



# EMPLOYEE HANDBOOK

**June 30, 2014**  
**UPDATED**  
**Supersedes: April 29, 2014**  
**& Personnel Managers Manual**  
**Res. 01-314**

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## **1.0 GENERAL PROVISIONS**

### **1.1 INTRODUCTION**

It is important to begin by describing what this Employee Handbook is, as well as what it is not. **It . . .**

- IS a summary of our organization's employment policies and procedures. It revokes and supersedes any prior summaries or statements of employment policies and procedures and will control in case of any inconsistency with other written materials (except employment contracts, or collective bargaining agreements, or written practices.)
- IS an evolving document, which we expect to revise and update from time to time. We will keep you advised of changes in policies and procedures covered in this Employee Handbook through notices on the bulletin board, employee meetings, and/or circulation of revised pages or a later edition.
- IS NOT your only source of information on employment-related issues. Although this Employee Handbook will probably always be the best place to start in finding answers to questions, you may, from time to time, have questions that it does not answer. In those situations, you should talk with your supervisor.
- IS NOT an express or implied contract of employment. We hope that our employment relationship with you will be ongoing and rewarding for you and us. However, no one in Lewis County government has the authority to enter into any agreement for employment for a specified period of time, or to make any other representations or agreement inconsistent with this policy, unless it is in writing and signed by the Board of County Commissioners, a Department Director, or Elected Official (hereinafter Elected/Director). If you are an employee of a department under the authority of the Board of County Commissioners (BOCC) your employer is the BOCC. If you are an employee of an independent elected official, your employer is that official.

This Handbook is subject to revision by the County unilaterally and without prior notice. Policy statements as written do not amount to promises of specific action or treatment. The same are merely general statements of County Policy.

To the extent, if any, that any of these policies and procedures are inconsistent with a specific provision of any applicable collective bargaining agreement, the provisions of the collective bargaining agreement shall control, provided that the requirements of Washington law shall be paramount.

### **1.2 GENERAL STATEMENT OF POLICY**

The purpose of this Handbook is to provide guidelines for a system of consistent personnel administration governing the appointment, tenure, transfer, layoff, removal and discipline of County employees. These policies will establish and maintain uniformity based upon the duties and responsibilities of the positions, provide an equal opportunity to enter County employment on the basis of demonstrated fitness, and develop a program of recruitment, training, advancement and tenure that will make a career in the County attractive to persons who possess qualities of ability, integrity, knowledge and professional understanding in their particular fields of endeavor. These policies and procedures are applicable to all employees of Lewis County. They do not apply to independent contractors. To the extent the non-wage and benefit portions of these policies are

adopted by Elected Officials, they shall apply within their departments.

Cooperative Extension Officers employed by Washington State University are not covered by the terms and conditions of these policies and procedures. These policies and procedures are applicable to the clerical support staff in the Cooperative Extension Office.

### 1.3 **STATUS OF EMPLOYEES**

Wages or salary, benefits, and job duties are affected, in part, by employee classification and job title. The following are employee classifications:

- 1) Probationary Employee: An employee who is still within the probationary period of job performance evaluation.
- 2) Full-Time Employee: An employee who is hired to work at least 40 hours per week.
- 3) Part-Time Employee: An employee who is hired to work less than 40 hours per week.
- 4) Regular Employee: A full or part-time employee who has successfully completed his or her probationary period.
- 5) Casual Employee: An employee who is hired to work on an intermittent or as-needed (on-call) basis.
- 6) Project Employee: An employee who is hired with the expectation that he or she will be needed for a specified period of time, not to exceed four (4) months, unless an extension is approved by the Board of County Commissioners.
- 7) Non-exempt Employee: An employee who is included in the minimum wage, overtime, and time card provisions of federal and state wage and hour laws. Non-exempt employees are eligible for overtime for all overtime hours actually worked in accordance with applicable law.
- 8) Exempt Employee: An employee who is paid a fixed salary on a weekly basis rather than an hourly wage, and who meets the criteria for exclusion from wage and hour laws (for example, managerial, professional). An exempt employee does not receive overtime pay.

### 1.4 **DEFINITIONS**

- 1) "Abandonment of Position" means a voluntary resignation of employment with no notice given to the Employer.
- 2) "Adjusted Date of Hire" means the actual hire date with an adjustment made for any leave without pay, suspension without pay, or an interruption in service.
- 3) "Administrative Leave" is the placing of an employee on paid or unpaid leave due to a complaint, investigation, or other administrative needs as necessary.
- 4) "Administrative Time" is time-off for exempt employees working additional hours. Amount of time off is at the direction of the elected or director as outlined in [section 5.3.3.2\(4\)](#).
- 5) "Anniversary Date" is the date of hire within the classification adjusted by any leaves without pay and suspension without pay, or adjusted due to or an interruption in service.
- 6) "Appointing Authority" means any Elected Official/Department Head or other person vested with authority to appoint to any County position.
- 7) "Appointment" means all methods of selection of a candidate for a position.
- 8) "At-will employment" means that the employee serves at the pleasure of the employer and may

- be terminated immediately and without cause.
- 9) "Board" means the Board of County Commissioners.
  - 10) "Business Day" is defined as any Monday through Friday of the calendar year, with the exception of County adopted holidays.
  - 11) "Call-back Employee" means an employee who is called back to work after their normal work shift and prior to the beginning of the next normal work shift.
  - 12) "Cause" means a willful or wanton act or pattern of willful or wanton conduct in violation of the Employer's interest, the employee's duties, or the employee's expected standard of conduct. The act or conduct must be of a substantial nature and not merely inconsequential or technical. Cause may also include a substandard level of performance, which, while not willful or wanton, fails to meet the Employer's reasonable business expectations.
  - 13) "Certified Hire List" means a list of individuals eligible to be employed for a specific position or job classification. Such list may be established at the discretion of the Elected Official or Department Director and is valid for a period of six months to one year from the date certified by the Elected/Director. Other Elected Officials and Department Directors may utilize a certified hire list established for positions of the same class. Recruitment, retention, or working conditions may extend the duration of such list.
  - 14) "Cohabitation" means residing together in the same household, commonly understood in the context of a husband and wife or similar *de facto* relationship.
  - 15) "County" means Lewis County, Washington.
  - 16) "Date of Hire" means the actual date employee first renders paid service in a regular position.
  - 17) "Days" means business days unless specifically noted otherwise (Monday through Friday).
  - 18) "Demotion" means an appointment of an employee from a position in one classification to a position in another classification having a lower maximum salary rate, or a reduction in salary to a lower step in the same salary grade.
  - 19) "Department Director/Administrator" means an appointed official vested with the authority to administer the functions of a County department. For purposes of this document, all appointed Department Directors are responsible to the Board of Lewis County Commissioners for implementation of the provisions of this Employee Handbook.
  - 20) "Deputy" means any person appointed to a position in the County's service by an Elected Official pursuant to State law or constitution and who can act in the stead of the Elected Official and can exercise all of the Elected Official's authority.
  - 21) "Disciplinary Action" means action taken to sanction the improper conduct or inadequate performance of an employee.
  - 22) "Domestic Partner" means a "Washington State registered domestic partnership" where both persons share a common residence, and are capable of consenting to the domestic partnership. To be considered domestic partner, at least one of the partners is sixty-two years old or older and they have to be the opposite sex. Neither person can be a sibling, child, grandchild, aunt, uncle, niece, or nephew to the other person. Where not prohibited by law, this term will also apply when reading spouse.
  - 23) "Elected Official" means an individual placed in a position of authority by a majority popular vote and subject to the provisions of the office as set out in the Revised Code of Washington, and the Washington Constitution.
  - 24) "Employee" means a person performing identified tasks, functions, or services for Lewis County in return for compensation.

- 25) "Employer" refers to Lewis County, the Board of County Commissioners, Department Directors, or Elected Officials, depending on the context.
- 26) "Independent Contractor" means a person who by a specific written agreement performs specified and described tasks, functions, or services for Lewis County in return for certain agreed upon compensation. Independent contractors are not County employees, do not receive the Lewis County benefit package, and must be retained under personal service agreements.
- 27) "Lay-off" means a separation from the County service because of a shortage of funds or materials, abolishment of position or for other reasons not reflecting discredit on an employee and for reasons outside of the employee's control.
- 28) "New Hire" means first time employment with Lewis County or reemployment with Lewis County after a break in service. In no case will the County waive this break without a resolution from the Board.
- 29) "Out-of-classification" means an assignment of an employee to perform duties of a classification at a different salary level than their existing position.
- 30) "Position" means a group of related duties and responsibilities assigned to an appointing authority requiring the full or part-time employment of one or more persons.
- 31) "Position Vacancy" means a position is unfilled.
- 32) "Progressive Discipline" means an additional penalty imposed upon an employee for an act of misconduct on the basis that the employee has received discipline for some prior act of misconduct, and/or the Employer imposes a level of discipline appropriate to the offense and the employee's disciplinary history.
- 33) "Promotion" means a movement of an employee from a position in one class to a position in another class having a higher maximum salary rate.
- 34) "Reclassification" means the duties and responsibilities of an existing position have changed, or are suggested to be changed, so that the position should be allocated to another salary grade.
- 35) "Reinstatement" means the employee is appointed to a previous position following an approved leave of absence or when ordered by the Board of County Commissioners in accordance with the Personnel Resolution, or a court of competent jurisdiction in accordance with applicable law.
- 36) "Resignation" means a voluntary quit by an employee.
- 37) "Separated" means voluntary or involuntary termination of employment with the County.
- 38) "Suspension" means temporary, involuntary separation of an employee for a period or specific time for administrative or disciplinary purposes. Suspension may be with or without pay.
- 39) "Supervisor" means any person responsible for assigning tasks to and evaluating the performance of an employee.
- 40) "Termination" means to end employment.
- 41) "Transfer" means an employee is appointed to a position in the same or different class, which has the same salary grade; provided, however, that the employee is qualified to do the work.
- 42) "Work Day" means any day which an employee is employed in their duties as a County employee, regardless of the number of hours that day.
- 43) "Work Week" means 168 consecutive hours -seven (7) consecutive twenty-four (24) hour periods. (FLSA 29 C.F.R. Section 778.105)

## **2.0 COMPENSATION**

### **2.1 APPLIED PRINCIPLES**

1. Lewis County has a uniform salary system. Only salary decisions with overriding mitigating circumstances will be made outside the system.
2. All positions in County offices and departments per RCW are subject to this system except elected officials, positions classified as executive and positions classified as law enforcement.
3. Recruitment and retention issues may change the normal outcome of a salary level but must be documented in the process. In order to ensure accurate documentation of retention issues the Human Resource Department shall conduct exit interviews of all willing employees who are leaving County employment.
4. The County will establish a standardized job description format and content. Only that format will be accepted for purposes of classifying or reclassifying positions under this policy and procedure.
5. A vacant position may be filled by an applicant that does not meet the minimum educational requirements, as long as there is not a legal violation and documented exceptions are approved by the Elected Officials. The absence of the educational requirement request must be substituted with directly related experience, required to complete the essential functions of the job (as defined in the job description), and supported by verified reference checks or documented proof of experience. The process requires submitting the applicant's hiring information, which justified the directly related experience, and the verification of such, through reference checks or other appropriate documentation. Requests must be submitted to and approved by Elected Official prior to the formal offering of the job. This option is not an encouragement to not hire those with degrees and experience, but simply to give an option when those with no degree have the necessary experience to perform the essential functions.

