the following, but does not have to include all of the following in every instance:

- 1) Placement of advertisements in local and area newspapers, technical and professional journals, etc.;
- 2) Notification of local and area state employment service offices; and/or
- 3) Notification of local and area vocational-technical schools, colleges, and other training/educational agencies.

2.8 ACCEPTANCE OF APPLICATIONS

All vacant positions advertised for or with the City, with the exception of Civil Service positions, shall have formal opening/closing dates, the period to be part of all formal notices and based on such factors as volume of applications typically received for the position, time factors, etc. In the event that either an insufficient number of applications are received or none of the applications received are deemed qualified for the position, the position may be re-opened for an additional period. All applications received for a position during the open period shall be considered for the position. No application for an advertised position will be considered if it is received subsequent to the date on which the position closes.

2.9 INTERVIEW

Applications that have been accepted for a position will be screened and a group of finalists selected. Finalists may be required to have an interview with the Mayor or the City Administrator, oral board, or a staff member as directed by the City Administrator. However, if

one finalist is interviewed, all finalists will be interviewed. The purpose of such interview is to explain the nature of the position for which the applicant has applied and to aid in determining the qualifications of the applicant to fill the position, based on a review of the employment application and the questioning of the applicant. The City reserves the right to conduct criminal and professional background checks on all finalists offered positions of employment with the City as a condition of employment and in accordance with applicable law.

2.10 EXAMINATIONS

Where applicable, all applicants for a position may be required to take an examination in reference to the position applied for. All examinations shall be of such a nature that they will fairly test the relative capacity and fitness of the persons examined to successfully perform the duties of the position to which they seek employment.

Examinations for entrance into City employment, for transfer, or for promotion may include (but are not necessarily limited to) the following as considered appropriate to the position to be filled:

- 1) **Written Test-** This shall be a written examination designed to show the familiarity of an applicant with the knowledge needed in the position to which he or she seeks employment, and the range of general information possessed by the applicant (where applicable).
- 2) **Performance Test-** This shall include such test of performance as will determine the skill of an applicant in successfully performing the work involved in the position to which the applicant seeks employment.
- 3) **Aptitude Test-** Such tests shall be designed to determine general adaptability or to ascertain special traits and aptitudes of an applicant.
- 4) **Unassembled Test-** A review of credentials and references. All examinations shall be monitored by the appropriate department.

2.11 BASIS FOR HIRING

The City will hire on the basis of ability, merit, qualifications, and competence without regard to race, color, religion, sex, marital status, disability, national origin, pregnancy, age, sexual orientation or political philosophy. (Also see Chapter 1 of this policy.)

2.12 APPOINTMENT

Once a decision has been made on an individual to be appointed to the vacant position, the appropriate department head shall recommend the individual to the City Administrator for approval. In cases of vacant department head positions, with the exception of the Clerk-Treasurer and the City's auditing officer, the City Administrator shall appoint with the confirming approval of the Mayor. The City Clerk-Treasurer shall be directly appointed by the Mayor. The City Council has the authority to appoint the auditing officer. With the exception of the auditing officer, no person shall be provided employment with the City without the approval of the Mayor.

2.13 CIVIL SERVICE

In cases where these rules and regulations conflict with the City of Connell's Police Civil Service Rules and Regulations, the latter rules shall control. However, in cases where the City's

Civil Service Rules and Regulations are silent to an issue, these personnel rules and regulations shall control.

2.14 LAYOFF

The Mayor may lay off employees for lack of work, budgetary restrictions, reorganization or other changes that have taken place that change the staffing needs of the City. In determining who is to be laid off, consideration will be given to an individual's performance and ability to meet the qualifications required for the remaining jobs, unless the position is subject to a collective bargaining agreement or civil service rule which states otherwise.

2.15 RESIGNATION

An employee should provide a minimum of four (4) weeks notice of resignation for department heads and a minimum of two (2) weeks notice of resignation for all other employees. This time limit may be waived by the employee's supervisor with the approval of the City Administrator or the Mayor. The City has the right to decline to pay vacation leave if the minimum of a two (2) week notice is not given by any employee.

3. EMPLOYEE ACTIVITIES

3.1 PECUNIARY INTEREST

No City officer shall benefit directly or indirectly by a contract that was made by that officer, under the supervision of that officer, or for the benefit of his/her office. An officer shall not accept compensation, gratuity, or a reward in connection with the acceptance of any contract from any person that would benefit from such contract.

The only exceptions are set forth in RCW 42.23 and include the following: (1) the furnishing of electrical, water or other utilities by a municipality engaged in the business of providing these services; (2) the designation of public depositories for municipal funds; (3) the publication of legal notices required by law to be published by a municipality; (4) the letting of any contract with the officer or the officer's business that is for a total amount not exceeding one thousand five hundred dollars in a calendar month, (this exception does not apply to a sale or lease by the municipality as the seller or lessor or a contract for legal services, except for reimbursement of expenditures) and the City must maintain a list of all contracts that are awarded that meet this criteria and make the list available to the public for copying and inspection.

An officer may not vote in the authorization, approval, or ratification of a contract wherein he/she will be benefited even though one of the above exceptions applies. The interest of the officer must be disclosed to the governing body of the City and noted in the official minutes before entering into the contract.

3.2 OUTSIDE EMPLOYMENT

An employee may engage in additional employment outside his or her official hours of duty provided the employee notifies the employee's department head in writing and provided the proposed employment is not incompatible with the employee's job function. If at any time, the department head feels that the outside employment is interfering with the employee's job performance with the City, the department head may request that the employee give up the other employment. If the request is not complied with, the department head may take disciplinary action as he or she deems appropriate to the situation, up to and including termination.

3.3 HOURS OF WORK

The City has established work periods for purposes of the Federal Fair Labor Standards Act ("FLSA") and Washington wage and hour law, and has established uniform hours of work for employees.

Work Period. The work period for City employees is a seven (7) day period beginning on Monday at 12:01 a.m. and continuing to Sunday at 12:00 a.m. (midnight). However, the City retains the right to schedule employees outside these hours and days to meet Department and City needs.

Limitation on Work Period. This policy does not apply to executive, professional, administrative, and any other employees who are exempt from the FLSA and comparable state law provisions. The City Clerk/Treasurer maintains the list of City positions exempt from overtime under the FLSA and state law.

Working Hours. The normal daily working hours for full-time employees, except those assigned to the Public Works Department and the Police Department, are eight (8) hours, from 8:00 a.m. to 5:00 p.m., with an unpaid one hour lunch period. Public Works employees' normal daily working hours are eight (8) hours, from 7:00 a.m. to 4:00 p.m. with an unpaid one hour lunch period. Police Department employees' working hours are established by the Chief of Police in accordance with the current collective bargaining agreement. The City retains the right to schedule employees outside these hours and days to meet Department and City needs.

All city employees shall be obligated for performance of their services at any off-duty time upon emergency call from heads of departments or the City Administrator and shall be compensated as provided in the salary section of these rules and regulations.

3.4 BREAKS

Rest and lunch breaks shall be administered by the department heads, unless further regulated by department rules, and will be established according to the necessities of the department's work activities. In no case shall rest or lunch breaks be scheduled in such a manner as to disrupt a department's activities. Rest breaks shall not exceed two (2) per day of fifteen (15) minutes in length. Lunch breaks shall not exceed one per day of one hour in length. A department shall observe a one hour minimum lunch break at no pay unless that department is not required to have official business hours as directed by the City Council. For those departments without official business hours, no less than one-half hour at no pay will be taken for lunch break. Nonexempt employees shall receive a rest period of fifteen minutes every four hours. Employees lunch period can be one hour in length but should commence no less than two hours or more than five hours after the employee starts their shift.

3.5 USE OF CITY EQUIPMENT

City owned equipment and vehicles are to be used for City business or projects only. If an employee is required by the nature of his or her position with the City to be available on a regular basis for emergency call-back duty during hours other than those he or she usually works, the department head may assign the employee a City vehicle for the purposes of transporting the employee to and from work. During non-duty hours, an assigned vehicle shall be used solely for that transportation purpose. The Mayor or City Administrator may cancel the assignment of City vehicles for non-duty transportation at their discretion. The use of City-paid postage for personal correspondence is not permitted.

3.6 TELECOMMUNICATION AND TECHNOLOGY RESOURCES POLICY

This policy is designed to establish acceptable and appropriate use of computer and information systems, networks, and other information technology resources at the City of Connell. The purpose of these policies is to safeguard and protect all technology resources from anything other than authorized and intended use. They apply to the access of the City's network and use of computing technology resources at any location, from any device, via wired or wireless connection. They apply to all users of City technology resources regardless of employment status.

