

RESOLUTION NO. 18-06

A RESOLUTION of the City Council of the City of Port Angeles, Washington, amending the Personnel Policy and Procedures Manual in its entirety, in compliance with current laws, rules, regulations, and practices.

WHEREAS, the City's Personnel Policies and Procedures Manual was last updated in 1998; and

WHEREAS, the City desires to update its Personnel Policies and Procedures Manual to comply with changes to employment law and regulations, and changes to City policy and procedures;

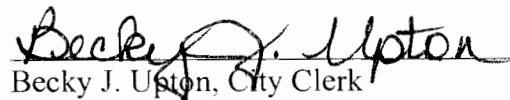
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Port Angeles as follows:

Section 1. The City of Port Angeles Personnel Policy and Procedures Manual is hereby amended in its entirety as outlined in the attached Exhibit "A".

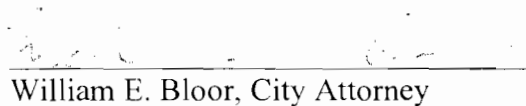
PASSED by the City Council of the City of Port Angeles at a regular meeting of said Council held on the 19th day of September, 2006.


MAYOR

ATTEST:


Becky J. Upton, City Clerk

APPROVED AS TO FORM:


William E. Bloor, City Attorney

CITY OF PORT ANGELES
PERSONNEL POLICY & PROCEDURES MANUAL

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CHAPTER 1 - PURPOSE, APPLICABILITY, AND DEFINITIONS

1.00 PURPOSE

The Personnel Policies and Procedures Manual for the City of Port Angeles is established by the City to:

- A. Provide a uniform system of personnel administration
- B. Support a fair and equitable process for recruitment, selection, placement, promotion, and separation of City employees in compliance with applicable State and Federal laws and regulations;
- C. Assist supervisors and managers in the development and implementation of proper practices and procedures concerning the administration of human resources within the respective Departments; and
- D. Confirm certain rights of City employees.
- E. Publish certain responsibilities of City employees.

1.01 APPLICATION

Except where specifically indicated, these Policies and Procedures apply to all regular full-time and regular part-time employees of the City of Port Angeles, as well as to probationary employees. These Policies/Procedures supersede any previous personnel resolutions, policies, and procedures relating to the same subjects.

1.02 CONFLICTS WITH LABOR AGREEMENTS

In specific instances where these Policies and Procedures may conflict with terms or conditions of the labor agreements, the labor agreements shall prevail over these Policies and Procedures.

1.03 CITY'S RIGHT TO ESTABLISH, AMEND, OR REPEAL

The City reserves the exclusive right to repeal, modify, or amend any portion or all of these Personnel Policies and Procedures at any time and with any such changes to take effect immediately, with or without notice, subject to approval of the City Council by Resolution. The Human Resources Manager shall be responsible for interpretation of these Policies and Procedures.

1.04 DEFINITIONS

Anniversary Date: The date of first hire by the City in a regular full-time or regular part-time position, including the employee's probationary period.

Appointing Authority: The City Manager or Department Head authorized to hire or remove an employee from City employment.

Bargaining Unit: A group of classifications represented by a labor union.

City Service: The amount of time employed by the City in a regular full-time or regular part-time position (e.g., total City service used for computing vacation accrual).

Classification: A position or group of positions sufficiently similar in nature, duties and responsibilities, knowledge, abilities and skills, and qualifications to permit combining them within a single job title for purposes of wages and selection.

Classification Seniority: The amount of time employed by the City in a regular full-time or regular part-time position within a classification (e.g., class seniority used for lay-off procedures).

Cost of Living Adjustment (C.O.L.A.): An across-the-board change in the salary range of a classification, authorized by the City Council and negotiated through the collective bargaining process. This excludes salary changes resulting from merit increases, decreases from disciplinary actions, or other similar salary changes.

Demotion: The assignment of an employee, voluntarily or involuntarily, to a classification having a lower maximum salary.

Disciplinary Action: The action taken by the City relative to unsatisfactory performance or resulting from action by an employee in violation of an established standard, rule, procedure, law, or other legitimate reason, including, but not limited to, verbal reprimand, written reprimand, suspension, demotion, or dismissal.

Dismissal: The termination by the City of an employee from employment.

Employer: The City of Port Angeles, a municipal corporation of the State of Washington.