Authorized experience substitutions for education levels:

Associate degree will be a minimum ratio of two (2) to one (1) -- two years' experience for each year of college. In other words, a position requiring a minimum of an Associate's degree would require a minimum of an additional four years directly related experience. Bachelor's and Master's degree will be a minimum ratio of three (3) to one (1) -- three years' experience for each year of college. In other words, a position requiring a minimum of a Bachelor's degree would require a minimum of an additional twelve (12) years directly related experience and Master's degree an additional eighteen (18) years above than minimum requirements. The original salary grade for the position stands. Increasing the minimum requirements for a job position is only valid if approved by the Board of County Commissioners and the new requirements are adhered to in filling the position.

6. Positions currently placed on the salary grid higher than the final adopted results are frozen until COLAs or the Salary Grid catches up.

## **2.2 SALARY COMPENSATION APPEAL/CLASSIFICATION/RE-CLASSIFICATION PROCESS**

The salary system regulates positions, not the people in them. The job analysis is a systematic process of describing the purpose of a job along with its activities, qualifications, skill requirements, and conditions under which it is performed.

### **2.2.1 APPEALS PROCESS**

If the Elected Official, Department Director, or Employee does not agree with a new position placement, an appeal may be submitted to the Human Resources Department.

Appeal requests will be submitted on the appropriate form to the Human Resources Department and may be accompanied by supporting documentation if applicable.

The Human Resources Department will facilitate communication and/or meetings between the consulting agency and the Office/Department.

The consulting agency will communicate the appeal results to the Human Resources Department.

Approved appeals will be submitted on a Personnel Authorization Form (PAF) to the Human Resources Department and then to the Board of County Commissioners for final signature approval.

### 2.2.2 CLASSIFICATION PROCESS

Situations can result in the creation of a new position. In the event that unanticipated revenue is received for a new position, a classification request will be accepted at that time.

Classification requests will be submitted on the appropriate form, submitted to the Human Resources Department and may be accompanied by supporting documentation if applicable. The Human Resources Department will ensure the classification submittals are complete.

The Human Resources Department will facilitate communication and/or meetings between the consulting agency and the Office/Department.

The consulting agency will communicate the classification results to the Human Resources Department. The Human Resources Department will forward to the Board of County Commissioners for final signature approval.

### 2.2.3 RECLASSIFICATION PROCESS

The following factors may be considered as evidence of possible eligibility for reclassification:

- a. A majority of job duties have changed to the extent they are more accurately reflected in another existing classification description;
- b. A majority of job duties have changed to the extent the job entails a different skill set, which requires increased education or experience in order to perform essential job functions;
- c. Market factors for *identified* market positions as designated by the Executive Steering Committee (ESC).

The following circumstances are **NOT** factors to be considered reasons for reclassification:

- a. Increased volume of the same level of work;
- b. Added duties of a similar nature already covered by the current classification or requiring similar skills, education, or experience;
- c. Duties within a current classification that have not been previously assigned;
- d. Additional assigned duties in a higher classification unless those duties become a majority of the current position;

- e. Enhanced technological tools to perform current duties;
- f. Salary differences for similar jobs in other departments or desire for more monetary compensation;
- g. Reclassifications which occur in other departments.

Reclassification requests will be submitted on the appropriate form and submitted to the Human Resources Department and may be accompanied by supporting documentation if applicable. The Human Resources Department will ensure the reclassification submittals are complete.

The consulting agency will communicate the reclassification results to the Human Resources Department. The Human Resources Department will forward to the Board of County Commissioners for final signature approval.

## 2.3 **OVERTIME AND COMPENSATORY TIME**

### 2.3.1 **AUTHORIZATION FOR OVERTIME**

All overtime shall be approved by the employee's supervisor in advance of being worked; however, in the case of emergency, the employee shall notify the supervisor as soon as possible of having worked the overtime and the reasons for the need to work overtime. Departments shall utilize standard forms for recording pre-approved and emergency overtime.

### 2.3.2 **DEFINITION OF OVERTIME**

Overtime shall be considered as time worked in excess of the number of hours in the workweek, provided however, in no event shall hours less than forty (40) in a work-week be considered as overtime. The workweek shall be established by the Elected/Director of each department and kept on file in the appropriate department or office. The work week may be changed to accommodate the efficient operation of the department.

Overtime shall be paid in increments of fifteen (15) minutes. Any part of fifteen (15) minutes shall constitute a full fifteen (15) minutes for overtime purposes.

Part-time, casual, and project employees whose hours are set at less than the normal work week shall not be eligible for overtime until the total workweek's hours exceed forty (40) hours. The overtime rate is one and one-half times the regular rate of pay for all hours actually worked over 40 hours in one workweek.

### 2.3.3 **COMPENSATORY TIME**

Employees classified as non-exempt are eligible to receive compensatory time for hours worked in excess of forty (40) in a given workweek.

Compensatory time shall be accrued in increments of fifteen (15) minutes. Any part of fifteen (15) minutes shall constitute a full fifteen (15) minutes for purposes of accruing compensatory time.

The use of compensatory time in lieu of cash overtime payment is governed by the following conditions:

- Being required to work overtime is a condition of employment and compensatory time off in lieu of cash overtime payment is at the discretion of the County. This means that the County can require the use of compensatory time rather than overtime. The County may mix any combination of compensatory time off and overtime payment in cash so long as the principle of "time and one-half" is maintained. Compensatory time may not be available to all employees.
- Compensatory time accrued by the employee may be preserved, used, or cashed out consistent with conditions with this policy. An employee who has accrued compensatory time may request the use of the time. This request must be granted within a reasonable period of time after the request is made if it does not unduly disrupt the operation of the department. An employee has a right to use the compensatory time earned and shall not be required to accept more compensatory time than the County can realistically, and in good faith, expect to be able to grant.
- The maximum accrual for employees is 240 hours (160 hours of overtime work) unless the employee is involved in a public safety activity, emergency response activity, or seasonal activity. In that case the maximum accrual is 480 hours (320 hours of overtime work).
- Any compensatory time granted to the employee must be used within a 90-day period from the date it is earned, unless the Elected/Director authorizes an extended period of up to 90 additional days in writing. If earned compensatory time off is not taken within the extended period, then such compensatory time shall be compensated for by monetary payment, payable at the end of the next ensuing pay period. Compensatory time off shall be scheduled with the approval of the employee's supervisor.

#### 2.4 **HIRING PERS 1 RETIREES**

See the Department of Retirement Systems web page [www.drs.wa.gov](http://www.drs.wa.gov) for current information.

#### 2.5 **OUT OF CLASS PAY**

Any employee working out of job classification, in a higher paid job classification, by the direction of the Employer and/or designee for more than one week, shall be compensated for all such hours worked (beyond the initial week). Such compensation will be at the lowest rate of pay for the higher classification, which provides the employee with a minimum pay enhancement of five percent (5%) increase in salary. If the lower rate of pay of the higher paid classification does not provide the required minimum pay increase of five percent (5%), the employee shall be placed in the next higher step in the out of job classification position, until they have received the minimum five percent (5%) pay increase. The employee working out of class shall not relinquish their position's duties.

#### 2.6 **PROMOTION**

An employee who changes from one job classification to a higher range job classification shall be placed at a step which will provide a minimum of a five (5%) increase in salary on the salary range of the job classification to which the employee is promoted. However, if the top step of the higher range is less than 5% then the top step shall be the rate of pay.

## 2.7 **DEMOTION**

Employees that undergo a voluntary demotion to a lower grade classification shall be placed on the grid at one step higher for every grade reduced. Employees that undergo a reduction-in-force or performance demotion will drop down to the appropriate grade maintaining their current step. Performance demotions will result in a new anniversary date (the date of the demotion.) Employees that undergo a reduction-in-force demotion will retain his/her current anniversary date.

## **3.0 PROBATIONARY APPOINTMENTS**

### 3.1 **NATURE, PURPOSE AND DURATION**

All original appointees to regular positions shall serve a probationary period of six (6) months unless otherwise noted. The probationary period shall be an essential part of the examination process, and shall be used for the training and orientation of new employees and to set a time limit for the termination of any probationary employee whose performance does not meet the required standards. A temporary appointment shall not reduce the probationary period.

#### 3.1.1 **CONDITIONS PRELIMINARY TO REGULAR APPOINTMENTS**

Regular appointment of a probationary employee shall begin after the successful completion of the probationary period. An employee will receive notification of regular appointment in writing.

#### 3.1.2 **TRANSFER DURING PROBATION**

An employee who is transferred or hired to another position prior to the completion of the probationary period shall complete the probationary period in the latter position by adding the service time in both positions together, unless the transfer is to a different classification, in which case a probationary service period of not less than six (6) months is required in the new classification.

#### 3.1.3 **DISMISSAL DURING PROBATION**

At any time during the probationary period, an employee may be separated from County service without right of appeal or hearing. Unless a regular appointment is made at the close of a probationary period the services of the employee shall be automatically terminated, and no further salary or other compensation shall be payable to the employee.

### 3.2 **TRIAL PERIODS**

#### 3.2.1 **WITHIN THE SAME DEPARTMENT OR OFFICE**

An employee who has satisfactorily completed a County probationary period and is not a re-hire, shall upon transfer or hire into a different classification within THE SAME Department or Office, serve a trial period of a minimum of forty (40) hours to a maximum of sixty (60)

days. Upon failure to satisfactorily complete a trial period, an employee may be returned to their prior classification within that department/office provided they still remain qualified for their prior position and the position has remained open.

### **3.2.2 WITHIN A DIFFERENT DEPARTMENT OR OFFICE**

An employee who has completed a County probationary period who transfers or is hired into any classification within a different department or office shall serve a trial period of between one (1) and six (6) months, as determined by the department or office, and shall not have a right to return to their former position.

### **3.3 ONE PERSON - MULTIPLE JOBS**

Employees may apply for jobs in other departments or offices, but must resign from their current position, giving two weeks' notice prior to assuming the new job. However, an employee may hold more than one position (not to exceed 1.0 FTE) in their own Department or Office as long as the employee maintains identical representation status (same Union and CBA or non-represented status for both positions). Any disciplinary action will affect both positions.

## **4.0 CONDUCT, JOB PERFORMANCE, DISCIPLINE AND APPEALS**

### **4.1 PERSONAL CONDUCT**

Lewis County government employees are expected to accept certain responsibilities, adhere to acceptable principles in matters of personal conduct, and exhibit a high degree of personal integrity and performance at all times while on the job.

Employees of the County, regardless of whether public contacts are direct or indirect, are expected to be courteous, efficient, appropriately dressed and groomed, helpful in all of their work assignments, and to treat members of the public, as well as other County employees, with dignity and respect.

Lewis County employees shall also comply with laws, rules, policies, regulations, as well as in ethical standards. Lewis County has adopted the provision of Chapter 42.52, RCW, Ethics in Public Service, and Chapter 42.20 RCW: Misconduct of Public Officers, as applicable standards for all Lewis County employees.

### **4.2 JOB PERFORMANCE EXPECTATIONS**

Job performance expectations are based on the employee's department, job classification, qualifications, and job assignment.

#### **4.2.1 CONFIDENTIALITY**

Some positions with the County are responsible for handling information that should be released only on a need-to-know basis. This requires confidentiality and privacy of the identity of individuals and other information prepared, reviewed, and handled by these employees. This includes, but is not limited to, telephone and personal contacts, facsimile transmittals, e-mails, social networking, employment application materials, medical

information, draft and final written documents, and any other correspondence. A breach of confidentiality will be grounds for discipline up to and including termination.