1. The City provides network, communications systems, equipment and devices (technology resources) to carry out legitimate City Business. By using the City's technology resources, an employee consents to disclosing the contents of any data files, information and communications created on, stored on, transmitted, received or exchanged via its network, communications systems, equipment or devices. There is no right to privacy in the use of City technology resources. By using the City's technology resources an employee consents to monitoring, recording, and reviewing the use of that technology resource. Users who are granted access to critical data are responsible for its protection.
2. The City owns all data, files, information, and communications created on, stored on, transmitted, received or exchanged via its network, communications systems, equipment and devices (including e-mail, voicemail, text messages and internet usage logs even if such communications resides with a third party provider. Any data stored on City systems including but not limited to email, word documents, and photos may be subject to public disclosure requests.
3. Technology resources may be used for incidental personal needs as long as such use does not result in or subject the City to additional cost or liability, interfere with business, productivity or performance, pose additional risk to security, reliability or privacy, cause or tend to cause damage to the City's reputation or credibility, or conflict with the intent or requirements of any City policy or work rule. Incidental personal usage should generally conform to limits typically associated with personal phone calls. Mobile telephone devices must be in hands-free mode while operating a moving vehicle. Cellular transmissions can be overheard by others, and discretion is to be used when discussing confidential information. Technology resources may not be used to facilitate operation of a personal business.
4. Users are expected to act lawfully, ethically and professionally, and to exercise common sense. Actions that are embarrassing to explain to the public, City Council, or media should be avoided. Except for City business related purposes, visiting or otherwise accessing the following types of sites is prohibited:
 - "adult or sexually-oriented web sites
 - Sites associated with hate crimes or violence
 - Personal dating sites
 - Gambling sites
 - Sites that would create discomfort to a reasonable person in the workplace
5. The City provides staff access to and support of the Exchange/Outlook messaging (e-mail) system. Non-City email accounts (like AOL, MSN, Yahoo!, Gmail, Hotmail, etc.)

may not be used to conduct City business unless approved in advance by the Mayor. Likewise, a non-City email account may not be linked to a City email account. All City officials and all City employees are issued City email accounts. Email content must be consistent with the same standards as expected in any other form of written (or verbal) communication occurring in a business setting where documents are subject to public disclosure. Users must manage their e-mail in accordance with records retention policies and procedures as defined and identified by the City Clerk's Office. Users should be attentive to emails that have unusual or questionable subject lines to mitigate spam, phishing and script born viruses that come into the network through email attachments or by clicking on links that lead to hostile web site. If you suspect phishing or script born viruses in email attachments immediately contact the City's designated IT provider and inform your supervisor.

6. This document does not attempt to address every possible situation that may arise. Employees are responsible for taking reasonable precautions to prevent unauthorized use and theft of City equipment. Use of technology in violation of this policy is subject to disciplinary action up to and including termination.

3.7 POLITICAL ACTIVITIES

All political activities are regulated by RCW 42.17.130. City employees may participate in political or partisan activities of their choosing provided that City resources and property are not utilized, and the activity does not adversely affect the responsibilities of the employees in their positions. Employees may not campaign on City time or in a City uniform or while representing the City in any way. Employees may not allow others to use City facilities or funds for political activities. Any City Employee who meets with or may be observed by the public or otherwise represents the City to the public, while performing his/her regular duties, may not wear or display any button, badge or sticker relevant to any candidate or ballot issue during working hours. Employees shall not solicit, on City property or City Time, for a contribution for a partisan political cause. Except as noted in this policy, City employees are otherwise free to fully exercise their constitutional First Amendment rights.

3.8 ATTIRE

The designation as to what constitutes acceptable attire for an employee shall be made by the employee's department head, and shall be based on what is reasonably appropriate to the work environment and the job responsibilities of the employee. However, in no instance shall an employee be allowed to be attired in a manner which unreasonably disrupts city operations or presents a safety hazard to either the employee or his or her co-workers. Public Works employees are required to wear uniforms provided by the City.

3.9 EMERGENCY CALL BACK DUTY

In the event of a natural disaster or other emergency where the presence of an employee is deemed necessary during hours other than his or her normal hours of duty, the mayor, city administrator, department head, or chief of police may, through the chain of command, require an employee to report to duty upon a request of the above-named individuals. Failure to report promptly under an emergency situation shall constitute insubordination and can be considered grounds for the dismissal of the employee. Payment for any overtime worked on such emergency call-back duty shall be rendered under the policy as stipulated in the salary plan section of these personnel rules and regulations.

3.10 USE OF CREDIT CARDS FOR PURCHASES

1. The City of Connell provides a credit card for use by city employees for official government purchases, acquisitions and authorized travel. The purchasing card is to be used when a purchase order cannot be used and an open charge account is not available.
2. The City shall acquire a charge card or cards for issuance to certain officials and employees selected by the Mayor for government purchases. Said cards shall be utilized only for purchases in accordance with the provisions of this resolution.
3. The Mayor and such other officials or employees of the City selected by the Mayor shall be authorized to utilize said cards, and cards will be distributed to the Mayor and such other officials and employees as are selected by the Mayor. A record of each card issued shall be maintained by the City, which shall include the name of the custodian of the card, the number and kind of credit card, the date it was issued to the official or employee, the credit card number, together with the official or employee's written acknowledgment of the receipt of a copy of these rules and the card.
4. Each card shall only be utilized by the individual to whom it is issued and only for the purchase of services, supplies, or items for the City and for no other purpose. In no event shall the holder of the card utilize said card for any expense of a personal nature, or for purchases of materials or services from a member of the custodian's immediate family.
5. No later than three (3) days after the use of said card for a purchase, or within three days following the employee's return from official City travel, the cardholder shall submit to the City office a copy of the receipt together with any supporting documentation showing the purchase, its date, and item or service purchased. To the extent that the documentation furnished by the vendor is not sufficient to clearly indicate the price, and item or service purchased, the cardholder will submit with the charge invoice a statement describing the purchase. Any charges against the charge card not properly identified by the charge invoice and associated information submitted therewith, or not allowed following the review of the charge by the City, shall be paid by the official or employee by check, United States currency or salary reduction. In the event that any charge, or portion thereof, is not repaid or accounted for in the time and manner specified above, it shall bear interest at the rate of ten (10) per cent per annum from the date the charge is paid by the City to the credit card provider.
6. At least once a month after the monthly statement of charges is submitted to the City by the credit card provider, the Clerk/Treasurer or authorized designee shall reconcile the receipts provided by the users, and the monthly statement of charges provided by the credit card provider.
7. To protect the City against any losses from advancements, the City shall have a prior lien against and a right to withhold any and all funds payable to or to become due by the City to such official or employee to whom such charge has been made. No charges will be made at any time when the employee or official is delinquent in accounting for or repaying a prior unauthorized charge and the City shall confiscate any such individual's card until such time as the employee or official has paid any and all such charges.
8. Cash advances on the credit card are prohibited.

9. Each credit card issued by the City shall have a credit limit of \$2,000.00.
10. Any individual who violates this resolution or related policies shall have his/her credit card confiscated by the City and shall no longer be entitled to use or possess a City credit card.

3.11 SMOKING POLICY

The City of Connell complies with all applicable federal, state, and local regulations regarding smoking in the workplace and to provide a work environment that promotes productivity and the well being of its employees. The City Of Connell recognizes that use of tobacco in the workplace can adversely affect employees.

1. Smoking is defined to include the use of tobacco-containing products, including cigarettes, cigars, and pipes, as well as the use of electronic cigarettes.
2. Smoking is prohibited inside all City of Connell facilities, including City-owned buildings, vehicles, and offices or other facilities rented or leased by the City, including individual employee offices. The smoking policy applies to employees during working time and to customers and visitors while on the City of Connell premises.
3. 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 and not to abuse break and work rules. Complaints about smoking issues should be resolved at the lowest level possible, but may be processed through the City of Connell grievance procedure.

Facility	Designated Smoking Area
1. City Hall	Dumpster in alley east of building
2. Fire Hall	In alley west of Fire Hall
3. Public Works Shop	Dumpster
4. Library	In alley east of building by Alarm Tower
5. Museum	25 feet from building entrances/exits
6. Community Center	25 feet from building entrances/exits
7. Swimming Pool	25 feet from building entrances/exits and fenced perimeter

4. EMPLOYEE BENEFITS

4.1 EMPLOYEE TRAINING POLICY

Purpose. The City seeks, within the limits of available resources, to offer training to increase an employee’s skill, knowledge, and ability, as it is directly related to City employment, to obtain or maintain required licenses and certifications, and to develop staff resources. Opportunities may include, but are not limited to: on-the-job training, in-house training, and/or workshops and seminars sponsored by other agencies or organizations.

The City of Connell recognizes the benefit of improved employee performance and organizational effectiveness of continuing education through professional training courses and seminars. To assist the employee in achieving this improved performance, the city will pay tuition for continued training as follows:

Eligibility. All full-time employees of the City of Connell are eligible for reimbursement of approved training tuition. The employee must have completed any introductory period(s) and/or suspensions.

Approved Training Course. Only courses from City recognized groups or associations, or job related technical training institutes or centers are eligible. The training course or seminar must be clearly demonstrative as beneficial to the employee's job related tasks. Employee must have the City Administrator's approval for attendance of classes during their regular work schedule. Denials may be appealed to the Mayor.

Procedure. The employee must submit the following at least two weeks before the first day of course work:

1. An official list of the course requirements
2. Enrollment form, tuition invoice or other identifiable forms itemizing costs of attendance at the training course or seminar; and
3. A brief written explanation of the course to be reimbursed and how the course benefits the employee's job performance.