Employment Status: An employee's status consists of two components; First an employee is regular, temporary, probationary, or seasonal. Second an employee is also full-time or part-time.

Employee Complaint: A complaint by an employee based on an allegation of: (1) an injustice done upon an employee or group of employees; (2) unfair application of an adopted rule, regulation, or procedure; or (3) violation of a term or condition of a valid labor agreement.

Merit Salary Increase: An incremental salary increase based upon satisfactory or better performance, as recommended by the Department Head and approved by the City Manager.

Non-Represented Employees: Employees of the City not represented by a labor union.

Personnel File: The official record, maintained in the City Human Resources Office, of each employee's personnel actions while employed.

Position: A single job consisting of various tasks, duties and responsibilities assigned to an employee.

Promotion: The assignment of an employee to a position having a higher salary range.

Represented Employees: Employees of the City who are lawfully represented by a labor union, recognized by the City.

Salary: Base wages, monthly, bi-weekly, or hourly, paid to an employee.

Salary Range: The approved range of wages for each classification, starting with a minimum pay with equal step increments up to a maximum rate of pay.

Salary Step: An established increment of pay within the salary range for a classification.

Transfer: The assignment of an employee from one position to a different position within the same classification or similar classification with the same salary range and having similar qualifications.

1.05 TYPE OF EMPLOYMENT STATUS

A. Probationary Status: The initial period of employment, which is considered a continuation of the selection process, in which the employee's work is evaluated. During this period, the employee may be dismissed at any time, with or without cause, and is not subject to an appeal procedure.

B. Regular Status: The period of employment after completion of the probationary period.

A. Regular Full-Time: A position authorized to work at least 2,080 hours per year on a regular basis.

B. Regular Part-Time: A position budgeted and authorized to work less than 40 hours per week on a regular basis.

C. Temporary: A position authorized to work on a seasonal program, a special project, during peak workloads, or other similar work. Employment may be for 40 hours per workweek for temporary periods or "on call" as needed. Employees in this category do not accrue any benefits or employment status with the City and may be dismissed at any time, with or without cause, and is not subject to appeal procedures.

CHAPTER 2 - GENERAL WORK RULES

2.00 EQUAL EMPLOYMENT OPPORTUNITY

The City treats all applicants and employees equally and without regard to race, religion, creed, color, national origin, sex, age, marital status, sexual orientation, veteran status, disability, or other basis prohibited by State or Federal law.

The City will make positive effort to attract, hire, and retain qualified candidates who are within recognized minority groups, females, veterans, disabled persons, or candidates within other protected status through Federal and/or State law. This process includes providing recruitment notices to State veterans' offices, vocational rehabilitation, Employment Security, as well as to local Indian tribes, to recruit candidates. The City will also promote advancement of qualified employees within these groups through internal efforts when possible. The City provides reasonable accommodation to qualified disabled employees as required by law.

It is also the City's policy to foster and maintain a nondiscriminatory work environment for all employees.

Violations of this Policy will be cause for disciplinary action, including termination.

Any employee who believes he/she has been or is the victim of discriminatory treatment shall bring this concern immediately to the attention of the Department Head and/or the Human Resources Manager for investigation and appropriate action.

2.01 WORKPLACE HARASSMENT

Every Port Angeles employee has the right to work in an environment free from harassment. Harassment of any employee on the basis of his or her race, religion, color, national origin, age, sex, sexual orientation, marital status, or the presence of any physical, mental, or sensory disability is a serious violation of City policy, may be unlawful in some cases, and will not be tolerated.

HARASSMENT DEFINED: Harassment can take many forms and can include slurs, comments, jokes, innuendos, unwelcome compliments, pictures, cartoons, pranks or other verbal or physical conduct that is based on a protected status and which: (1) has the purpose or effect of creating an intimidating, hostile, or offensive working environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise unreasonably affects an individual's employment opportunities.

SEXUAL HARASSMENT DEFINED: Sexual harassment is a type of harassment and occurs when the types of verbal and physical conduct described above is sexual in nature or is gender-based, i.e., directed at a person because of their gender. Sexual harassment exists in the workplace when: (1) submission to the conduct is either explicitly or implicitly a term or condition of employment;

(2) Submission to or rejection of the conduct is used as the basis of an employment decision affecting such individual; or (3) the conduct unreasonably interferes with the individual's job performance or creates a work environment that is intimidating, hostile, or offensive.