#### 4.3 **DISCIPLINE OF EMPLOYEES**

##### 4.3.1 **DISCIPLINE**

Employee effectiveness, efficiency, productivity, safety, and morale are directly related to employee conduct.

###### *4.3.1.1 Investigations*

Subject to applicable provisions of Washington labor laws, employees have an obligation to cooperate with any investigation conducted by the Employer. Failure to do so will be considered insubordination and may be grounds for discipline, up to and including termination.

##### 4.3.2 **APPLICATION OF DISCIPLINE**

Discipline for infractions may consist of, but not be limited to, the following:

- Verbal warning or reprimand;
- Written warning or reprimand;
- Suspension (with or without pay);
- Demotion; or
- Discharge.

Any or all of these steps may be utilized, depending upon individual circumstances and the nature of the infraction. Exceptions or deviations from the normal procedure may occur. Progressive discipline shall not necessarily apply.

If the employee violates County policy, commits serious misconduct or fails to improve the level of performance, discharge may result. Immediate suspension or discharge may apply in cases of gross misconduct.

##### 4.3.3 **TERMINATION FOR CAUSE HEARING**

An employee who is terminated for cause will be afforded a hearing, conducted by their Elected/Director Official, in accordance with state and federal law. This provision shall not apply to Civil Service employees, those represented by unions, or those hired as at-will employees including deputies, directors and managers, casual, probationary and project employees.

#### 4.4 **APPEAL OF DISCIPLINARY ACTION**

##### 4.4.1 **APPLICATION**

Any non-probationary, non-management, and non-at-will employee may appeal any demotion, suspension, or discharge when the action is believed to be unjustified by the employee.

#### 4.4.2 APPEAL PROCEDURE

Elected/Director or their Designees:

Step 1: The appeal shall be presented in written form to the employee's Elected/Director or Designees ten (10) working days from the date of the action being appealed. The Elected/Director or Designees shall respond in writing within ten (10) working days after receiving the appeal – not to include the day of receipt.

Step 2: If the matter is not resolved to the satisfaction of the employee, within ten (10) working days of the response, the appeal in written form shall be presented to the Board of County Commissioners or the respective Elective Official. The employee shall schedule an appeal hearing with the Board of County Commissioners, the Elected Official, or a designated representative within ten (10) working days for resolution of the issue. The appeal hearing shall be heard within a reasonable time. The Board may either hear the appeal of its employees or appoint a hearing officer to hear the appeal. Elected Officials may hear the appeal for their employees or appoint a hearing officer. The Board/Elected shall issue findings in writing within twenty (20) working days of the meeting.

#### 4.4.3 HEARING PROCEDURE

1. Hearings on appeals from disciplinary action shall be subject to the provisions of the RCW 34.05 Part IV, the Administrative Procedures Act.
2. The Board of Commissioners or Elected Officials shall be represented at the hearing by the Lewis County Prosecuting Attorney's office. The employee may self-represent or be represented by an attorney retained at the employee's expense.
3. The Board/Elected has powers to administer oaths, subpoena witnesses, and compel the production of books and papers pertinent to any investigation or hearing authorized by law.

#### 4.5 NON-DISCIPLINARY APPEAL

##### 4.5.1 DEFINITION OF NON-DISCIPLINARY APPEAL (GRIEVANCE)

This policy is only applicable to issues under the terms or scope of this Employee Handbook, the terms or scope of a County resolution dealing with personnel issues and passed by the Board, or the terms or scope of an issue which might be applicable to County employees in more than one Department or Office. This policy does not apply to compensation and salary determinations made pursuant to [Chapter 2](#) of this Employee Handbook, and such determinations can be appealed only as provided in that Chapter. A non-disciplinary appeal is a grievance filed with the employer if an individual or group of County employees believes an injustice has occurred because of:

1. Lack of a County policy;
2. A County policy that is unfair;
3. Deviation from a County policy;
4. Discrimination on the basis of race, color, religion, sex, sexual orientation, national origin, marital status, age, expunged juvenile record, association with anyone of a particular race, color, sex, sexual orientation, national origin, marital status, age, veteran status, or religion, family relationship, mental or physical handicap, application of Workers' Compensation

benefits, or retaliation for protected activities. All County employees may appeal an employment action they believe is based upon discrimination, i.e. this section shall apply to at-will employees.

#### **4.5.2 NON-DISCIPLINARY APPEAL PROCEDURE**

1. A request for appeal must be in writing.
2. The Elected/Director shall conduct a preliminary investigation to ascertain if the appeal falls under the terms of an interpretation of the Employee Handbook, an applicable County resolution, or is of countywide significance.
3. If the appeal falls under the terms of the Employee Handbook, an applicable County Resolution, or is of a countywide significance, the Elected/Director shall forward the information to the Board.
4. If the appeal does not fall under the terms of the Employee Handbook, an applicable County resolution, or is not of County wide significance, the Elected/Director shall handle the matter internally and according to the guidelines and policies within the specific department.

#### **4.5.3 HEARING APPEAL**

1. When an appeal of a non-disciplinary policy is directed to the Board for resolution, the Board or its designee shall investigate the matter and make a finding on the appeal. When hearings involve employees of another elected, said elected or their designees shall sit with the Board for investigations and findings.
2. Copies of the finding shall be forwarded to the employee filing the appeal and the affected elected/director.
3. If the finding recommends or implements a change in Lewis County policy, all employees shall be so advised.
4. The Board or its designee's finding shall be final.

### **5.0 ATTENDANCE**

#### **5.1 ATTENDANCE AND PUNCTUALITY**

Each employee is expected to keep regular attendance, be on time, and work as scheduled. Failure to meet attendance and punctuality requirements may subject an employee to disciplinary action, up to and including termination.

##### **5.1.1 HOURS WORKED**

##### **Pursuant to Resolution 14-046 and RCW 36.16.100**

1. Each elected official of Lewis County and director or administrator under the authority of the Board, when acting with the advice and consent of the Board, may from time to time, designate the days and hours during which his or her office (or any sub-unit thereof) shall be open for the transaction of business by members of the public, and may designate new days and/or hours as he or she deems appropriate.
2. The number of hours per workweek constituting full time employment shall be designated by the Board.

3. The days and hours on which each County location at which members of the public may transact County business shall be posted at such location.
4. The Elected/Director shall designate the commencement and end of the workweek for the department pursuant to the requirements of the Fair Labor Standards Act. Such workweek shall be fixed at 168 consecutive hours, seven (7) consecutive twenty-four (24) hour periods. (FLSA 29 C.F.R. Section 778.105)

#### 5.1.2 **TIME RECORDS**

Each non-exempt employee is expected to record accurately on the provided time record the time spent working. Exempt employees shall not be required to provide time records for pay purposes.

### 5.2 **MEALS AND REST PERIODS**

#### 5.2.1 **MEALS**

All non-exempt employees shall be granted a non-compensated meal period of one-half or one hour as determined by the Elected/Director.

If an employee's supervisor determines that a non-exempt employee may not be completely relieved of all duties during the meal time or determines that the employee is not free to leave their duty post or work station during meal time, the meal time shall count as hours worked.

#### 5.2.2 **REST PERIODS**

Each non-exempt employee shall be allowed a compensated fifteen (15) minute rest period, on Employer's time, for each four (4) hours of working time. Rest periods shall be scheduled as near as possible to the midpoint of the work period. An additional rest period shall be granted for each additional two-hour increment that an employee is required to work beyond the normal shift.

### 5.3 **NON-MEDICAL LEAVES OF ABSENCE**

#### 5.3.1 **ABSENCE WITHOUT LEAVE**

No employee shall be absent from duty without proper permission. An employee absent for three (3) consecutive work days without authorization, except for an immediate health, or family emergency, shall be considered to have terminated employment as of the last day of active employment.

#### 5.3.2 **AUTHORIZATION FOR LEAVE**

No employee shall receive compensation for a period of absence unless leave is authorized. No leave of absence with or without pay shall be granted unless the employee submits a written request and the request is approved in writing in accordance with these procedures. Requests for leave of absence without pay shall be submitted to the Elected/Director. Any

type of leave taken with pay shall be reported on the payroll form submitted monthly to the Auditor's Payroll Benefits Specialist.

### **5.3.3 NON-MEDICAL LEAVE OF ABSENCE WITH PAY**

#### **5.3.3.1 Leave of Absence with Pay**

The Board of County Commissioners and Elected Officials may grant Leaves of Absence with Pay, for any reason deemed suitable and necessary to the operation of their offices.

#### **5.3.3.2 Leaves of Absence with Pay without Board Approval**

Leaves of absence with pay may be granted by Department Directors without Board approval for the following reasons:

1. Jury duty, provided that any per diem jury pay is paid over to the County. The employee may retain any mileage and expense reimbursements received. Employees released from jury duty during working hours will immediately return to work.
2. Appearance before a court, legislative committee, or judicial, or quasi-judicial body as a witness on behalf of Lewis County in response to a subpoena or other direction by proper authority, provided that any witness fee be paid over to the County.
3. Funeral Leave/Bereavement Leave - Up to three (3) days shall be granted without any leave debit in the case of a death of the employee's spouse, child, parent, grandparent, sibling, spouse's parents, spouse's sibling, or any other person who is a non-pecuniary resident of the employee's household. An employee shall be allowed to utilize up to three (3) days paid time off in addition to the three (3) days allotted bereavement leave.

An employee shall be allowed to utilize up to three (3) days paid time off for bereavement in the case of death of persons related by blood, marriage, or legal adoption in the degree of consanguinity of grandparent in-laws or grandchild.

Employees who are permitted to attend the funeral or memorial service of a fellow department employee shall be allowed to take four (4) hours sick leave when such services are held during working hours.

Regular employees may request to use additional leave to exceed this three day period. The County may, at its discretion, grant additional leave to be charged to accrued vacation, sick time and/or accumulated compensatory time, or may grant leave without pay as a last resort.

4. Administrative Time: Exempt, non-union employees who work an unusually large number of hours may be granted Administrative Time at the Employer's discretion. Administrative Time shall not accrue in excess of ninety (90) days, shall not be available for cash-out purposes, and shall not be granted in advance. In no case, shall more than eighty (80) hours be granted per year. No more than twenty-four (24) hours shall be used in succession. Requested leave shall be used within ninety (90) days of being granted.

### **5.3.4 LEAVE OF ABSENCE WITHOUT PAY**

An unpaid leave of absence may be available to an employee for medical or personal reasons under the guidelines below. If the employee qualifies in more than one category listed below,

the period of leave will be counted toward the total entitlement of every category of leave that may apply.

5.3.4.1 Non-Medical Leave - Absence without Pay

1. UNPAID LEAVE FOR PERSONAL REASONS. In the sole discretion of the County, employees may be given personal leaves of absence for a specified period of time. Requests for personal leave will be evaluated based on factors including but not limited to work record, Employer staffing needs, and the reason for requesting the leave. The circumstances will determine the length of the leave, but a personal leave of absence typically may not exceed 90 days. Employees returning from a personal leave are not guaranteed a return to their former job. If a position is available for which they are qualified, they may apply and compete for that opening.
2. MILITARY LEAVE OF ABSENCE. Any employee who is a member of a military reserve force of the United States or of the State of Washington shall be entitled to and shall be granted military leave of absence from County employment, not to exceed twenty-one (21) working days during each October 1 through September 30. Such leave shall be granted in order that the person may take part in active training duty in such manner and at such time as he or she may be ordered to active training duty. Such military leave of absence shall be in addition to any vacation or sick leave to which the employee might otherwise be entitled, and shall not involve any loss of efficiency rating, privileges or pay (RCW 38.40.060.) During the period of military leave, the employee shall receive from the Employer his or her normal pay. Any additional leave will be considered under applicable federal law.