This information shall be submitted to the department head for his/her evaluation and recommendation to the City Administrator for approval. Pre-approval of the City Administrator is required before attendance at any training seminar. The City may choose not to pay for a training program or reimburse any individual failing to get pre-approval before registering for a training program.

Final Regulations The employee shall submit an expense voucher within three working days following his/her return to work following attendance at the course or seminar for reimbursement of travel expenses related to attending the course or seminar. If the employee voluntarily terminates his/her employment with the City of Connell during the time following payment of tuition, the employee may be held liable for any reimbursed tuition and that amount may be deducted from his/her final payroll check.

4.2 OVERTIME

To establish policy guidelines for the recording, utilization, and auditing of overtime and compensatory time performed by employees of the City the following policy is provided.

1. **FLSA and RCW 49.46.130:** This policy shall not contravene the provisions of RCW 49.46.130 and the Federal Fair Labor Standards Act (FLSA) pertaining to the minimum rate of compensation for employment in excess of an established work period, excluding exempted positions.
2. **FLSA and WAC 296-128-560:** Under the provisions of the FLSA and WAC 296-128-560, compensatory time may be granted in lieu of overtime pay as agreed upon by the employer and the individual employee at the request of the employee, but may not be imposed by the employer in lieu of overtime pay upon any non-exempt employee who has not so requested such compensating time off.
3. **The City's responsibility** for payment of overtime and the granting of compensatory

time is as follows:

- a.) The City is not obligated by statute to grant all employee requests for compensatory time off instead of overtime pay.
 - b.) The City is required to compensate non-exempt employees for overtime at the rate of one and one-half times the regular rate of pay for hours worked in excess of the number of hours allowed per work week as designated under the Fair Labor Standards Act.
 - c.) Upon request of a Non-Exempt employee, the Supervisor may grant compensatory time off in lieu of overtime at his/her discretion at the rate of one and one-half hours per one hour of overtime worked.
 - d.) Maximum accruals of compensatory time shall be limited to forty (40) hours for full time employees. After maximum accrual, overtime compensation shall be paid.
 - e.) Any absence for a fraction or part of a day which is chargeable to compensatory leave shall be charged in increments of not less than one quarter hour (.25).
4. **Overtime.** Overtime shall be defined as all work performed in excess of the hours permitted under the FLSA work week or as determined by existing contractual agreement. Overtime shall be paid at a rate of one and one-half times the non-exempt employee's straight time hourly rate. No exempt employee will be paid overtime. Use of annual leave, sick leave, compensatory time, funeral leave, and holidays shall not be considered as hours worked as it relates to the calculation of overtime.
 5. **Compensatory Time:** Compensatory time is defined as time off granted to a non-exempt employee in compensation for hours worked in addition to the employee's regularly scheduled work day or work week. Compensatory time will be credited to the employee at one and one half hours to one hour of overtime worked. The employee may decide whether to accept Compensatory time or get paid overtime, however, accumulated Compensatory time can only be used when approved by the employee's supervisor. If the employee does not use their compensatory time, then the City will pay the employee for those hours at the time the employee's employment terminates.
 6. **Employee:** In the context of this policy, the term employee refers to those employees identified by RCW 49.46.130 who are eligible for overtime compensation, and excludes exempt employees.
 7. **Employer:** The term employer refers to supervisory personnel with the authority to authorize the use of overtime.
 8. **Department Heads:**
 - a.) It shall be the responsibility of each department head to equitably administer the provisions of this policy within their respective departments.
 - b.) Department Heads are the authorized authority for the approval of overtime requests. It shall be the responsibility of the department head to determine whether overtime or compensatory time should be granted to the employee when compensatory time is

requested in lieu of overtime.

c.) Department Heads shall ensure that all overtime and compensatory time earned and used is recorded on the employee's time card as it occurs.

d.) Department Heads will exercise extreme discretion in the utilization of overtime within their departments. Temporary adjustments in working hours or realignment of duties within the department should be considered as alternatives to the use of overtime. Overtime shall be considered necessary only in emergency situations, wherein additional effort is needed to complete a task which is critical in nature.

9. Individual Employee:

a.) It is the responsibility of the individual employee to request compensatory time in lieu of overtime, if so desired. Additionally, it is the responsibility of the employee to ensure that accrued compensatory time is used as set forth by this policy.

b.) It is also the responsibility of the individual employee to obtain pre-approval from his or her department head BEFORE working any overtime hours. Failure to obtain pre-approval before working overtime hours will result in discipline, up to and including termination.

10. Payroll Officer:

a.) The payroll officer shall ensure that a permanent record of overtime/compensatory time accrued and used is kept on all employees based on information provided by department heads, and that the proper financial transactions are completed at the end of each pay period.

b.) Upon termination, the payroll officer shall ensure that eligible employees are given credit for all overtime accrued and all unused compensatory time within the limitations established by this policy.

c.) The payroll officer shall conduct a semi-annual audit of the overtime/compensatory time record of each employee through a comparison of payroll office records and individual departmental records.

4.3 PAY DAYS

Pay Periods. The pay days for regular employees will be established as twice a month on the 5th and 20th of each calendar month. However, if a pay day falls on the weekend or on a holiday, pay checks will be handed out on the last working day before holiday or weekend.

4.4 COMPENSATION

Compensation for all City employees shall be fixed by resolution. All employees shall be paid at the rates prescribed for the classification in which they are employed. Employees working on a part-time basis shall receive that portion of the salary assigned to their class to be determined by the actual time they work.

4.5 SALARY CLASSIFICATION AND GRADES

Each job title within the City is classified into one of the City's classifications for salary

purposes. Each classification is designated a particular salary or salary range shown on the City's salary and wage schedule, which is approved annually by the City Council.

4.6 EMPLOYEE PAY RATES

Employees shall be paid within the limits of the wage range to which their positions are assigned. Usually, new employees will start their employment at the minimum wage rate for their classification. However, a new employee may be employed at a higher rate of pay than the minimum when the employee's experience, training or proven capability warrant, or when prevailing market conditions require a starting rate greater than the minimum.

Pay increases are contingent on satisfactory performance. If an employee's performance is consistently unsatisfactory, the Mayor may defer a scheduled pay increase for a stipulated period of time or until the employee's job performance is satisfactory. (See Chapter 5, Performance Review, of this policy.)

The Mayor may propose and the City Council may grant an across-the-board pay adjustment on an annual basis, raising the salaries of all positions by a specified amount within a defined group of classifications. Such adjustments, if any, will not change an employee's pay anniversary date.

Any employee promoted to a position in a higher classification and salary range shall receive the next highest available pay step in the new range.

4.7 TEMPORARY ASSUMPTION OF A HIGHER CLASSIFICATION

1. A current employee assigned to a classification with a differing rate of pay in an "acting" appointment status will be compensated at the next higher step in the new range according to policy or promotion.
2. An employee, when approached to assume a higher classification, has the right to refuse to accept the temporary higher classification without affecting the employee's relationship with the city.
3. If the employee is promoted to the higher class with regular appointment status, all policies apply from the date of promotion.

4.8 PAY ON TERMINATION

An employee who terminates employment for any reason will receive his or her final check at the end of the established pay period, unless an existing collective bargaining agreement provides otherwise.

4.9 PAY RECORDS

The payroll officer shall keep adequate records of all persons employed, their pay scale, time worked, accrued vacation and sick leave, all absences for vacation and sick leave and accrued overtime. Such records shall be available at all reasonable times for inspection by the employee to which the records pertain.

4.10 HOLIDAYS

Except as otherwise provided by this section, all full-time city employees shall receive credit for eight hours holiday time per year as follows:

New Year's Day, January 1;

Martin Luther King Jr.'s Birthday, the third Monday in January;

Presidents Day, the third Monday in February;

Memorial Day, the last Monday in May;

Independence Day, July 4;

Labor Day, the first Monday in September;

Veterans Day, November 11;

Thanksgiving Day, the fourth Thursday in November and the day after Thanksgiving;

Christmas Day, December 25;

Employee's Personal Holiday;

A Second Employee Holiday is granted for employees upon the start of their sixth year of service.

Whenever any of these holidays fall on a Saturday, then the previous Friday shall be designated as the holiday. Whenever any of these holidays falls on a Sunday, the following Monday shall be designated as the holiday. The Employee's Personal Holiday day is not accruable and must be used by the employee within the year earned.

For Non-Union, whenever the City's operational needs require employees to work on a holiday, insofar as practical, holiday work shall be divided equally among the eligible employees. Full-time employees who are scheduled or required to work on the day a holiday is observed, will receive eight hours regular pay at the straight time rate and will also be paid for all hours actually worked on the holiday at two times the straight time rate. In no event shall a non-exempt employee work on a holiday without prior approval from his/her supervisor or other upper level management.

Holiday provisions for represented police department personnel shall be administered in accordance with the collective bargaining agreement currently in effect.

4.11 ANNUAL LEAVE

Annual leave shall be earned and accrued from the most recent day of employment under the conditions hereinafter stated. Employees shall be permitted to use annual leave in units of hours or weeks subject to approval of the department heads. Any absence for a fraction or part of a day

which is chargeable to annual leave shall be charged in increments of not less than one quarter hour (.25).