Sexual harassment includes: unwelcome verbal behavior such as comments, suggestions, jokes or derogatory remarks based on sex; physical behavior such as pats, squeezes, repeatedly brushing against someone's body, or impeding or blocking normal work or movement; visual harassment such as posting of sexually suggestive or derogatory pictures, cartoons or drawings, even at one's work station; unwanted sexual advances, pressure for sexual favors and/or basing employment decisions (such as an employee's performance evaluations, work assignments, or advancement) upon the employee's acquiescence to sexually harassing behavior in the workplace.

COMPLAINT PROCEDURE: If an employee feels that s/he or other employees have been subjected to harassment of any kind, s/he is encouraged to immediately identify the offensive behavior to the harasser and request that it stop. If the employee is uncomfortable in addressing the matter directly with the harasser, or if the behavior does not stop, then the employee should discuss the matter immediately with the Human Resources Manager or his/her Department Head. Supervisors and managers who receive a harassment complaint are to contact the Human Resources Manager immediately.

All complaints will be investigated promptly, impartially, and discreetly. Upon completion of the investigation, the appropriate parties will be notified of the findings. Any supervisor, agent, or other employee who has been found to have harassed an employee will be subject to appropriate corrective action, ranging from a disciplinary warning to termination. No employee will suffer retaliation for reporting instances of harassment.

We trust that employees of Port Angeles will act responsibly to maintain a pleasant working environment, free of harassment, allowing each employee to perform to his or her maximum potential. The City encourages any employee to bring questions he or she may have regarding harassment of this type to the Human Resources Manager

2.02 NEPOTISM: Employment of Relatives

The City of Port Angeles believes that it is in the best interests of the City and the employees to keep business and professional relationships separate from personal and family relationships. Accordingly, the City generally will not employ family members or two individuals living together in the same household in positions where:

- one relative would supervise or audit the work of the other, directly or indirectly;
- both relatives would have the same immediate supervisor; or

- other circumstances exist that, in the judgment of City management would create a situation of actual or foreseeable conflict of interest.

Family member includes the employee's spouse, siblings, parents, children (natural, adopted, step, or foster), grandparents, grandchildren, nieces, nephews or in-laws.

The City also may refuse to employ close relatives of officers or other high-level employees of our suppliers or others with whom the City deals where such a restriction is necessary to avoid the actuality or appearance of conflict of interest, or to protect confidential information.

Should one of the above situations occur, the City will allow either of the employees to transfer to a vacant position for which s/he is qualified. If no suitable position is available, the employees will be given the opportunity to determine which of them will resign.

2.03 SOLICITATION POLICY

The City wants employees to be able to do their jobs without undue distractions. Therefore, the following guidelines apply to soliciting in the workplace. Except for authorized City programs, such as participation in the United Way, and with prior approval, individuals not employed by the City are not permitted to enter City premises at any time to solicit, survey, petition, or distribute literature. This restriction includes charity solicitors, salespersons, questionnaire surveys, union organizers or any form of solicitation or distribution. Employees may only approach each other regarding reasonable forms of solicitation during non-work time (including before and after the start of all involved employees' work periods, and during breaks and meal periods) and in non-work areas. Any other solicitation requires approval of the City Manager.

Insurance Benefits

2.04 HEALTH & WELFARE BENEFITS FOR CITY EMPLOYEES

The City provides health related insurance benefits for regular full-time and regular part-time employees budgeted to work in excess of 20 hours per week. Details of all insurance benefits are provided in separate summary plan descriptions provided to you when you become eligible to participate. The following is only a summary of current programs. You can obtain more information about any of these programs from Human Resources.

Medical Insurance

As a regular employee, you are entitled to participate in the City's medical insurance policy through the AWC Medical Plan B or any successor plans. The City pays most of the premium for you and employees pay a portion of the premium for your spouse and dependents. The amount of the premium cost share is determined by negotiations for union represented employees and for non-represented, the City Council determines the cost sharing amount. Employee portions of premiums are paid through payroll deduction.

Medical Waiver Cost Share Program:

An employee enrolled in the AWC medical plan may opt to waive their medical coverage if they have other comprehensive medical insurance, and receive one-half of the monthly insurance premiums, subject to certain conditions established by the City and AWC. Employees interested in participating in this program should contact Human Resources to find out more information and whether you may qualify.