5.3.4.2 Medical Leave of Absence without Pay (non-FMLA)

OVERVIEW - *A leave of absence for employees who are not eligible for FMLA:* Leave must be requested in writing and submitted to the Elected/Director 30 days prior to the date leave is to begin, or as soon as the need for such a leave is known. No benefits, such as vacation or sick leave, are earned while on unpaid leave.

Group health insurance coverage may terminate at the end of the month in which the unpaid leave of absence begins. In those circumstances COBRA coverage will be offered to the employee.

Failure to return from leave as agreed may be treated as a resignation of employment. If an employee has taken a leave during which the County has continued its contributions toward health premiums (as identified below) and the employee does not return at the end of the leave, the employee may be required to repay the County for its contributions to the cost of health insurance paid during leave. The circumstances will determine the length of the leave, but a medical leave of absence without pay (non-FMLA) may not exceed 30 calendar days.

Where the Family and Medical Leave Act or state law requires the leave, the policy will be administered according to that Act or applicable law.

5.3.4.3 Family and Medical Leaves of Absence (FMLA)

The County's FMLA Policy is found in Part 2 of ATTACHMENTS. The following is a summary of rights which County employees may have under various leave programs. Legislation and regulations governing these programs will determine actual leave entitlement in a given situation. Also, these laws and regulations may change from time to time. For further information contact the Lewis County Human Resources Department. Lewis County uses a "rolling" 12-month period of leave measured backward from the date an employee uses any FMLA leave. Employees who are found to have misused, abused, or committed fraud using FMLA will be subject to discipline, including termination.

### Medical Leaves

A medical leave is granted or mandated for a serious health condition or pregnancy-related disability. Medical leave may require a healthcare provider's certificate identified as Form WH-380. Employees returning from a medical leave may be asked to provide a physician's release to return to work. Pregnancy related disability may result in longer periods of leave. See [Pregnancy Disability](#) for more information.

### Family Leaves

#### Eligibility

To be eligible for all family and/or medical leave an employee must be employed by the County at least twelve (12) months and have worked at least 1,250 hours in the twelve (12) month period immediately preceding the start of leave. The amount of leave an employee may be entitled to take may be limited by other leaves taken in the twelve (12) months prior to the date they request to start a medical leave.

Unpaid Family leave is granted for:

- A father's attendance at the birth of a child;
- A parent's care of a child after birth. (See [Pregnancy Disability](#) for more information);
- The placement of a child with an employee for adoption or foster care;
- A serious health condition of an employee's child (under 18 years, older if disabled);
- A serious health condition of employee's spouse or parent.

Lewis County will continue medical insurance benefits for employees during approved leave. Employees must continue to pay their portion of the insurance premium while on leave. Although employment benefits, such as vacation pay, and personal/sick pay will not accrue during unpaid leave, employment benefits previously accrued (up to the day that the leave begins) will not be lost. However, before being granted unpaid time, all employees must first exhaust available vacation (with the exception of forty (40.0) hours of vacation that can be reserved by the employee for childbirth), sick, and comp time. All paid time off will run concurrently with FMLA.

A medical leave of absence may be extended beyond twelve (12) weeks in certain circumstances, although employees may lose certain reinstatement rights and may have to pay all insurance premiums for the time beyond the initial twelve-week period. The employee must provide a healthcare provider's certificate of their ability to return to

work with any limitations that are applicable, at the time their return from leave. When employees return from a medical leave after not more than twelve (12) work weeks of absence, generally they will return to the same job or an equivalent one with equivalent pay and benefits, unless the position would otherwise have been eliminated had the employee not been on leave. If the leave extends beyond the period permitted by this policy, employees will not be guaranteed any reinstatement, but may apply and compete for a vacant position for which they are qualified.

#### Military Family Leave Provision (FMLA)

The Military leave provision has the same time worked requirements as medical FMLA. Military leave may require the certification of Military Orders and completion of WH-384.

*Military Caregiver Leave:* A spouse, son, daughter, parent, or next of kin may take up to twenty-six (26) workweeks of leave to care for a "member of the Armed Forces," including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. If employee and spouse both work for the County, they will together be entitled to a total of twelve weeks or 26 weeks for military care leave under this section.

*Qualifying Exigency Leave:* up to twelve (12) weeks, may be taken for any qualifying exigency arising out of the fact that a covered military member is on active duty or call to active duty status for a Contingency Operation. The FMLA leave is to address the most common issues that arise when a covered military member is deployed, such as attending military-sponsored functions, making appropriate financial and legal arrangements, and arranging for alternative childcare.

#### 5.3.4.4 FAMILY LEAVE ACT (Washington State)

Washington Family Leave Act may also cover absences for which sick leave is available.

#### 5.3.4.5 FAMILY CARE ACT (Washington State)

Employee can use paid sick, vacation, or any other paid time off to care for sick family members including spouse, child, parent, parent-in-law, or grandparent with a serious health condition. An employee can also care for a child under the age of 18 with a routine childhood illness or needed preventative care; or for the care of a disabled adult child. This includes the short-term care of pregnant spouse during or after childbirth, as needed. Employees may only use sick time for their own illness.

#### 5.3.4.6 Pregnancy Disability RCW 49.60/WAC 162-30-020

Pregnancy Disability allows an employee to access disability leave due to pregnancy for the period of time before and after childbirth as determined by the health care provider. There is no minimum employment requirement. The health care provider determines when employee can no longer work. After childbirth, the leave is typically 6-8 weeks, but is based on the individual employee's condition. Leave for disability due to pregnancy or childbirth is **in addition to** twelve (12) weeks (if qualified) under either FMLA and/or state FLA. When the employee returns from leave, they will be reinstated

to their former position or an equivalent position with equivalent pay and benefits, unless the position would have been eliminated if they had not been on leave.

#### 5.3.4.7 Domestic Violence Leave for Victims and Family Members

Employees who are victims of domestic violence, sexual assault or stalking can take reasonable leave from work for legal or law-enforcement assistance, medical treatment or counseling. Employees who are family members may also take reasonable leave to help a victim obtain needed treatment or services. Leave is with or without pay. A family member includes: child, spouse, domestic partner, parent, parent-in-law, grandparent, or person the employee is dating. There are no eligibility requirements. An employee must give advance notice whenever possible.

## **6.0 BENEFITS**

Benefits are granted to employees as integral to a full compensation plan. Benefits include all non-wage/non-salary compensation.

### 6.1 **HOLIDAYS OBSERVED**

New Year's Day	January 1
Martin Luther King's Birthday	3 <sup>rd</sup> Monday of January
President's Day	3 <sup>rd</sup> Monday of February
Memorial Day	Last Monday of May
Independence Day	July 4 <sup>th</sup>
Labor Day	1 <sup>st</sup> Monday of September
Veterans Day	November 11
Thanksgiving Day	4 <sup>th</sup> Thursday of November
Day After Thanksgiving	4 <sup>th</sup> Friday of November
Christmas	December 25
Personal Day	Vacation Credit

Unless stipulated in bargaining unit agreements each employee shall be credited eight (8) hours to his or her vacation bank for their Personal Day. The vacation bank will be credited on January 1<sup>st</sup> of each year for current employees and on the date of hired for newly hired employees but not available to those employees until completion of their six month probationary period.

Employees shall have the courthouse-recognized holidays off. Should the recognized holiday fall on the employee's regularly scheduled day off, the employee shall be given the adjacent day off or, with mutual agreement of the Employer, another day within the work week.

An employee who works on a designated holiday and does not take an alternate day off during the workweek shall be compensated for all hours worked on such holiday at 1½ times the employee's regular hourly rate, in addition to their regular salary.

#### 6.1.1 **BY GOVERNOR'S PROCLAMATION**

Any day designated as a legal holiday by public proclamation by the Governor of the State.

### **6.1.2 WEEKEND HOLIDAYS**

Whenever a holiday falls on a Sunday, the succeeding Monday shall be observed as a paid holiday and whenever a holiday falls on a Saturday, the preceding Friday shall be observed as a paid holiday.

### **6.1.3 ELIGIBLE EMPLOYEES**

Only regular or probationary full-time and part-time employees shall be eligible to receive holiday pay who have compensable hours the day before the holiday.

- Eligible regular full-time employees shall be paid for observed holidays. If a holiday falls on an eligible employee's day off, the employee shall receive an alternate day off with pay, on the next workday adjacent to the employee's next normal days off.
- Eligible regular part-time employees, regardless of their daily schedule, will receive prorated holiday pay based on their regular weekly hours. If the holiday falls on a day the employee is scheduled to work, the eligible part time employee shall have the day off and be paid the pro-rated holiday pay. If the holiday or observed day under 6.1.2 above falls on a day the employee is not scheduled to work, the employee shall only be paid the pro-rated holiday pay.

### **6.1.4 HOLIDAY PAY**

An eligible employee shall receive pay for his/her regular scheduled hours for each of the holidays listed above which falls on a regularly scheduled workday.

### **6.1.5 HOLIDAY DURING LEAVE**

When an employee is on authorized paid leave and a holiday occurs, that holiday shall not be charged against the leave.

### **6.1.6 WORK PERFORMED ON HOLIDAYS**

If a non-exempt employee, at the direction of his/her supervisor, works on any of the holidays listed above, he/she shall, in addition to his/her pay for the hours worked, be compensated at the rate of one and one-half times for each hour worked.

### **6.1.7 UNPAID HOLIDAYS FOR REASONS OF FAITH OR CONSCIENCE**

Employees are entitled to two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization. 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 employee may select the days on which he or she desires to take the two unpaid holidays after consultation with his or her supervisor. 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 as defined by law, or the employee is necessary to maintain public safety.

If possible, an employee should submit a written request for an unpaid holiday provided for by this section to the employee’s supervisor a minimum of seven (7) days prior to the requested day. Approval of the unpaid holiday shall not be deemed approved unless it has been authorized in writing by the employee’s supervisor.

**6.2 ANNUAL LEAVE**

**6.2.1 ANNUAL LEAVE ACCRUAL AND ELIGIBILITY**

- An employee may not use annual leave until he or she has been employed for six (6) months. Annual leave may be accumulated to a maximum of 240 hours.
- Regular part-time employees shall accrue annual leave in proportion to the percentage of time normally schedule to work factored against full time employment.
- Each department shall assume the responsibility for maintaining accurate annual leave records for their employees and shall provide a report to the Auditor's Office as required.
- Employees must use accrued paid time off during any period covered by the Family Medical Leave Act.

**6.2.2 ACCRUAL RATES**

All employees shall accrue annual leave in accordance with the following schedule unless modified by bargaining unit contracts with the Board of County Commissioners. The increased accrual rates start at the beginning of the new year of service (e.g., the 9.00 rate starts at the beginning of the twenty-fifth month of service, etc.).