Employees shall accumulate annual leave in the following manner:

Leave Category	Per Month	Per Year
<i>0 to end of 5th year</i>	1 Day	12 Days (4.0 hrs per pay period)
Start of 6 th to end of 10 th year	1.25 Days	15 Days (5.0 hrs per pay period)
Start of 11 th to end of 20 th year	1.67 Days	20 Days (6.67 hrs per pay period)
Start of 21 st year and Above	2.08 Days	25 Days (8.34 hrs per pay period)

Regular part-time employees who are regularly scheduled to work more than twenty (20) hours per week shall accrue annual leave on a pro rata basis based on their percentage of full-time employment. Temporary and seasonal employees shall not receive annual leave credit, unless approved by the City Council.

Introductory employees shall be credited with annual leave, and shall be permitted to use any annual leave credit as may have been accumulated during their introductory period with the approval of their supervisor. Any leave which may be taken in excess of an employee's accrued annual leave credit will be considered leave without pay.

Employee annual leave will accrue according to the following schedule:

1 – 10 years of service	not more than 160 hours
11-15 years of service	not more than 200 hours
16 years service and greater	not more than 240 hours

Once an employee reaches the applicable accrual cap, no further hours will be permitted to accrue until the employee has used some of the accrued vacation hours. In cases where City operations have made it impractical for an employee to use annual leave, the Mayor or City Administrator may make a limited exception to the cap on accrual.

Upon involuntary termination or voluntary separation regular full-time employees shall be compensated for all accumulated unused annual leave. Employees separating voluntarily must also adhere to the minimum notice requirements set forth in Section 2.15 of these personnel policies. Introductory employees shall not be compensated for accumulated unused annual leave upon termination.

4.12 VACATION REQUESTS AND SCHEDULING:

The following rules shall apply to the scheduling of vacations:

1. Vacation requests and scheduling are subject to approval of the department head.
2. Vacation may be requested any time during the year provided the absence of the employee will not place an undue hardship on the department.
3. The needs of the department shall take precedence over vacation entitlement.

4. Requests for vacation or changes of vacation scheduling shall be submitted two weeks in advance when possible.
5. Vacation shall not be advanced to an employee.

4.13 SICK LEAVE

Regular full-time employees shall earn one working day (8 hours) of sick leave for each calendar month of continuous employment.

Temporary, seasonal, or part-time employees: shall receive one hour of paid sick leave for every 40 hours an employee works. Sick leave can be carried over from one year to another with a limit of 40 hours from one year to the next. There is no "cash out" of sick leave for temporary, seasonal, or part-time employees. If an employee separates from work but is rehired within twelve months, any previously unused paid sick leave must be reinstated.

Following adoption of this policy, employees may not accrue more than seven hundred twenty (720) total hours of sick leave. Employees who have accrued more than seven hundred twenty (720) hours of sick leave at the time of this policy's adoption shall be permitted to retain the accrued hours, but shall not be eligible to accrue additional hours until their sick leave bank falls below seven hundred twenty (720) hours.

Sick leave may be used for the employee's own illness or injury, or as authorized by RCW 49.12 and the Washington Family Care Rules, WAC Chapter 296-130 which includes:

- (a) care of a child of the employee with a health condition that requires treatment or supervision; or
- (b) care of a spouse, parent, parent-in-law, or grandparent of the employee who has a serious health condition or an emergency condition.

Sick leave may also be granted when an employee is required to be absent from work for one of the following reasons:

1. Medical or dental appointments for employee or immediate family members residing within the employee's household provided that the employee makes a reasonable effort to schedule appointments at times which have the least interference with the work day;
2. Forced quarantine of the employee by a public health official;
3. To attend the birth of the employee's child;
4. Use of a prescription drug that impairs job performance or safety;
5. For any purpose further described in these Personnel Policies.

When an employee is eligible to enter retirement immediately following service at the City, the City shall compensate the employee for accrued but unused sick leave at the rate of twenty-five percent (25%) for 5-20 years service or at fifty percent (50%) for service over and above 20 years of the employee's last recorded pay rate. The employee shall be considered "entering retirement" if:

1. He or she is eligible to begin drawing retirement benefits from a pension or Social Security upon separation from the City,
2. Presents proof of that eligibility to the Clerk/Treasurer or designee, and
3. Has served a minimum of five (5) consecutive years of employment with the City.

Employees with at least five (5) consecutive years of service who leave the City's employ in good standing without entering retirement, and have not been terminated with cause, are eligible to be compensated for accrued, but unused, sick leave at the rate of twenty-five percent (25%) of the outstanding leave balance. An employee who is terminated with cause from employment at the City shall not be compensated for accumulated unused sick leave.

When using more than three (3) consecutive days of sick leave, employees are required to submit a doctor's certificate before receiving compensation for the sick leave.

To be eligible for paid sick leave, an employee has a responsibility to notify his or her immediate supervisor one-half hour prior to the beginning of their scheduled start time of the absence and the reasons therefore. Failure to report within one hour after the beginning of the working period constitutes absence without leave and may result in disciplinary action including loss of pay or other action as provided by these rules and regulations, up to and including termination.

Any absence for a fraction or part of a day which is chargeable to sick leave shall be charged in increments of not less than one quarter of an hour (.25).

An employee who improperly claims or otherwise abuses sick leave benefits will be subject to disciplinary action including loss of pay or other action as provided for by these rules and regulations, up to and including termination. The following are examples of the abuse of sick leave which may result in disciplinary action or termination:

1. Habitual sick leave absences of one or two days at a time, amounting to the use of the majority of an employee's annual accumulated sick leave hours each year;
2. Habitual sick leave absences on the day prior to the end of the employee's work week or first day of the employee's work week;
3. Habitual absences immediately preceding or following any scheduled days off or vacation days.

4.14 SHARED LEAVE PROGRAM

The Mayor or City Administrator may authorize employees to donate their accrued vacation/sick leave to another City employee who is suffering from or who has an immediate family member suffering from an extraordinary or severe illness, injury, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or to terminate his/her employment. Immediate family consists of an employee's spouse, child, parent, brother, sister, mother-in-law, father-in-law, grandparent, or grandchild. The following conditions apply:

1. To be eligible to donate vacation/sick leave, the employee who donates leave must have

more than ten (10) days of accrued leave before donating. In no event shall a leave transfer result in the donor employee reducing his/her vacation leave balance to less than ten (10) days. Transfer of leave will be in increments of one day of leave. All donations of leave are strictly voluntary.

2. The employee receiving donated leave shall have exhausted all his/her accumulated vacation and sick leave. While an employee is using shared leave, he or she will continue to receive the same treatment, in respect to salary and benefits, as the employee would otherwise receive if using vacation or sick leave.

4.15 CALL BACK

When a non-exempt employee is called into work during his/her normal off-duty time by his/her supervisor without being previously scheduled, a minimum of two hours overtime pay shall be paid, and a minimum of two hours of work will be performed unless released by the supervisor, department head, Mayor or City Administrator.

4.16 ON CALL TIME (POLICE OFFICERS)

On call time provisions for represented police department personnel shall be administered in accordance with the collective bargaining agreement currently in effect.

4.17 STAND BY (PUBLIC WORKS CREW ONLY)

On Saturdays, Sundays and holidays Public Works personnel will be assigned weekend standby duty to perform necessary Public Works services. Normal weekend standby time is from 4:00 p.m. Friday to 7:00 a.m. Monday. If a three-day weekend occurs because of a holiday, standby time is from 4:00 p.m. the last workday to 7:00 a.m. of the next scheduled workday. Standby personnel are required to have their city issued phone on their person, respond to alarms or calls within 10 minutes and arrive on scene if necessary within 45 minutes. Standby personnel will receive \$25.00 for each day of standby status. In addition, standby personnel will be scheduled to work two (2) hours on each day (excluding holidays) during the spring and summer months perform standard maintenance duties. During these months we have added responsibilities to ensure public safety (pool testing, clean parks restrooms etc.). And, if non-exempt, time worked will be paid their regular rate of pay unless the employee has worked at least forty (40) hours in the applicable work period, in which case the overtime rate would apply. If emergency response to a problem is necessary and the employee is called back and reports to work outside of scheduled hours then the overtime rate for a minimum of two hours is applicable for non-exempt employees. All other call back provisions defined in Section 4.15 will apply.

4.18 WORKERS COMPENSATION

All employees, except L.E.O.F.F. I employees of the city hired prior to October 1, 1977, are covered by State Worker's Compensation, a program of industrial insurance to protect workers, their families and dependents from loss due to an industrial accident or illness. The program provides for payment of medical bills, physical and vocational rehabilitation, financial compensation while the worker is disabled, either temporarily or permanently and is unable to work. It also provides for lump sum payments for particularly serious injuries such as the loss of a finger, eye, foot, etc. and assures death benefits and compensation to the worker's family or dependents in the event the injury is fatal. Full-time L.E.O.F.F. I employees are provided such coverage under the L.E.O.F.F. I system as defined by RCW Chapter 41.26.