Other Group Insurance

The City also makes available dental, life, vision, EAP, and long term disability insurance to regular employees who meet the eligibility requirements in the plan documents.

Flexible Benefits Plan

The Section 125 plan allows you to use pre-tax dollars to pay for certain qualifying expenses, including medical insurance premiums, non-covered medical expenses, and dependent care.

Retirement, Deferred Compensation, and Retiree Health Savings Plan:

The City of Port Angeles has three separate ways to help you save for a secure retirement. Consult Human Resources or your Plan documents for details.

Retirement Plans

As a regular City employee, you are eligible to participate in the State of Washington Public Employees' Retirement System (PERS) or the Law Enforcement Officers and Firefighters Retirement System whichever is applicable by law. Eligibility and procedures for retirement are governed by State law. Details are provided during orientation. Additional information is available from the Human Resources Department.

Deferred Compensation Plan

This is an optional program. You may defer a portion of your wages through payroll deduction on a pre-tax basis and invest it with either ICMA or Great West. The City contributes funding for deferred compensation in some of the labor contracts and for management and non-represented employees.

Retiree Health Savings Plan

The City participates in the Retiree Health Savings Plan (RHS) through ICMA. This plan allows employees to divert a portion of earnings or cash out vacation and sick leave when you leave city employment.

2.05 DEPARTMENT WORK RULES

Each Department Head is responsible for establishing and distributing department work rules and regulations. Such work rules and regulations must be consistent with these Policies and Procedures, the collective bargaining agreements, and Civil Service Rules/Regulations, if applicable.

2.06 CLASSIFICATION PLAN

The Human Resources Office establishes and maintains the Classification Plan for the City. The Classification Plan consists of class specifications for each classification, together with established salary ranges as adopted by the City Council.

2.07 JOB DESCRIPTIONS

The Human Resources Office develops and maintains job descriptions for each classification in the City, which includes the nature of work, the essential job functions, examples of assigned duties and responsibilities, educational and experience qualifications, and knowledge, abilities, and skills.

Prior to the adoption of a new classification, if applicable, the City will notify the appropriate bargaining unit for negotiation of the salary for the classification.

2.08 SMOKING IN THE WORK PLACE

Smoking is prohibited in City Hall and other public work locations. Smoking is permitted only in outdoor areas at least 25 feet from any entrance or air vent.

This policy extends to all work areas, including public areas, lobbies, restrooms, stairways, elevators, employee lounges, and hallways. Smoking in City vehicles is also prohibited. Smoking areas consistent with the intent of this policy may be designated by the Department Heads..

Failure to comply with this policy is grounds for disciplinary action.

2.09 BULLETIN BOARDS

Each City Department and major Division (if in a different work location) maintains an employee bulletin board for official City notices. This bulletin board is to be used for job postings, safety notices and other information of City business.

2.10 POLITICAL ACTIVITY

The City recognizes and fully supports the right of employees to vote, to express their opinions, to hold any political office, and to participate in any political campaign. However, for the good of the City, and to avoid potential conflict of interest, please keep in mind the following guidelines.

Public facilities or resources may not be used to assist the campaign of a candidate or the promotion or opposition of a ballot proposition; employees may not campaign or assist any campaign activity during City work hours.

No employee who may come into contact with the public may wear or display campaign buttons or literature during City business hours.

Employees participating in fund raising or other campaign activities must make clear that they do not represent the City and the City does not endorse the candidate or position.

Employees may not attempt to obtain political contributions from co-workers through threat or promise of differential treatment on the job.

2.11 RECEIPT OF GIFTS

Employees may not solicit or accept a gift, compensation, or other item of value from anyone doing business with the City. Unsolicited gifts not returnable will be donated to a non-profit organization to be determined by the City Manager or Department Head. Questions regarding application of this policy should be directed to the respective Department Head and/or to the City Attorney.

2.12 CARE OF CITY PROPERTY

Employees are expected to exercise reasonable care in the use of City property and to utilize City-owned property only for authorized official City business. Negligence in the care and use of any City-owned property may be considered cause for disciplinary action, including suspension and/or dismissal from City employment.

Unauthorized removal of City-owned property from the City's premises or its conversion to personal use is prohibited and is cause for disciplinary action.