<b>MONTHS OF COUNTY SERVICE</b>	<b>ACCRUAL RATE HOURS PER MONTH</b>	<b>ACCRUAL RATE HOURS PER YEAR</b>
0-12	8.50	102
13-24	8.50	102
25-36	9.00	108
37-48	9.50	114
49-60	10.66	128
61-72	10.66	128
73-84	11.00	132
85-96	11.50	138
97-108	12.00	144
109-120	12.66	152
121-132	12.66	152
133-144	13.00	156
145-156	13.50	162

<b>MONTHS OF COUNTY SERVICE</b>	<b>ACCRUAL RATE HOURS PER MONTH</b>	<b>ACCRUAL RATE HOURS PER YEAR</b>
157-168	14.00	168
169-180	14.50	174
181-192	14.50	174
193-204	15.00	180
205-216	15.50	186
217-228	16.00	192
229+	16.33	196

**6.2.3 CONTINUOUS SERVICE**

Continuous service determining the accumulation rate for annual leave credit shall be service unbroken by separation from County service, except that time spent by an employee on military leave, Peace Corps duty, leave resulting from a job-incurred injury, maternity leave, federal and state family medical leave, or authorized educational leave, all of which shall be included as continuous service.

**6.2.4 MAXIMUM ACCRUAL FOR EXEMPT AND NON-UNION EMPLOYEES**

Leave time shall be limited to a maximum of 240 hours accumulation. At no time, except under the provisions of 6.2.7, shall an employee accrue beyond the maximum limit of 240 hours.

**6.2.5 LEAVE RIGHTS IN CASE OF LAYOFF OR SEPARATION**

A non—probationary employee who is laid off, discharged, retired or separated from the service of the County for any reason prior to taking their leave shall be compensated for all earned or unused vacation accumulated to the date of separation. This shall not apply to employees who are laid off, discharged, retired or separated from the service of the County prior to the completion of their six (6) month probationary period.

**6.2.6 WORK DURING SCHEDULED LEAVE PERIOD**

Non-exempt employees who are called back to work during any scheduled leave period shall be compensated for hours worked at time and one-half the normal hourly rate with a guaranteed two (2) hour minimum.

**6.2.7 CANCELING LEAVE**

If the employee's leave should be canceled or postponed by the Elected/Director due to work necessity, the employee may accrue annual leave beyond the 240 hour limit in an amount equal to no more than two months of the employees annual accrual; provided that such excess over the 240 hour limit shall be used within sixty (60) calendar days from the first available opportunity for its use. Failure to use the excess within the time limit may

result in forfeiture, absent a reasonable written request for a waiver of this provision by the employee to the Elected/Director.

The employee may reschedule a canceled leave to a future date, and such schedule shall be given priority by the Elected/Director, provided it does not cause a conflict with other scheduled vacations. Cancellation of leave shall not be done in a capricious or arbitrary manner. Upon request by an employee, the Elected/Director shall provide a written reason for the cancellation.

#### **6.2.8 USE OF ANNUAL LEAVE UPON RETIREMENT**

At the discretion of the Employer, an employee who is retiring from the County's service may request to use annual leave to complete the month of service in which retirement occurs.

#### **6.2.9 ANNUAL LEAVE SCHEDULE**

Employees shall make a request in writing for annual leave to their supervisor. Conflicts in scheduling shall be resolved by the Elected/Director.

#### **6.2.10 EXTENDED LEAVE**

An employee who intends to use extended vacation (a period which exceeds three (3) weeks) is required to make a request for vacation leave in writing to the Elected/Director a minimum of three (3) months in advance of the anticipated departure time for the purposes of proper scheduling and workload distribution.

#### **6.2.11 TRANSFERRING ANNUAL LEAVE TIME**

- Any regular full-time or part-time employee with more than one (1) year of completed service in an established and budgeted position may transfer a portion of their accrued annual leave to another regular full-time or part-time employee with more than one (1) year of completed service in an established and budgeted position. This transfer is contingent upon approval by the Employer for both the employee authorizing and the employee receiving the transfer. The transfer is further restricted for the purposes of catastrophic or extended illness that is covered by FMLA.
- No employee may transfer annual leave time to another if such transfer would leave the transferring employee less than forty (40) hours of credited annual leave. The receiving employee shall be limited to a maximum receipt of four hundred eighty (480) hours annually from all leave donors.
- The employee transferring the annual leave time shall authorize the transfer in writing. Copies of the written authorization shall be provided to the Employer and the Auditor's Office for payroll purposes. This voluntary transfer of leave time, once authorized, is final, provided that should the receiving employee not use the transferred annual leave due to death, illness recovery, or separation from employment, the transferred leave time shall revert back to the transferring employee. Annual leave time transferred by qualifying employees shall be transferred in increments equal to the total number of hours in the

workday of the employee transferring the leave time. The hours transferred shall be converted to dollars at the rate of pay for the transferring employee. Once transferred, they shall be reconverted to hours based on the receiving employee's hourly rate of pay. This process shall be reversed in cases of reversion of time.

- The transfer of annual leave time shall only occur if the receiving employee is suffering from a catastrophic illness or extended illness or injury preventing the employee's return to work and the receiving employee has exhausted all of their accumulated annual leave time, sick leave time, compensatory leave time, and other leave with pay to which that employee is entitled.
- Transfer of leave time may also be used for any employee whose spouse or child suffers from a catastrophic or extended illness or injury requiring the employee's presence, provided the receiving employee has exhausted all of their accumulated annual leave time, sick leave time, compensatory leave time, and other leave with pay to which that employee is entitled.
- Transferred annual leave hours must be used within one hundred twenty (120) calendar days following the date of transfer. Any transferred annual leave is excluded from termination annual leave pay-off provisions.

6.3 **BENEFITS** (Benefits described are for non-represented Lewis County employees or for those covered under a CBA where not otherwise specified.)

6.3.1 **SICK LEAVE**

Regular full time and part time employees (who work in excess of twenty (20) hours per week) are eligible to accrue sick leave.

Sick leave is accrued for full time employees at the rate of eight (8) hours per month. Regular part-time employees shall accrue sick leave in proportion to the percentage of time normally schedule to work factored against full time employment.

6.3.2 **MAXIMUM ACCRUAL**

Sick leave may be accrued to a maximum of 1320 hours.

6.3.3 **SICK LEAVE ELIGIBILITY**

An employee may use their sick leave after thirty (30) days from date of hire.

6.3.4 **USE OF SICK LEAVE**

An employee who is unable to perform their duties by reason of personal illness or injury, pregnancy, necessity of medical or dental care (preventative or routine), exposure to contagious disease or illness in the employee's immediate family requiring the attendance of the employee may use accrued sick leave. In addition, an employee must use paid time-off during any absence covered by the Family Medical Leave Act.

1. Employee's Illness or Injury – Sick leave will only be allowed when an employee completes

the appropriate sick leave request form. This is to be completed as soon as the employee returns to work. In instances where an employee takes more than three (3) work days of sick leave for any one illness for self or for illness in the immediate family, the employee may be required by the Elected/Director to produce a letter from a licensed health care provider showing the necessity of absence from work. Immediate family in this context means spouse, children and parents only.

2. The employee shall, as soon as reasonably possible, notify their supervisor if they are ill and cannot work.
3. For a predictable temporary disability or extended period of using sick leave, the employee shall give the Elected/Director sufficient notice to plan for staffing during the employee's absence and the employee shall provide the Elected/Director with a written statement from the licensed health care provider estimating the date the leave is to begin, the estimated length of the disability leave, and the expected date the employee will be available to return to work. The Elected/Director may request periodic updates from the employee for business planning purposes. The employee shall notify the Elected/Director as soon as the licensed health care provider releases the employee to return to work.

#### **6.3.5 ILLNESS DURING VACATION**

Should an employee become ill while on vacation and require medical attention or hospitalization, the time ill may be charged to accumulated sick leave. The Director/Elected may require the employee to furnish documentation issued by a licensed physician or practitioner.

#### **6.3.6 ABUSE OF SICK LEAVE**

Abuse of sick leave may affect the employee's performance review or lead to disciplinary action. Should the Employer determine that the employee is using sick leave in an inappropriate manner, the employer shall so counsel the employee. The initial, verbal counseling session shall not be considered disciplinary. If the employer determines that the employee is abusing sick leave, subsequent action may be considered disciplinary.

#### **6.3.7 SICK LEAVE PAYOFF**

1. At the time of separation from service for any reason, a non-probationary eligible employee, or, in the case of death, the employee's designated beneficiary or estate, shall receive remuneration at a rate equal to one (1) hour's current monetary compensation of the employee for each two (2) hours of accrued sick leave to a maximum of three hundred sixty (360) hours of pay.
2. Each department shall assume the responsibility for maintaining accurate sick leave records for their employees and shall provide a report to the Auditor's Office as required.

### **6.4 WORKERS' COMPENSATION (Part 4 of ATTACHMENTS)**

#### **6.4.1 GENERAL PROVISIONS**

Lewis County is a self-insured employer covered under Workers' Compensation Laws. All Workers' Compensation benefits are administered in accordance with Washington State Department of Labor and Industry regulations for self-insured employers. Any county employee who suffers an industrial injury or an industrial disease while acting in their course of employment or service and who applies within the legal timeframe is eligible to apply for benefits. Applying for benefits does not guarantee acceptance of claim. An employee must file a self-insured claim form available from the Risk Management Department, and not a State claim form provided by the doctor.

#### **6.4.2 INTERRUPTED SERVICE**

Absence from active service for more than three (3) days other than for annual leave while an employee is on Workers' Compensation temporary total disability or "time loss" shall not be deemed a leave of absence but shall be considered interrupted service, except when the Family Medical Leave Act covers such absence.

#### **6.4.3 INSURANCE**

For a period not to exceed six (6) months from the date of interruption of service, the County shall pay the group health insurance premium at the level of contribution set forth by appropriate county resolution, for an employee in Workers' Compensation time loss status with the County. If the employee is no longer receiving a payroll warrant, (has run out of FMLA time and any other time, vacation, sick or comp they were using to supplement their Temporary Disability check,) the County will (by Trust Rules) terminate them from active County Coverage. The employee will be offered COBRA insurance, the Employee can submit that invoice for payment by the County if they are within their 6 months from the original claim. Other options may vary depending on the employee's CBA benefits provider.

#### **6.4.4 USE OF ACCRUED BENEFITS - PAYROLL**

During a period of interrupted service for occupational injury or occupational illness, the employee may, at his/her option, be paid from accrued benefits the full difference between Workers' Compensation and the amount the employee would have received for regularly scheduled work. This will be accomplished by making a deduction from accrued sick leave or accrued annual leave. The employee's election must be timely made so as to provide notice sufficient for the County to make necessary payroll deductions.

#### **6.4.5 USE OF LEAVE**

An employee may use accrued sick leave during the initial three day of time loss since such time is not covered by Workers' Compensation. If the time loss continues for more than 14 days the employee shall work with the appropriate payroll clerk to get their sick leave account credited if sick leave was available and had been utilized.

#### **6.4.6 LEAVE ACCRUAL**

No accrual of annual leave, sick leave, or retirement service credit shall accrue during the

period of time that service is unpaid during Workers' Compensation status. Where sick/annual leave is used accruals will be calculated per section 6.2 & 6.3. If the employee works or uses less than 90 hours of their paid time off in a month the employee may receive a portion of service credit for that month.

#### **6.4.7 RETURN TO WORK**

Lewis County is committed to providing Temporary Alternative Duty to employees who have been restricted from performing their regular job duties by a licensed health care provider. In such an event, all Elected/Departments will pursue the placement of their injured employees (based on the licensed health care provider's limitations) on temporary alternative duty after suffering any industrial injury/illness.

### **6.5 RETIREMENT**

#### **6.5.1 STATE RETIREMENT**

Eligible Lewis County employees are covered under the Washington State Public Employees Retirement System. The County contribution will be paid as mandated by the State Retirement System in accordance with the rates provided on a year-to-year basis. Upon termination from County employment, an employee, if permitted by the retirement system, can withdraw their contribution to the retirement fund if they so desire.