Any employee involved in an industrial injury or an occupational illness as defined by the Washington State Worker's Compensation law, must report the incident to his/her immediate supervisor or department head within 24 hours or as soon thereafter as possible. The affected employee shall also file an application for Worker's Compensation benefits in accordance with applicable laws, rules, or regulations.

4.19 FUNERAL LEAVE

Regular full-time employees will be granted paid funeral leave for members of their immediate family. Immediate family consists of an employee's spouse, child, parent, brother, sister, mother-in-law, father-in-law, grandparent, or grandchild. Such leave shall not exceed four working days per calendar year. The employee will notify the department head prior to taking funeral leave. Employees may use accumulated sick leave and/or vacation hours to extend funeral leave as needed subject to the approval of the department head and in accordance with these personnel policies.

4.20 HEALTH INSURANCE

Each full-time employee and their dependents are eligible for group health and term life coverage as determined by the insurance carrier. This plan covers certain hospital, doctor and medical charges for the employee and for qualified dependents. The benefits also include a term life insurance policy for the employee.

The health insurance options may change from year to year depending on changes in premiums and other changes in the health care industry.

Employees are encouraged to thoroughly study the health insurance program. The health insurance provider is always available to answer questions. It is of utmost importance that each employee becomes quickly familiar with the benefits and requirements of their health program. The program, for example, may require that the Employee provide advance notification to his or her doctor or insurance carrier of non-emergency admissions to the hospital. It is the employee's responsibility to follow all the procedures that may be required by his or her health program. Failure to follow the prescribed procures may result in the loss or deduction of the Employee's health benefits.

This coverage begins no later than the first billing cycle following the first day after thirty (30) days employment; and coverage ceases upon the first of the month following the date of termination of employment, unless extension of benefits are elected and paid for by the separated employee.

Health benefits are only offered to regular full-time and introductory employees as determined by the insurance carrier. The city will pay full vision and dental insurance premiums on regular full-time and introductory employees. The City will pay the entire health insurance premium for employees not represented by a collective bargaining unit, and 80% of the health insurance premium for the employee's spouse and/or dependents. The City's payment of employee health insurance premiums is subject to annual adjustment.

Health insurance benefits for represented police department personnel shall be administered in accordance with the collective bargaining agreement currently in effect.

4.21 MATERNITY/ PATERNITY LEAVE

1. **Maternity.** Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth and recovery there from, are, for all job related purposes, to be considered temporary disabilities. Accrued sick leave must be used for child-bearing or related circumstances (i.e., miscarriage, abortion or recovery there from). If the period of disability extends beyond the employee's accrued sick leave, then the employee must utilize and exhaust annual leave before leave without pay will be granted for the period of the disability caused by the pregnancy as determined by the employee's physician.

The employee will be authorized up to eight (8) weeks of leave upon the birth or placement of a child for adoption or foster care with the employee exhausting sick leave, and then annual leave before taking any portion of the authorized absence as unpaid leave. An additional four (4) weeks of leave may be authorized upon approval of the department head and the City Administrator. The conditions of the entire leave of absence shall be agreed upon by the employee and the city. The employee shall notify the city two weeks, if possible, before the anticipated date of departure.

Female employees cannot be denied the opportunity to work during the entire period of pregnancy. They may continue working if a physician concurs with the employee's ability to work, and the responsibilities of the job are satisfied. Proof of the physician's concurrence shall be submitted when requested by the city. Upon return from maternity leave, an employee shall return to her same job or a similar job with at least the same pay. All provisions shall apply equally to married and unmarried women.

2. **Paternity.** Male employees shall be granted paternity leave in accordance with the applicable provisions outlined in Section A above.

4.22 FAMILY AND MEDICAL LEAVE

City employees are entitled to family leave under both federal and state law. The City will grant family leave as required by law.

4.23 MILITARY LEAVE

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

Paid Leave of 21 Days Per Year. Under Washington law, a public employee is entitled to a paid military leave of absence for a period not to exceed 21 working days during each year beginning October 1st and ending the following September 30th. According to guidance from the Attorney General's office, a day is calculated according to the number of days the employee would have worked, but for the military leave. Military leave beyond the 21 days of paid time off will be unpaid, provided that employees may elect to use accrued vacation, compensatory time or other available paid time off during the period of military leave.

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

City employees who are members of the Washington National Guard or of the Army, Navy, Air Force, Coast Guard, or Marine Corps Reserve of the United States, or of an organized reserve or armed forces of the United States are entitled to military leave as provided under both federal and state law. The City will grant military leave as required by law.

4.24 LEAVE FOR SPOUSES OF MILITARY PERSONNEL

During a period of military conflict declared by the President or Congress, an employee who is the spouse of a member of the Armed Forces, National Guard or Reserves is entitled to up to 15 days of unpaid leave while his/her spouse is on leave from deployment, or before and up to deployment. (This reason for leave may also be covered under FMLA leave for a qualifying exigency, although an employee need not meet the more stringent FMLA eligibility requirements in order to take this spousal military leave.) The purpose of this leave is to support the families of military personnel serving in military conflicts by permitting them to spend time together before a family member is deployed or while the family member is on leave from a deployment. An employee must work an average of 20 hours per week to be eligible for this family military leave.

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

4.25 JURY DUTY/WITNESS APPEARANCE

A regular status employee summoned for jury duty is granted leave for such duty with the city payment of normal city wage. The employee's department manager is to be immediately notified of summons upon receipt of duty. Both exempt and non-exempt personnel qualify for jury duty pay wage at regular salary. The employee is required to return to work each day if released from jury duty prior to one hour before the end of normal working hours.

4.26 VOTING

When an employee's work schedule is such that he/she cannot vote prior or subsequent to the normally scheduled working hours, he/she shall be allowed a reasonable period of time off to go and vote. A reasonable time is up to two hours pursuant to RCW 2.36.165.

4.27 SOCIAL SECURITY

The city extends the benefits of Title II of the Federal Social Security Act, in conformity with the applicable provisions, to all city employees.

4.28 RETIREMENT SYSTEM

The city extends the Washington State Department of Retirement Systems (DRS) to all employees eligible for the program. Employees may also choose to participate in the ICMA Retirement Corporation deferred compensation program. No matching contributions will be made by the City to any deferred compensation programs available to employees, however, employees are highly encouraged to review and participate in programs that supplement retirement income.

4.29 PROMOTIONS

A promotion is an appointment to a position in a salary classification range which has a higher

maximum salary rate than the employee's present classification range. Generally, an employee receiving a promotion will be placed in the step of the new range that corresponds to a salary increase of at least ten percent (10%), but not greater than thirteen percent (13%), from the employee's existing base salary prior to the date of the promotion. However, an employee moving to a higher range will generally not be placed in a numbered step higher than the numbered step he/she holds prior to the date of the promotion. (e.g. John/Jane Smith being promoted to Range 13/Step 3 from Range 12/Step 2 would not generally be authorized even though the salary increase would be less than 10%).

Exceptions. A salary increase greater than the amount described in this section is authorized if:

1. The first step of the new range is greater than the amount described in this section; or
2. The employee's experience, training or proven capability warrant; or
3. Regional labor market conditions require a higher salary rate to retain qualified employees for the position.

All employee promotions shall be authorized by the City Administrator and approved by the Mayor.

4.30 RESPECTING HOLIDAYS OF FAITH AND CONSCIENCE

Employees are entitled to two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization.

The employee may select the days on which he or she desires to take the two unpaid holidays after consultation with his or her supervisor and to be confirmed by the city administrator.

Employees who request an unpaid holiday under this section shall take a full day off, not a partial one. If an employee desires to be paid for that day, he or she should make application for vacation pursuant to the rules associated with that type of leave.

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.

An employee shall submit a written request, upon a city leave request form, for an unpaid holiday provided for by this section to the employee's supervisor a minimum of two weeks prior to the requested day. The written leave request shall include: employee's name, the day or days off requested, a description of the reason for the unpaid holiday sufficient for the city to determine if the request is appropriate, and if the request is untimely, the reason therefore.

Approval of the unpaid holiday shall not be deemed approved unless it has been authorized in writing by the employee's supervisor. The employee's supervisor in consultation with the city administrator 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 rule of the Office of Financial Management.

Reasons for denial of leave requested shall include:

1. It was not submitted two weeks in advance without valid excuse.
2. The reason for the unpaid holiday leave is not appropriate under the law.
3. The employee has already exhausted his or her allotment of days off under the law.
4. The employee is in a public safety position and granting the unpaid holiday leave would result in shifts falling below necessary staffing levels.
5. The granting of 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. The two days unpaid holiday leave is on a calendar year basis, and is not cumulative.

This policy applies to part time and temporary employees as well as full time employees.