#### **6.5.2 RETIREMENT BENEFITS**

Eligible positions will be offered Membership in Public Employees Retirement System, Public Safety Employees Retirement System, and Law Enforcement Officers & Fire Fighters Retirement System.

As of September 1, 1990, an eligible position in PERS is one that normally requires five (5) or more months of creditable service in a year. Service means compensated employment for seventy (70) or more hours per month for Plan I or ninety (90) or more hours per month for Plan II. Membership in PERS and LEOFF is required by all employees at the completion of the probation/qualification period. Employees who are already covered by the retirement system at the time of appointment must commence making retirement contributions immediately.

#### **6.5.3 EMPLOYEE CONTRIBUTION**

The employee contribution to retirement is set by the State Department of Retirement Systems.

#### **6.5.4 COUNTY CONTRIBUTION**

The County contribution to retirement is set by the State Department of Retirement

Systems.

#### 6.5.5 SOCIAL SECURITY

All County employees are covered by the Federal Social Security Act.

### 6.6 MEDICAL AND HEALTH INSURANCE

#### 6.6.1 MEMBERSHIP

All regular full-time employees are eligible for medical and health insurance programs. Eligibility for coverage is as described in the group benefit plan pamphlet. Regular part time employees are eligible to participate under the following conditions originally set forth in Lewis County Resolution 91-518 and subject to amendment from time to time at the sole discretion of the County.

All regular part-time employees regularly scheduled to work twenty (20) hours or more per week shall be eligible for certain County paid benefits under the terms and conditions as set forth:

- Any regular part-time employee regularly scheduled to work less than twenty (20) hours per week shall not be entitled to County paid benefits.
- Any regular part-time employee regularly scheduled to work twenty (20) or more hours per week and shall be entitled to County paid benefits in proportion to the percentage of time normally scheduled to work factored against full time employment.

#### 6.6.2 MEDICAL COVERAGE PLANS

The County offers various medical coverage plans for employees and their families. The costs associated with each plan will be listed on the yearly resolution providing for medical coverage. Information regarding Medical booklets will be made available as well as further information through the Auditor's Office or Human Resources Department. Availability of plans, plan contents, premiums, and premium division as between the employer and the employee may vary from time to time, at the discretion of the insurers and of the County.

Employees may select the plan of their choice during the open enrollment period.

#### 6.6.3 TERMINATION OF COUNTY PAID COVERAGE

An enrolled employee's coverage will terminate at the end of the payment period in which the employee becomes ineligible for benefits by reason of termination of employment, retirement, expiration of authorized leave of absence, layoff, upon change to part-time status of less than twenty (20) hours per week, or in unpaid status except where continued coverage is required under the FMLA. Dependent coverage terminates at the same time the employee's coverage terminates.

#### **6.6.4 COBRA OPTION**

Employees and their families are eligible to continue insurance under the provisions of the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) by self-paying the premiums plus an additional 2% for administrative fees. Details may be obtained from the payroll department. Other options may vary depending on the employee's CBA benefits provider.

#### **6.6.5 COVERAGE CONVERSION**

Employees who have exhausted their COBRA option may have the right to convert to individual policies of coverage and should contact the carrier directly.

### **6.7 LIFE INSURANCE AND ACCIDENTAL DEATH & DISMEMBERMENT INSURANCE**

#### **6.7.1 GROUP LIFE INSURANCE**

A group life insurance policy is provided for each eligible employee. The County currently pays the entire premium.

### **6.8 DENTAL INSURANCE**

#### **6.8.1 MEMBERSHIP**

The County currently makes available dental coverage for eligible employees and their dependents and currently pays a contribution toward that coverage as identified in the yearly benefits resolution.

#### **6.8.2 COVERAGE DURING LEAVE OF ABSENCE**

The guidelines described in [6.6.4 and 6.6.5](#) are the same for the dental insurance program.

### **6.9 VISION**

#### **6.9.1 MEMBERSHIP**

The County currently makes available vision coverage for eligible employees and their dependents and currently pays a contribution toward that coverage as identified in the yearly benefits resolution.

#### **6.9.2 COVERAGE DURING LEAVE OF ABSENCE**

The guidelines described in 6.6.4 and 6.6.5 are the same for the vision insurance program.

### **6.10 MISCELLANEOUS**

### 6.10.1 AUTHORIZED PAYROLL DEDUCTIONS

Lewis County currently provides several options whereby employees can utilize payroll deductions as a mechanism for certain financial transactions. The Board must authorize programs available for payroll deduction with advice from the Payroll department of the Auditor's Office. Examples of available programs include: -Credit Union -Deferred Compensation -Supplemental Insurance -Savings Bonds -Fitness Center – United Way.

### 6.11 LONGEVITY PAY

Employees shall receive longevity pay for each year of continuous service as defined in paragraph 6.2.3 of this Employee Handbook beginning with the eighty-fifth (85<sup>th</sup>) month with this employer, as measured from the employee's seniority date. Longevity pay will be paid based on the following table:

After Seven (7) years	\$42.00 per month
After Eight (8) years	\$48.00 per month
After Nine (9) years	\$54.00 per month
After Ten (10) years	\$60.00 per month
Each year after Ten (10) years	An additional \$6.00 per month

For the purposes of longevity pay, the eighty-fifth month begins the first day of the employee's anniversary hire month. Longevity pay will be paid at a percentage rate of normally scheduled hours if an employee is considered a full time equivalent (FTE) then the full rate based on the above table is to be paid. If an employee is considered regular part-time, then a prorated rate of pay commensurate to a full-time status shall be calculated.

### 6.12 TUITION REIMBURSEMENT

Lewis County is desirous of having employees participate in courses and training opportunities to enhance their skills and enable them to improve their performance in and retain their current position and advance to other positions. Accordingly, Lewis County may assist full-time, regular employees by offering a tuition reimbursement program for satisfactory completion of courses or training at regionally accredited colleges and universities similar to Centralia College accreditation.

To qualify for tuition reimbursement, the employee must make application to, and receive prior approval from their Elected/Director or his or her designee. Such approval shall be at the sole discretion of the Elected/Director.

An employee requesting tuition reimbursement must submit a written application showing: a) the course(s) curriculum description; b) dates and times of classes; c) duration of the course(s); d) narrative statement of how the course(s) will benefit Lewis County as well as the employee.

If an employee's application is approved, the reimbursement will be for tuition only if and when: a) the course(s) is completed within six (6) months of approval; and b) the course(s) is completed with a "pass" in a pass/fail grading system or a grade of "C" or better. The maximum tuition reimbursement per credit will be the cost of a credit equivalent to the associate's program at Centralia College. Credit conversion from quarter to semester programs will be prorated.

An employee who receives tuition reimbursement agrees not to resign from their work for Lewis County for twelve (12) months following the completion of the course; if the employee resigns within the twelve (12) months, the reimbursement will be pro-rated and the employee authorizes reimbursement to Lewis County from the last pay check issued. An employee who is unable to remain in Lewis County's employment, due to circumstances beyond the employee's control, shall not be required to reimburse Lewis County if the twelve (12) month period is not met.

Reimbursement shall be for actual tuition, or if "tuition" is not charged, the fee for taking the course. All other expenses, such as travel and books, shall be borne by the employee.

## **7.0 TRAINING AND TRAVEL**

### **7.1 GENERAL TRAINING ACTIVITIES**

In the interest of effective public service, the County shall encourage and promote training opportunities for employees.

### **7.2 AUTHORIZED TRAVEL AND CONFERENCE ATTENDANCE**

All travel and conference attendance must be approved in advance by the Elected/Director. For non-exempt employees, hours worked will consist of the combination of travel time to and from the training activity/conference and the actual time of the training activity/conference. Normally, all such training will be on the County employee's work time; however, in the event that the training cannot be offered during the employee's normal work shift, the employee shall be compensated at the appropriate rate pursuant to the requirements of the Fair Labor Standards Act.

Food, lodging and travel expenses shall be paid by the County to an employee according to County policy.

#### **7.2.1 OUT-OF-COUNTY TRAVEL AND EXPENSES**

All out-of-county travel and expenses must be authorized by the Elected/Director.

#### **7.2.2 IN COUNTY TRAVEL AND EXPENSES**

Such expenses shall not be reimbursed except by prior written request to and authorization by the Elected/Director.

### 7.2.3 VEHICLE USE

All out-of-county travel which involves transportation by automobile shall follow the County Risk Management Policy 4.300 (Vehicle Use).

## 7.3 **MANDATED AND REQUIRED TRAINING**

New employees may be required to attend in-house training in some or all areas listed below. All classes as indicated will be required on a three year cycle with the exception of employees who are required to have a First Aid-CPR card, who will be on a two year cycle or as designated. Some positions may be exempt from a course requirement when those issues do not impact their area of work. Lewis County training classes include:

- County Government 101
- Defensive Driving
- Diversity
- Employee Handbook
- Ethics
- First Aid
- Outlook
- Safety Orientation
- Sexual Harassment
- Workplace Violence

Lewis County shall also provide specialized training to managers and supervisors, in addition to any training offered by individual offices, departments or divisions, in human resources and personnel management, customer service and communications skills and methods. (See Part 13 of ATTACHMENTS).

## **8.0 REIMBURSEMENT FOR EXPENSES**

The policy regarding reimbursement for expenses is found in Part 3 of ATTACHMENTS.

## **9.0 SAFETY AND RISK MANAGEMENT**

The County's Safety and Risk Management policy is found in Part 4 of ATTACHMENTS.

### 9.1 **DISTRACTED DRIVING**

On-duty county employees are prohibited while driving to engage in phone calls, texting, or other distracted activities. Violations of this provision may be subject to discipline up to and including termination.

## **10.0 PERFORMANCE EVALUATION SYSTEM**

### 10.1 **GENERAL POLICY**

Evaluation of an employee's performance is a regular and ongoing activity. Providing regular feedback and coaching to employees is paramount to the success of each employee and the organization.

It shall be the policy of the County to formally review the work of each employee by completing written performance evaluations annually. The performance evaluation may include: A rating of the employee's quality and quantity of work, a review of problems which occurred during the previous year, establishment of a goal for career development and job enrichment, a review of the areas which need improvement, and setting goals for the employee for the ensuing year.

In the case of new hire employees who are serving probation, a written performance evaluation may be completed within the first thirty (30) days of employment. Offices, departments and divisions should continue to have informal sessions with new employees to counsel them on their progress and to provide support and direction on job performance.

In addition, thirty days prior to the completion of the probationary period, a written performance evaluation shall be completed. In addition to evaluating job performance, this evaluation also serves the purpose of making a recommendation documenting that the new employee has or has not satisfactorily completed their probationary period of employment.

## 10.2 **RATING**

An Elected/Director shall establish and make effective a system of rating designed to give a documented evaluation of the work performed. Such rating shall be prepared and recorded for all employees annually.

## 10.3 **PROCEDURE**

### 10.3.1 **ELECTED/DIRECTOR REVIEW**

The Elected/Director shall review all rating forms and when necessary shall meet with the employee or supervisor to discuss problems in the rating. Any comment made by the Elected/Director shall be made a part of the form and supplied to the supervisor and employee.

### 10.3.2 **USE OF EVALUATION**

The evaluation form shall be a part of the employee's personnel file and may be used as a factor in determining promotion, demotion, transfer, layoff, salary increase, disciplinary action, satisfactory completion of probation, and continued employment.