4.31 BI-LINGUAL PAY

In addition to the base rates of pay adopted by City of Connell Resolution, all full-time, non-bargaining unit personnel who are regularly called upon as a part of their routine duties to speak, read, or write in Spanish, or to interpret or translate between English and Spanish, shall be compensated an additional \$50.00 per month added to base pay, subject to the employee passing an appropriate testing process to determine bilingual status

4.32 EMPLOYEE RECOGNITION (Non Union Employees)

The City of Connell's administration and City Council encourage the recognition of employees who achieve longevity milestones in their careers with the City. In addition to the base rate of pay, a regular employee who has completed 10 years of service with the City shall be compensated \$50.00 service pay per month. A regular employee who has completed 15 years of service with the City shall be compensated an additional \$50.00 (for a total of \$100.00) in service pay per month. Union Employees refer to collective bargaining agreement.

Furthermore, employees will receive a recognition item with the City of Connell logo for the following years of completed service:

- A. Five years of completed service is recognized by an item of \$25
- B. Ten years of completed service is recognized by an item of \$50
- C. Fifteen years of completed service is recognized by an item of \$75
- D. Twenty years of completed service is recognized by an item of \$100
- E. Twenty five years of completed service is recognized by an item of \$125
- F. Thirty years of completed service is recognized by an item of \$150

Union Employees refer to collective bargaining agreement.

5. PERFORMANCE REVIEW

5.1 DEFINITION AND PURPOSE

Performance review is a method by which the performance of employees is evaluated on a formal and regular basis. Such reviews are conducted to maintain and improve the quality of service rendered by the organization. More specifically, performance review is a method of maintaining or improving the performance of individual employees through a structured, interactive discussion. It encourages the formulation of performance standards such that both the departmental supervisors and the employee may agree upon a quality of work which constitutes

acceptable performance. It serves as a positive force in the development of employee morale through encouraging closer departmental supervisor-employee contact. It serves as a major factor in making promotion, transfer, salary step increase, demotion, suspension, and dismissal decisions. It can serve as an indicator of training, organizational, and supervisory deficiencies in a department. Finally, it improves the quality of supervision by fostering the objective appraisal of employee performance. However, no employee has the right to a performance review and the failure by the City to conduct performance reviews cannot be the basis of any claim against the City by an employee whose performance was reviewed or by an employee whose performance was not reviewed. Performance reviews shall be conducted at the discretion of the City and the fact that performance reviews are conducted does not provide employees with any right to a probationary period or a period of time in which to improve performance prior to termination. All employees at the City remain at-will employees who can be terminated with or without cause, with or without notice, and regardless of work performance, unless a collective bargaining agreement or civil service rule states otherwise.

5.2 PROCEDURES FOR EVALUATIONS

Performance reviews shall be conducted on all City employees at least once each year, on the employee's anniversary date, and must be completed within thirty (30) days of the employee's anniversary date, unless circumstances do not allow for this, in which case, the performance review should be done as soon as possible thereafter. No employee review shall be conducted on persons employed in a position for fewer than ninety (90) calendar days. Performance reviews shall be in writing and completed on appropriate employee evaluation forms.

The review of an employee shall be conducted by the employee's first line supervisor. However, the evaluation shall be reviewed through the departmental chain of command up to and including the City Administrator before the evaluation is presented to the employee. Completed and evaluated performance reviews are to be forwarded by the department head to the City Administrator in a manner that protects the confidentiality of the evaluations.

The Mayor, City Administrator or department head may choose to hold special evaluations of an employee at any point during the year.

5.3 CONSULTATION WITH EMPLOYEES

The written performance review of an employee shall be discussed with the employee by the supervisor within thirty (30) days after it is completed. As part of this discussion, the employee shall be informed by the supervisor as to the process of and rationale for conducting performance reviews; the actual ratings given in the respective areas rated; the reasons for the ratings; and, unless the City chooses not to allow the employee to continue employment, the ways in which the employee may address and correct areas of deficiency. In the event that, upon review of an evaluation by the City Administrator, actual ratings are changed, the City Administrator shall meet with the department head and the employee to discuss changes made to the review, if deemed necessary.

5.4 DEPARTMENT HEAD/MANAGERIAL STAFF

With respect to department heads and members of the City Administrator's staff performance reviews will be conducted by the City Administrator on the employee's anniversary date of each year and completed no later than thirty (30) days following the employee's anniversary date, unless circumstances do not allow for this, in which case the performance review should be done

as soon as possible thereafter. The written reviews performed by the City Administrator shall be discussed with department heads and administrative staff.

6. DISCIPLINARY ACTION

6.1 PURPOSE OF DISCIPLINARY ACTION

Whenever an employee's performance, work habits, conduct, or attitude falls below a desirable level, the department head shall promptly institute disciplinary action with respect to the employee. This provision is not intended to alter the "at-will" status of any employee.

6.2 TYPES OF ACTIONS

Disciplinary action may include any of the following;

1. **Oral Warning** An employee may be given a face-to-face verbal warning by the department head regarding the specific nature of the employee's undesirable performance, work habits, conduct, or attitude, and accompanied by a verbal statement of actions that must be taken by the employee to address the problem area(s). Such oral warnings shall be documented by the department head, but shall not be placed in the employee's official personnel file unless they later serve as a basis for subsequent disciplinary action.
2. **Written Reprimand** An employee may be given a written statement by a department head, formally reprimanding the employee; detailing the specific nature of the employee's undesirable performance, work habits, conduct, or attitude; and the specific actions that must be taken by the employee to remedy the problem area(s). The department head shall present the written reprimand form to the employee and allow him or her to examine it; shall have the employee sign the reprimand form; shall allow the employee to formally (in writing) respond to the reprimand; and shall forward the reprimand and accompanying response by the employee to the City Administrator for inclusion in the employee's personnel file. The reprimand stands even if the employee refuses to sign it.
3. **Suspension** An employee may be suspended without pay upon the recommendation of the department head, with the approval of the City Administrator after consultation with the Mayor. The department head shall prepare and forward to the City Administrator a written statement outlining the reasons for suspension. The department head shall allow the employee the opportunity to examine the statement and is to request that the employee sign such report signifying that he or she understands the nature of the suspension action and the reason(s) therefore. The suspension shall stand even if the employee refuses to sign it. If the city administrator approves the suspension, a written notification will be forwarded to the employee. It is the Mayor's right to determine whether suspension is with or without pay.

6.3 BASIS OF DISCIPLINARY DECISION

The determination by a department head as to the severity of the disciplinary action to be taken in any given case (oral warning, written reprimand, suspension or disciplinary probation) shall be in his or her discretion, and may depend on the seriousness of the incident as well as the whole pattern of the employee's past performance and conduct. Nothing in these policies requires the

department head or the City to impose progressive discipline and nothing in these policies prevents the City from terminating an employee on his or her first offense unless the employee is subject to a collective bargaining agreement or civil service rule.

6.4 PRE-DETERMINATION HEARING

When there is sufficient cause to believe that disciplinary action might be justified and necessary, and provided that such disciplinary action, if taken, might involve suspension without pay, demotion, or dismissal for cause (as opposed to a dismissal without cause), it shall be the policy of the City of Connell to hold a Pre-Determination Hearing in accordance with applicable law prior to taking the aforementioned disciplinary action.

6.5 DOCUMENTATION OF DISCIPLINARY ACTIONS

It shall be the responsibility of the department head to fully document all disciplinary actions taken. Copies of such documents shall be retained as a permanent record in the employee's personnel file.

6.6 TERMINATION OF TEMPORARY EMPLOYMENT

Employees who have been employed on a temporary or seasonal basis shall be terminated when the job for which they were hired is completed. Applicants for temporary or seasonal employment shall be informed prior to their employment of the temporary nature of the position, and shall, whenever possible, be given the estimated duration of such position. The Mayor may terminate temporary employees when the situation warrants such action.

6.7 DISMISSAL

Employees of the City are at-will and can be terminated with or without cause and with or without notice at any time. The following are examples of acts that constitute misconduct and are grounds for the dismissal of an employee from the employment of the City of Connell for cause:

- (1) Violations of work rules, regulations and amendments thereto;
- (2) Neglect of duty;
- (3) Insubordination;
- (4) Conviction of a crime;
- (5) Gross misconduct;
- (6) Unauthorized use of material or equipment;
- (7) Abuse of sick leave;
- (8) Falsification of reports, records or other documentation;
- (9) Drinking of intoxicants or use of drugs while on duty or coming to work while under the influence of intoxicants and/or drugs;
- (10) Recklessness;
- (11) Habitual tardiness or absenteeism
- (12) Negligent and/or willful damage to Employer property;
- (13) Theft;
- (14) Failure to report to work at the end of an approved leave of absence period or using a leave of absence for reasons other than those for which it was originally granted;
- (15) Failure to report to work after cancellation of leave of absence;
- (16) Failure to maintain a valid Washington drivers license with proper endorsement for job requirement, or any other license or certificate in a position with the city

- in which a valid license or certificate are requirements of the position;
- (17) Poor performance.
 - (18) Poor attitude, disrespect of supervisors, coworkers, or members of the public, uncontrolled anger or hostility towards others, including co-workers, supervisors, and members of the public.