## **11.0 POLITICAL ACTIVITY**

### 11.1 **POLITICAL ACTIVITY ON THE JOB**

Employees of the County shall not solicit any money, influence, service or other things of value, or otherwise aid or promote any political committee or the nomination or election of any person to public office during work hours. Further, employees shall abide by the terms of RCW 42.17A.555.

## **11.2 EMPLOYEES RUNNING FOR POLITICAL OFFICE**

The County encourages its employees to be active in community affairs and as such, an employee may seek or accept nomination, election or appointment to a political office; provided, such nomination, election or appointment does not in any way create a conflict of interest or interfere with the employee's regular duties with the County. In the event of such conflict of interest or interference with official duties, and upon the employee's request, the employee may be placed on an approved leave of absence without pay for up to 180 days during the campaign. If the employee does not request such leave, and in the event of allegations by the public or County employees of such conflict of interest and/or interference with work performance, the Employer shall request an independent investigation of the allegations, with the results reported to the Employer. Should the investigation substantiate such conflict/interference, the Employer may direct that the employee be placed on an approved leave of absence without pay for up to 180 days.

Note: If the employee's position is federally funded, they may be covered by the Hatch Act. The Hatch Act (5 U.S.C. §§ 1501 – 1508) restricts the political activity of individuals principally employed by state, county, or municipal executive agencies in connection with programs financed in whole or in part by loans or grants made by the United States or a federal agency. An employee covered by the Act may not be a candidate for public office in a partisan election, i.e., an election in which any candidate represents, for example, the Republican or Democratic Party.

## **11.3 PRESS RELEASES - RELEASE OF INFORMATION**

County Press Releases shall be issued by the BOCC or other Elected Officials of the County, or their designee. No County employee may release any information or respond to questions from the news media on behalf of Lewis County unless designated by the BOCC or other Elected Official.

Information, to include confidential information may be subject to the provisions of the Public Records Act. Any request should be directed to your designated public records officer.

## **12.0 OUTSIDE EMPLOYMENT**

### **12.1 COUNTY COMES FIRST**

When an individual accepts employment with the County it is understood that the County has first call upon the services of its employees, regardless of any impact upon secondary employment.

#### **12.1.1 INCOMPATIBLE WORK**

Employees shall not engage in outside employment that is incompatible with County employment, will detract from the efficiency of work performance, or is in conflict with the interests of the County. The County will hold all employees to the same standards of

performance and scheduling demands and will not make exceptions for employees who hold outside jobs.

#### 12.1.2 **NOTIFICATION**

Employees shall notify the Elected/Director, in writing and in advance of taking an outside job, of all employment outside the scope of their employment with the County.

#### 12.1.3 **CONFLICT OF INTEREST AND OUTSIDE EMPLOYMENT**

Employees are expected to avoid situations that might cause their personal interests to conflict with the interests of the County or to compromise its reputation or integrity. A conflict of interest, or the appearance of one, occurs when employees or a member of their immediate family or relative use the employee's position with the County for personal benefit through an investment, association, or business relationship that interferes with the ability to exercise independent judgment on the County's behalf. Examples are: Having a financial interest in or moonlighting for any person or organization that is a vendor or contractor for the County, regulated or subject to regulation by the County, or engaged in litigation against the County.

Full-time employees are discouraged from accepting second jobs, whether self-employment or otherwise. All employees holding or considering second jobs must obtain permission from their Elected/Director in order to ensure that the job will not create a conflict of interest or interfere with the proper performance of their duties.

Employees shall not accept meals or other gifts from salespeople, vendors, suppliers, or any other solicitors. The employee's supervisor may approve exceptions to this rule. Also, before accepting any type of gift or promotional item with a value greater than twenty-five dollars (\$25.00) from an outside person or entity, the employee should consult with their supervisor.

### **13.0 GIFTS, GRATUITIES, FEES**

The purpose of this policy is to give guidance to employees as to their responsibilities relating to gifts and gratuities.

#### 13.1 **SOLICITATION OF GIFTS**

County personnel shall not, under any circumstances, solicit any gift, gratuity, loan, or fee where there is any relationship between the solicitation and the employees' employment with Lewis County.

#### 13.2 **ACCEPTANCE OF GIFTS**

County personnel shall not accept either directly or indirectly any gift, gratuity, loan, or fee where there is any direct relationship between the acceptance and the employees' employment with Lewis County.

### **13.3 UNDUE INFLUENCE**

County personnel shall not accept either directly or indirectly any gift, gratuity, loan or fee, or any other thing of value, the acceptance of which might influence or appear to influence directly or indirectly the actions of the employee or those employees supervised by the employee.

### **13.4 NOMINAL VALUE ITEMS**

Items with a nominal value, less than twenty-five dollars (\$25.00), and distributed in a general manner by businesses, vendors and, consultants as their routine policy of conducting business and advertising, shall be considered social amenities and not subject to this policy. Examples would be an occasional cup of coffee, desk and wall calendars, pens, pencils, note pads, coffee mugs, baseball caps, etc.

## **14.0 REPORTING IMPROPER GOVERNMENTAL ACTIONS -WHISTLEBLOWERS**

The County's policy on Whistleblowing is contained in Part 5 of ATTACHMENTS.

## **15.0 HARASSMENT**

### **15.1 STATEMENT OF CONCERN**

The County seeks to eliminate and prevent harassment, as well as to alleviate any effects such harassment may have on the working condition of an employee. Harassment includes unsolicited remarks, gestures or physical contact, display or circulation of written materials or pictures that are highly offensive to a reasonable person and in derogation of gender, sexual orientation, race ethnic background, national origin, religion, age, veteran status, or to any protected class, including those with physical or mental disabilities, or basing personnel decisions on an employee's response to such harassment. All such harassment is forbidden. The County regards job related harassment as a serious violation.

### **15.2 POLICY**

The Policy of the County is that every employee has a fundamental right to be free of such harassment. In response to formal reports of harassment, the County will seek to protect all parties involved from retaliation, false accusations, or future harassment, and where indicated, will take prompt and adequate remedial measures.

Should an issue of harassment be raised, all related matters will be kept confidential to the greatest extent possible throughout the investigation, counseling and disciplinary stages. Any Elected/Director receiving notice of harassment shall direct an investigation and insure that the charge is resolved appropriately, with a report submitted by Directors to the Board.

### **15.3 REPORTING HARASSMENT**

Any employee who feels harassed or is aware of harassment of another employee is urged to report this to an immediate supervisor, Elected/Director, Human Resource Department, the

Board, or Risk Management Department. The report may be informal or formal. A formal report shall include a written statement.

#### 15.4 **INVESTIGATION**

A thorough investigation will be conducted with appropriate action taken.

#### 15.5 **CONFIDENTIALITY OF RECORDS RELATING TO HARASSMENT**

Records relating to harassment, including written reports regarding alleged harassment, memos between County employees concerning investigation of such allegations, and County recommendations in response to allegations shall be kept as confidential as possible within the rules and regulations of the Public Records Act. This procedure shall apply to the investigation of violations of all County policies.

### **16.0 SEXUAL HARASSMENT**

Lewis County will not tolerate sexual harassment and/or inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. This is especially so when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment;
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Inappropriate sexual conduct that could lead to a claim of sexual harassment is expressly prohibited by this policy. Such conduct includes, but is not limited to, sexually implicit or explicit communication whether in:

- Written form, such as: cartoons, posters, calendars, notes, letters, e-mail, etc.
- Verbal form, such as: comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another person's sex life, or repeated unwanted requests for dates.
- Physical gestures or other nonverbal behavior, such as: unwelcome touching, grabbing, fondling, kissing, massaging, and/or brushing up against another person's body.

Any employee who feels harassed or is aware of harassment of another employee is urged to report this to an immediate supervisor, Elected/Director, Human Resource Department, the Board, or the Risk Management Department. The report may be informal or formal. A formal report shall include a written statement.

The County's Sexual Harassment Policy is contained in the County's Fair Employment Policy Part 6 of ATTACHMENTS.

## **17.0 WORKPLACE VIOLENCE**

Lewis County is committed to working with employees who are victims of violence to prevent abuse and intimidation from occurring in the workplace. No employee will be penalized or disciplined solely for being a victim of intimidation in the workplace.

Lewis County will not tolerate domestic, or any other type of violence including intimidation of any employee or visitor while in county offices, facilities, work sites, vehicles, or while conducting county business. This includes the display of any violent or threatening behavior (verbal or physical) that may result in physical or emotional injury or otherwise places one's safety and productivity at risk.

Any employee who threatens, intimidate, or abuses someone at the workplace or from the workplace using any county resources such as work time, workplace phones, FAX machines, mail, e-mail, or other means may be subject to corrective or disciplinary action, up to and including dismissal. Any employee who feels threatened or is aware of threatening or violent behavior is urged to report this to an immediate supervisor, Elected/Director, Human Resource Department, the Board, or the Risk Management Department. The report may be informal or formal. A formal report shall include a written statement.

The County's Workplace Violence Policy is contained in Part 7 of ATTACHMENTS.

## **18.0 CHANGE OF NAME, ADDRESS, TELEPHONE, ETC.**

### **18.1 PURPOSE AND NOTIFICATION**

The County is committed to maintaining accurate personnel files. The employee or supervisor shall notify the Elected/Director should any of the following change:

- Name
- Address
- Telephone Number
- Life Insurance beneficiary
- Co-insurance and/or dependent coverage
- Tax status

### **18.2 ADVISORY**

Failure to notify the Elected/Director of such changes may have a serious effect on benefit coverage or the ability to reach the employee in an emergency.

## **19.0 PERSONNEL FILES**

### **19.1 MAINTAINING PERSONNEL FILES**

Departments and Elected Officials shall maintain personnel files on all full-time, part-time, probationary, project, and casual employees. The Office/Department shall maintain separate medical and Workers' Compensation files. Both Personnel Files and Medical files are the property of Lewis County and such files are confidential and should be treated as such.

1. Maintenance of Personnel Files – Personnel files on all employees in departments under

control of the Board of Commissioners shall be maintained in a secure manner in the respective Department. Elected Officials should maintain their files pursuant to office policy.

2. Items Included in Personnel Files may include the following:
  - a. A completed application for employment.
  - b. A completed Employee Emergency Data Sheet.
  - c. A copy of the individual's appointment letter.
  - d. A copy of the Washington State Department of Licensing driving status and driving record of the employee.
  - e. Copies of certifications, licenses, education, or verification of training required of the position.
  - f. All completed training forms documenting training received by the employee including copies of certifications under the equipment training program (Public Works).
  - g. Documents and letters showing changes in job assignments.
  - h. Performance and promotional records, letters, and evaluations.
  - i. Letters and memoranda of recognition, commendation, and thank you.
  - j. Letters of warning, caution, and reprimand.
  - k. Documentation outlining disciplinary action taken by the department.
  - l. Documentation showing date and circumstances under which the working relationship was terminated with the employee.
  - m. Exit Interviews.
  - n. Any other material deemed appropriate by the Elected/Director.

### (3) Medical Files

Any correspondence pertaining to medical condition, work restriction, or performance analysis under the Lewis County self-insurance program.

## 19.2 **EMPLOYEE ACCESS TO PERSONNEL FILE**

Lewis County employees may examine their personnel records in accordance with Chapter 42 of the Revised Code of Washington. This policy and procedure applies to all Lewis County employees.

### (1) Policy

Employees may inspect his or her personnel file at least once a year. If the employee believes documentation found in the file is inaccurate or irrelevant, he or she may request removal of the document and/or may provide written rebutting information to be placed in his or her file if the Employer refuses to remove the information.

### (2) Procedure

- a. Employees wishing to inspect/review their personnel file shall make an appointment in advance with the Elected/Director or his/her designee.
- b. Employees may be required to submit adequate proof of identification.
- c. Employees requesting an inspection by or release of records directly to unions, other employers, attorneys, etc., may be requested to sign a waiver for submission by the party seeking the records on the employee's behalf.

### **19.3 PUBLIC ACCESS TO PERSONNEL FILES**

Personnel files are subject to the provisions of the Public Records Act and may be disclosed in accordance with the Public Records Act.

### **20.0 NEPOTISM**

Immediate family relatives and cohabitation partners will not be employed in full-time, part-time, project, or casual positions, or as independent contractors, where:

1. One immediate family relative or cohabitation partner would have the authority to supervise, appoint, remove, discipline, or evaluate the performance of the other.
2. One immediate family relative or cohabitation partner would be responsible for auditing, verifying, reconciling, or certifying the work of the other.

Employees who marry or begin cohabitation after employment shall be treated in accordance with this policy.

### **21.0 DRUGS AND ALCOHOL**

It is the expectation that employee will not show up to work under the influence of drugs or alcohol unless prescribed by a health care provider. Employees under the influence of a prescribed medication to include OTC (over-the-counter medication) or alcohol must notify their supervisor immediately in compliance with Lewis County policy. The County's Drug and Alcohol Policy is found in Part 8 of ATTACHMENTS.

### **22.0 BLOODBORNE PATHOGENS (BBP) -STATEMENT OF CONCERN**

The spread of Acquired Immune Deficiency Syndrome (AIDS) and AIDS Related Complex (ARC) through propagation of the Human Immunodeficiency Virus (HIV), and the potential for spread of Hepatitis B through propagation of the Hepatitis B virus (HBv), warrant the establishment of County policies to address the various aspects of these conditions as they relate to County employees and the County's interaction with the public. HIV and HBv policies are integrated into the broader program of Bloodborne Pathogen (BBP) control as mandated by WISHA Standard WAC 296-823. See Risk Management and Safety Policy, 4.400 of ATTACHMENTS.

### **23.0 DRESS AND GROOMING CODE**

Each employee is expected to dress and groom appropriately for the job. The Elected/Director will offer guidance as to proper attire and grooming standards. Special requirements for reasons of safety may also be established. Failing to observe established standards for dress and grooming can be cause for disciplinary action.

### **24.0 VOLUNTEERS**

Volunteers are not normally employees of the County. However, volunteers may be deemed employees for all purposes relating to medical aid benefits under Chapter 51.36 RCW, at the option of Lewis County, and only when done through written agreements.

The definition of a "volunteer", as found in Chapter 51.12.035, RCW "...shall mean a person who performs any assigned or authorized duties for the state or any agency thereof, except emergency services workers as described by Chapter 38.52 RCW, brought about by one's own free choice, receives no wages, and is registered and accepted as a volunteer by the state or agency thereof,...." Furthermore, "Provided, that such person shall be deemed to be a volunteer although he or she may be granted maintenance and reimbursement for actual expenses necessarily incurred in performing his/her assigned or authorized duties".

Once registered and accepted, volunteers are subject to the County's rules and policies governing employee conduct. Any volunteer may have their registration and official acceptance withdrawn at the discretion of the Elected/Director.

## **25.0 WORK AREAS**

### **25.1 APPEARANCE**

The County's objective is to provide and maintain clean, safe and healthy work conditions. It is the responsibility of each employee to maintain a safe, neat work area and insure that all working documents, desks, and cabinets are secured at the close of the workday.

### **25.2 WORK AREA PRIVACY**

Except in areas and under conditions where employees are expressly permitted to provide their own locks and security devices, employees shall have no expectation of privacy in County provided work areas. Any exceptions shall be granted in writing only by the Board or independent Elected Official. County equipment, including, but not limited to, desks, computers (including but not limited to central processing units, network electronic mail files, disk drives, tapes, floppy disks, etc.), voice mail repository files, facsimile machines, file cabinets, lockers, and other storage facilities are subject to inspection by the Elected/Director or their designee at any time and without the employee's approval or knowledge, or notice given.

## **26.0 PERSONAL PHONE CALLS & TEXT MESSAGING**

County phones or electronic transmission devices are to be used for County purposes. Under no circumstances shall an employee charge a personal long distance call to the County unless authorized by his or her elected or director. Telephone calls or electronic transmissions of a personal nature (incoming or outgoing) should be kept to an absolute minimum (even with the employees own device) and made during breaks or lunch periods whenever possible. Using County devices while at work or during working hours shall comply with all Lewis County policies and procedures as well as WAC requirements.

County Cell phones are to be used for County purpose. In the event of an emergency or necessity, an employee may use a County Cell phone for personal use. The usage must be reported. Employees will reimburse the Employer if applicable.

## **27.0 SMOKING**

The County's smoking policy is set forth in Ordinance #91-1113, 1113A&B, and amendments, in

Part 10 of ATTACHMENTS.

## **28.0 FAIR EMPLOYMENT POLICIES**

These policies are found in Part 6 of ATTACHMENTS .

- Sexual Harassment
- Affirmative Action
- Equal Employment
- HIV/AIDS
- Reasonable Accommodation
- Complaint Procedure

## **29.0 TECHNOLOGY POLICY**

Any and all electronic transmissions across Lewis County systems are subject to monitoring. Occasional but limited use as defined by WAC 292-110-010 is permitted. Such as, use of personal email during breaks, wishing a “happy birthday” or advising of an “agency” social event over messaging, using the internet to retrieve general information during non-working time (i.e.: reading an online newspaper). Social networking sites (like Facebook and Twitter) and video sharing websites (like YouTube) must comply with the internet usage policy. Use beyond de minimis usage may result in disciplinary action. Other usage that may lead to discipline are; accessing pornography or other sexually explicit material, suggestive, offensive, demeaning, insulting, harassing or disparaging of others, gambling, use for personal business, downloading software, posting information that is confidential and/or proprietary, distributing information about Lewis County or its employees, or any other usage that would violate Lewis County Policy or law. Furthermore, usage of these technologies must be approved by the Elected/Director.

The County’s Technology Policy is in Part 11 of ATTACHMENTS.

### **29.1 County Equipment**

All County equipment is the property of Lewis County as described in [Section 26.2](#) Work Area Privacy. Only where written permission is provided by the Elected, the employee shall have no expectation of privacy using County provided computer/electronic equipment. Review or search of such equipment for any reason may occur along with random searches.

### **29.2 Social Network and Blog Policy**

Employees may access personal blogs/social networking sites on work premises for their own use, provided that this is outside of working hours and is not excessive (agreed for each division, department, and/or individual). Employees must ensure they are compliant with any rules in the County’s Internet Policy (LC policies, Part II), Personal Conduct ([Section 4.1](#)), and Work Area Privacy ([Section 26.2](#)).

Employees are advised not to write about their work or make reference to the County on external web pages, i.e. in blogs or on social networking sites.

When an employee chooses to do so, they should make it clear that the views expressed are his/hers only and do not reflect the views of the County. Failure to adhere to these rules may be considered misconduct and could lead to disciplinary action under the County's Disciplinary Procedures ([Section 4.3](#)).

Employees must not:

- disclose any information that is confidential to the County or any third party, or disclose personal data or information about any individual, co-worker, or service user, which could be in a breach of the Data Protection Act;
- disclose any information which is not yet in the public arena; post illegal material, e.g. images of child abuse or material that incites racial hatred;
- link their own blogs/personal web pages to the County's website;
- include any information, sourced from the County, which breaches copyright;
- make defamatory remarks about the County, co-workers, or service users;
- misrepresent the County by posting false or inaccurate statements about the County.

### **Using Social Networking Sites to Engage with Communities**

Some County employees need to communicate and engage with children and young people as part of their work. Social networking sites represent an opportunity for such engagement. However, there are risks associated with using these sites. Employees wishing to use this method of communication should consult with their supervisor who will conduct ongoing assessments.

This policy relies on employees acting responsibly and in accordance with the above rules. When employees have concerns that co-workers are acting in breach of the above rules, they are encouraged to report it under the County's Whistleblower procedure (Part 5 of [ATTACHMENTS](#)). Where concerns are raised, an investigation may be warranted.

The Social Media Policy is in Part 12 of [ATTACHMENTS](#).

### **29.3 Personal Recordings**

Washington Law, RCW 9.73.030, requires that any person intercepting, recording, or divulging private communication obtain consent. Lewis County believes in the privacy of its workers and citizens. Any person acting outside of the RCW requirements and whereas the law allows such activity, is in violation of professional conducts.

## **30.0 SEPARATION OF EMPLOYMENT**

### **30.1 TERMINATION**

Deputies, Department Directors and Managers, probationary, casual, and project employees may be separated from County service without rights of appeal or hearing; these employees are deemed to serve at the pleasure of the appointing authority that may revoke such appointments at will. All other regular full-time and part-time employees who have completed probation may be

terminated only for cause with rights of hearing and appeal pursuant to [Section 4](#) of this Handbook.

### 30.2 **RESIGNATIONS**

Any employee may resign by presenting a resignation in writing, specifying the last day to be worked, to his/her employer. To resign in good standing, an employee must give at least two (2) weeks' notice or receive special permission from the Elected/Director.

All accumulated leave (including sick leave at a rate of one (1) hour's compensation for each two (2) hours accrued sick leave to a maximum of 360 hours of pay) may be paid in cash, as provided in these policies, or may be used prior to the effective date, subject to Elected/Director approval. Once tendered, a resignation may only be revoked with approval of the appointing authority, and permission to work until the final scheduled day shall be conditioned upon continued satisfactory employment.

### 30.3 **LAYOFF & RETURNS**

Employees who are laid-off due to economic or budgetary reasons, who later return to this same classification under the layoff status shall receive credit for time worked. This will ensure that their vacation and longevity accrual rates do not change upon return. When an employee returns from layoff status there is no probationary status since they have already completed such status.

Employees who are temporality laid-off, a period between 0-12 months, shall too be credited for time worked prior to the layoff. The employee would have the option of not being paid out for their vacation and sick balances but may leave this time in a reserve bank for immediate use upon their return.

### 30.4 **EXIT INTERVIEWS**

An exit interview may be conducted at the time of each employment separation. Exit interviews are strongly encouraged, but are not mandatory, as they can provide important information on employee's reasons for leaving.

Exit interviews are intended to provide employees with an opportunity to comment on County operations, job requirements, working conditions, and any other information the employee considers beneficial to County awareness.

Employees are encouraged to schedule an exit interview with his or her elected/director or the Human Resources Office prior to their departure from employment. The employee may choose to complete an Exit Interview Questionnaire, with or without disclosing their name, and forward the completed form to the Human Resources Office. When reporting the outcomes of exit interviews, the Human Resource Office shall make every effort to protect the confidentiality of individual interviews.

**ATTACHMENTS:**

All employees are required to familiarize his or herself with all applicable provisions of Lewis County policy. Additional County policies referred to as Parts in this Handbook can be found on the County's intranet:

- Part 1 – Hiring
- Part 2 – Family Medical Leave Policy
- Part 3 – Travel Reimbursement Policy
- Part 4 – Risk Management and Safety Policy
- Part 5—Whistleblowers Policy
- Part 6 – Fair Employment Policy
- Part 7 – Workplace Violence Policy
- Part 8 – Drug & Alcohol Policy
- Part 9 – Cash Handling Policy
- Part10 – Smoking Policy
- Part 11 – Technology Policy
- Part 12 – Social Media Policy
- Part 13 – Training Policy