6.8 DISABILITY

An employee may be separated from service with the city when he or she can no longer perform the required duties of the position due to physical or mental impairments that cannot be reasonably accommodated. Action may be initiated by the employee, the employee's legal representative or the City. However in all cases, such action must be supported by medical evidence acceptable to the Mayor and the City Council

7. EMPLOYEE GRIEVANCES

7.1 REPORTING IMPROPER GOVERNMENT ACTION GENERAL POLICY:

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

Key Definitions:

Improper Governmental Action: Any action by a City officer or employee that is:

- 1) Undertaken in the performance of the official's or employee's official duties, whether or not the action is within the scope of the employee's employment, and
- 2) in violation of any federal, state or local law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety, or is a gross waste of public funds.
- 3) Improper governmental action or hostile actions of another employee towards a local government employee that was encouraged by a supervisor, senior manager, or official, but not including personnel actions (hiring, firing, complaints, promotions, reassignment, for example). In addition, employees are not free to disclose matters that would affect a person's right to legally protected confidential communications.

Action: Any material course of conduct that adversely changes the terms and conditions of an employee's employment.

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

Procedure for Reporting Improper Government Action: City employees who become aware of improper governmental action should follow this procedure:

1. Bring the matter to the attention of his/her department head, if not involved in the action, in writing, stating in detail the basis for the employee's belief that an improper action has

occurred. This should be done as soon as the employee becomes aware of the improper action.

- 1.5 If the employee believes that the City Administrator or designee is involved in the alleged misconduct, the Mayor should be immediately notified. Alleged misconduct by the Mayor should be reported to the appropriate government agency.
2. Where the employee believes the improper action involves the department head, the employee may raise the issue directly with the City Administrator.
3. The Mayor or the City Administrator or their designee, as the case may be, shall promptly investigate the report of improper government action. After the investigation is completed (within thirty (30) days of the employee's report), the employee shall be advised of the results of the investigation, except that personnel actions taken as a result of the investigation shall be kept confidential.

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

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

Employees may report information about improper governmental action directly to an outside agency if the employee reasonably believes that an adequate investigation was not undertaken by the City to determine whether an improper government action occurred, or that insufficient action was taken by the City to address the improper action or that for other reasons the improper action is likely to recur. Employees may contact the Franklin County Prosecuting Attorney directly prior to going through the internal reporting procedure described in this policy.

A list of City and State enforcement agencies for reporting improper governmental action is included in Attachment A of these personnel policies.

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

Procedure for Seeking Relief against Retaliation:

1. Employees must provide a written charge to the department head within thirty (30) days of the occurrence of the alleged retaliatory action. If the department head is involved, the notice should go to the City Administrator or the Mayor. The written charge shall specify the alleged retaliatory action and the relief requested.
2. The Department head, Mayor or the City Administrator, as the case may be, shall

investigate the complaint and respond in writing within thirty (30) days of receipt of the written charge.

3. After receiving the City's response, the employee may request a hearing before a state administrative law judge (ALJ) to establish that a retaliatory action occurred and to obtain appropriate relief under the law. The request for hearing shall be delivered within the earlier of either fifteen (15) days of receipt of the City's response to the charge of retaliatory action or forty-five (45) days of receipt of the charge of retaliation to the Mayor or the City Administrator for response.
4. Within five (5) working days of receipt of a request for hearing the City shall apply to the State Office of Administrative Hearing's for an adjudicative proceeding before an administrative law judge. At the hearing, the employee must prove that a retaliatory action occurred by a preponderance of the evidence in the hearing. The ALJ shall issue a final decision not later than forty-five (45) days after the date of the request for hearing, unless an extension is granted or unless circumstances prevent the ALJ from issuing his/her decision within this time frame, in which case, the ALJ shall issue his/her final decision by the end of the extension or as soon as possible, as the case may be.

7.2 DEFEND TRADE SECRETS ACT:

The Defend Trade Secrets Act provides that an individual may not be held criminally or civilly liable under any federal or state trade secret law for disclosure of a trade secret: (1) made in confidence to a government official, either directly or indirectly, or to an attorney, solely for the purpose of reporting or investigating a suspected violation of law; and/or (2) in a complaint or other document filed in a lawsuit or other proceeding, if such filing is made under seal. Additionally, an individual suing an employer for retaliation based on the reporting of a suspected violation of law may disclose a trade secret to his or her attorney and use the trade secret information in the court proceeding, so long as any document containing the trade secret is filed under seal and the individual does not disclose the trade secret except pursuant to court order.

8. DISCRIMINATION COMPLAINTS

8.1 DEFINITION AND PURPOSE

The City of Connell does not discriminate in admission of or access to, or treatment or employment in, any of its programs, services and activities. Discrimination for the purposes of these provisions shall be defined as any violation of applicable local, state and/or federal laws which prohibit discrimination on the basis of race, color, religion, gender, national origin, age or disability in any aspect of the City's operations. The use of the procedures contained herein are designed to provide a means for the review and disposition of cases presented by individuals (members of protected minority groups and/or employees) against the City or City under the provisions of applicable local, state or federal legislation. These procedures are established to ensure the prompt review, impartial consideration, and equitable disposition of cases presented by any individual, as outlined herein. The person filing a complaint will be free from restraint, coercion, discrimination, or reprisal growing out of the filing of such a complaint.

8.2 FILING OF A COMPLAINT OF DISCRIMINATION

Should any person (being a member of a protected minority group and/or an employee) deem it necessary and appropriate to file a complaint of discrimination, based upon race, color, religion, gender, national origin, age or disability; against any employee (or group of employees) of the City staff (or any activities of the City in conjunction with programs and /or services of the City); he or she shall present to the City Administrator, a written statement (using the form as provided by the City Administrator) requesting an investigation into the complaint. A formal investigation of a complaint of discrimination may be initiated without a written statement, but an effort will be made to have the complainant provide the City Administrator with a signed, sworn and notarized statement. Before an investigation begins, the accused employee(s) will be notified, in writing, with respect to the nature of the complaint; in cases of complaints against activities, services or programs of the City, the appropriate department head(s) or members of the administrative staff shall be notified in writing.

Upon receipt of the complaining individual's statement, the City Administrator (or designee) shall make a prompt and full investigation of each complaint.

Upon request for review by the complaining individual, or upon determination by the City Administrator that probable cause exists for the allegations made in the complaint, the city administrator shall schedule a hearing within ten (10) days of the date of such determination or request for review, before the Mayor and City Council of the City. Upon scheduling the hearing, the City Administrator shall provide all concerned parties with a written notice as to the date, time, and place of the hearing, the manner in which it is to be conducted, and the issue(s) to be decided.

The Mayor and City Council shall consider all evidence presented to it as a result of the City Administrator's investigation as well as evidence submitted at the time of the hearing and shall present their decision in writing within five (5) working days of the hearing's conclusion.

The decision shall include a synopsis of the facts, a statement of the decision and reasons therefore, and the remedies, if any, to be applied in the case. A copy of the decision and/or subsequent actions will be forwarded to the City Administrator to serve as the basis for action if recommended by the Mayor and City Council. Should the complaining individual be satisfied with the decision of the Mayor and City Council (and subsequent actions/remedies, if any), the matter shall be considered settled at this point and no further action will be taken, other than that specified in the decision of the review by Mayor and City Council.

8.3 COMPLAINTS AGAINST REVIEW OFFICIALS

Should any individual (being a member of a protected minority group or an employee) deem it necessary and appropriate to file a complaint of discrimination against any one (or group) of the reviewing officials outlined within this procedure; he or she may formally request a hearing (on the required form) before the City Council by filing such request with the City Clerk in person. Such statement must be signed, sworn and notarized before a hearing will be scheduled. Under these conditions, the decision of the City Council shall be considered as final in the matter and shall be considered as satisfying the City's obligations regarding the consideration of a complaint of discrimination in admission or access to, or treatment or employment in, any of the City's programs, services and/or activities. There shall be no formal right of appeal via the City of Connell from such a decision. However, such a decision shall in no way limit any individual's

rights for protection under the provisions of applicable local state or federal legislation.

9. PERSONNEL RECORDS

9.1 DEFINITIONS

Personnel Records shall be defined as any record covering a present (or previous) employee which is maintained by the city, as used in the personnel management/policy-setting process, including any information which has or could have any influence on any personnel action concerning the individual.

9.2 OFFICIAL RECORDS

There shall be only one official set of personnel records for all employees, such set to be maintained in city hall. Department heads and supervisors may maintain unofficial personnel files on employees and these files may contain duplication of official copies of reports, forms, etc., in the official file. However, all official documentation will be maintained in the central personnel files located in city hall.

9.3 MAINTENANCE OF SECURITY

To insure the security and confidentiality of official personnel records, and to prevent the unauthorized use, modification, disclosure, or destruction of these records, all official personnel files will be maintained under the direction of the City Administrator. These files will be stored in filing cabinets or other filing facilities which shall be locked at all times when not in use or under the supervision of that designee of the City Administrator whose responsibility is to oversee the security of the records.

Departmental files will be maintained under the authority of the department head, with all appropriate actions taken to properly secure the

9.4 ACCESS TO RECORDS

Access to personnel files of employees (whether official or departmental) shall be strictly limited to the following persons:

1. Employees whose official duties require access to the information (such employees and officials to include the Mayor, City Administrator, and specified designees of the City Administrator.)
2. The supervisor(s) of the employee.
3. The employee--subject of the records.

An employee may examine his or her personnel records (whether official or departmental) on request during all regular hours of business. Should the employee-subject wish a copy of specific records in his/her file for personal use, they will be made available within a reasonable period from date of request. In no event shall original documents in the official file be released to the employee. Review of all official documents in the central file by an employee shall be made in the presence of the designee of the City Administrator assigned to maintenance of the central file. Upon request of an employee to review his/her central personnel file, identification by the employee may be required as deemed necessary by the designee maintaining the files. The employee will be notified by his/her supervisor of items of a disciplinary nature being placed in

the employee's personnel file.

9.5 RELEASE OF INFORMATION

Information contained in an employee's personnel records shall be released to an outside individual or agency only by the Mayor, City Administrator or specified designee(s). Information will be made available to outside agencies or individuals only with the written, signed authorization of the employee when the requesting agency/individual has submitted a written request formally asking for specified information and stating the reason(s) for the request. Information may be released to outside agencies/individuals without the written authorization of employees in the below-stated instances:

1. A written request when such information consists of no more than confirming employment (whether present or past) and dates of that employment;
2. On written request, when the City has received satisfactory assurance that the information released shall be used for only statistical research. In such cases, the information shall be released in a form such that the individual(s) cannot be identified;
3. On written request, to another agency or to an instrumentality of any governmental jurisdiction for a civil or criminal law enforcement activity if the activity is authorized by law;
4. Pursuant to a written order of a court of competent jurisdiction;
5. Pursuant to a written subpoena for the information issued in connection with a judicial or administrative proceeding; and
6. In accordance with statutes regulating release of public records.

9.6 AMENDMENT OF RECORDS

The employee can ask the employer to review the files for irrelevant or incorrect information and if such information is found, the employer must remove it. In case of disagreement, the employee is permitted to file a rebuttal or corrective statement in the personnel record. Former employees also have this right up to two years after discharge. This is in accordance with Washington statutes.

10. DRUG POLICY

10.1 PROHIBITED SUBSTANCES

Drugs shall be defined as those substances whose dissemination is regulated by law including, but not limited to, narcotics, depressants, stimulants, hallucinogens, cannabis and alcohol. This definition shall include over-the-counter drugs and/or drugs that require a prescription or other written approval from a licensed physician or dentist in their use. The drugs that are controlled substances as defined in **RCW 69.50.010**, a prescription drug for which the employee does have or does not have a current, valid, personal prescription, and which is not authorized or approved for use while operating a motor vehicle or other equipment, and any over-the-counter drug which may impair job performance and safety.

10.2 POLICY

The presence of trace amounts of alcohol and/or over-the-counter drugs as evidenced by a drug or alcohol test, shall not be grounds for disciplinary action to the extent that job performance and/or the ability to perform safely is not lessened to any appreciable degree; except where the presence of such substance is a violation of an agreed upon treatment and/or return to work agreement.

10.3 PROCEDURES

1. In the event there is reasonable cause to believe that an employee's job performance may be impaired by drugs or alcohol, the employee's supervisor shall question the employee with regard to the behavior. The supervisor shall directly observe the employee's behavior and document the behavior in a written memorandum. Indications of impaired behavior include, but are not limited to, the following: staggering or irregular gait, the odor of alcohol on the breath, slurred speech, dilated or constricted pupils, inattentiveness, listlessness, hyperactivity, performance problems, illogical speech and thought processes, poor judgment or unusual or abnormal behavior.
2. When possible, a second managerial employee shall also observe the employee to verify that there is reasonable cause to believe that drug or alcohol consumption may be involved. A determination shall be made as to whether or not the employee's behavior is impaired to the point of being unable to perform their duties effectively and safely. The employee shall be relieved of his/her duties and placed on a suspension with pay status until a clear determination can be made as to the abuse or non-abuse of drugs or alcohol.
3. If it is concluded that there is reasonable cause to believe that drug or alcohol consumption is involved, the supervisor shall have a drug or alcohol test administered. The employee must give his consent to the drug or alcohol test, in writing, before testing can be conducted. Failure to execute a written consent to the test, or failure of the employee to take the test, when requested, may result in immediate disciplinary action including dismissal. The city may also have the employee undergo a physical examination at city's expense at the time that the drug or alcohol test is administered. The test(s) must be conducted within a reasonable time period after the observation of the problem.
4. If the test is negative, the employee shall be counseled by the physician and returned to work, if appropriate to the medical diagnosis; there shall be no loss of pay or benefits. Where appropriate, a signed physician's release may be required by the City before the employee is returned to work. Time lost due to an illness will be charged to sick leave. If the behavior that led to the initial investigation is not due to substance abuse, but continues to hinder job performance, the City may require the employee to undergo further medical evaluation.
5. If the test is positive, the employee may be disciplined up to and including termination depending upon the circumstances of the situation. Circumstances that would warrant an immediate termination would include incidents where the employee's impairment resulted in serious risk of loss of life or serious injury to self or others, the serious loss of damage of property, or where the employee's ability to perform his or her work is

seriously jeopardized. No supervisor shall have the authority to terminate, all recommendations for termination must be forwarded to the City Administrator.

6. In cases where the employee is not terminated, the employee may be placed in unpaid rehabilitation leave status. The employee shall be evaluated and a recommended appropriate treatment program shall then be arranged. Where appropriate, the employee shall be referred to a treatment program. Once the inpatient part of the program has been completed, the employee may be re-employed, but only with written release from a physician. Where it is prescribed by a physician and/or a treatment program, drug testing may be included as a part of that treatment program. An employee who is returned to work as provided for under this procedure, who fails to comply with any of the terms of an agreed upon treatment and/or return to work agreement, may be terminated.
7. The City shall utilize both urine and blood test for verification. The “enzyme-immunoassay” (EMIT) and “GS chromatography-mass spectrophotometer” (GS-MS) test method shall be used. The City shall pay for the costs of all tests and medical examinations carried out under this procedure. The City shall maintain confidentiality of these test results to the extent possible.
8. When appropriate, the City and the employee shall enter into joint agreements that establish the form of treatment and the conditions that will be imposed for the return of the employee to the work place.

10.4 DRUG-FREE WORKPLACE

Based on the federal Drug-Free Workplace Act, the manufacturing, distribution, dispensation, possession and use of unlawful drugs or alcohol on City premises or during work hours by City employees is strictly prohibited. Employees also must notify the City within five (5) days of any conviction for a drug violation. Violation of this policy can result in disciplinary action, including termination. Continued poor performance or failure to successfully complete a rehabilitation program is grounds for termination.

10.5 SUBSTANCE ABUSE POLICY FOR OPERATORS OF COMMERCIAL MOTOR VEHICLES

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; and
5. random testing.

CDL holders who test positive must be removed from service and are subject to discipline, up to and including termination. CDL holders should consult the City’s CDL policy for the additional details concerning these rules.

10.6 POLICY ON SUBSTANCE ABUSE

1. The City shall discipline or terminate any regular employee and/or department member possessing, consuming, controlling, selling or using alcohol, drugs or other controlled substances during work hours. The City may also discipline or terminate an employee and/or member who exhibits an on-going dependence on alcohol, drugs or other controlled substances which, in the opinion of the Department Head, the Mayor, or the City Administrator impairs the employee's or member's work performance, poses a threat to the public confidence, or is a safety risk to the employee or others. The City is committed to supporting any employee and/or members who undergo treatment and rehabilitation for alcohol or other chemical dependency.
2. Any employees or members who voluntarily report an alcohol, drug or controlled substance dependency problem will not be subject to retaliation or discrimination.
3. Any regular full-time employees who voluntarily seek treatment may use sick leave to attend a bona fide treatment or counseling program. The City may condition continued employment on the employee's successful completion of treatment or counseling programs and future avoidance of alcohol, drugs or other controlled substances.
4. All employees and/or members may be required to submit to alcohol, drug or controlled substance testing when the employee's or member's work performance causes a reasonable suspicion that the employee or member is impaired due to current intoxication, drug or controlled substance use, or in cases where employment has been conditioned upon remaining alcohol-, drug- or controlled substance-free following treatment. Refusal to submit to testing when requested may result in immediate disciplinary action up to and including termination.
5. Employees and members using any prescription or over the counter drugs which might impair their work performance should notify their department head or duty officer. At the option of the department head or duty officer, an employee or member may be reassigned to less hazardous duty or sent back to their station. Regular full-time employees may be placed on sick leave if impaired work performance might pose a threat to the public confidence or to the safety of the employee or others.

ATTACHMENT "A"

**CITY AND STATE ENFORCEMENT AGENCIES FOR REPORTING OF
IMPROPER GOVERNMENTAL ACTION**

Franklin County Prosecuting Attorney
1016 N. 4th Ave. 3rd Floor, Rooms 328 and 317
Pasco, WA 99301
(509) 545-3543

Washington State Attorney General
Kennewick Office
8127 W. Klamath Ct., Bldg 6, Suite A
Kennewick, WA 99336
(509) 734-7285

Washington State Auditor
P.O. Box 40021
Olympia, WA 98504-0370
Information – (360) 902-0370
Toll-free Number – (866) 902-3900