2.13 RETURN OF CITY PROPERTY

City-owned property issued to an employee must be returned to the employer at the time the employee terminates employment or upon request of the employee's immediate supervisor, Department Head, or other Manager within the Department. This includes, but is not limited to, city identification, keys, personal computers, tools, workbooks or training materials, uniforms, calculators, or any other equipment or property of the City.

2.14 CITY DRESS CODE

All employees must maintain their personal grooming and wear proper work clothes to adequately perform their work in a safe manner, as well as present a favorable image to the public concerning City employees. To meet this objective, and recognizing that dress standards vary depending on the location and type of work, Department Heads are responsible for ensuring that these guidelines are implemented and followed in their operational areas, in accordance with the specific policies below:

1. Work clothes and grooming must meet required safety rules and regulations.
2. Work clothes and grooming may not be overly faddish or extreme, based on community and social acceptability, as determined by supervisors, on a case-by-case basis. This includes body piercing and tattoos that may be depicting negative or offensive images or words. These may be allowed if covered by clothing.
3. Work clothes and grooming must be clean and well maintained.
4. Work clothes and grooming must be appropriate for the working conditions of the job.

2.15 ETHICAL RULES

In addition to those set forth in these Policies and Procedures, State statutes provide certain ethical rules which are attached for easy reference and are considered a part of these Policies and Procedures. See Chapter 42.20 and 42.23 RCW (attached).

2.16 ELECTRONIC MAIL & INTERNET USE POLICY

This policy outlines the appropriate use of the City of Port Angeles's network, computers, all related peripherals, software, electronic communications, data storage devices, telephones, PDA devices, and Internet access. The policy applies to all users of City computer resources regardless of employment status including City staff, elected officials, seasonal employees and volunteers. All use of the City network, computer resources, and electronic communications shall be done in an ethical, legal and responsible manner.

A. DEFINITIONS

Computer Systems: The City's computer system includes network systems, hardware and software, email, Internet, databases, calendar and messaging systems, and any other systems owned or provided by the City.

Electronic Communication: An electronic exchange of information with a citizen, another employee, the Internet, and/or the public at large.

Electronic Mail (e-mail): Any electronic messaging system or device that allows the transfer of electronic data, messages, text, ideas, sound and/or images via a computer to an other user within the City system or to a user outside the City's system via the Internet.

Internet: A worldwide communication system conducted via computers. Includes the linking of data services via a global system or modems and cable and the use of standard software platforms such as the World Wide Web (WWW), gopher and File Transfer Protocol (FTP) links and chat rooms.

PDA Devices: A personal digital assistant is any handheld device which may combine computing, telephone/fax, Internet, data storage, or networking features. A typical PDA can function as a computer, cellular phone, fax sender, Web browser and personal organizer.

Data Storage Devices: Any device used to store electronic data. Includes, but is not limited to, USB drives, floppy disks, CD's, portable drives, tape, or any other device used to store electronic data not directly attached to the network or a computer.

Streaming Audio: Technology used to "play" audio/video on a PC over a network. Can be used for music, voice, lectures and other audio/video material. It generally consists of a continuous stream of data coming from a network.

Metadata: It is not part of the content of a record, but is generally the hidden data captured during transactions; such as the date and time someone received an email.)

B. PERMITTED USE OF CITY COMPUTER RESOURCES

The City computer and electronic communication resources are intended for professional business use in performing the duties of an employee's job.

Computer and electronic communication resources may be used for limited personal use so long as that personal use:

- Is incidental, occurs infrequently and is of short duration, and
- Is done on the employees' own time, and
- Does not result in additional cost or liability to the City, and
- Does not disrupt or distract from the conduct of city business, and
- Does not interfere with employee's job performance, and
- Does not pose additional risk to network security, reliability or privacy, and
- Does not conflict with the intent or requirements of any City policy or work rule, and
- The use of City computer resources for personal use (except as defined above) or private gain is expressly prohibited.

C. INAPPROPRIATE USE OF CITY COMPUTER RESOURCES

- Any use for the purpose of conducting an outside business or private employment;
- Supporting, promoting the interests of, or soliciting for an organization or group outside the business of the city;
- The expression or promotion of personal political or religious beliefs;
- Using City resources to solicit for or promote commercial ventures, religious or political causes, outside organizations or other non-job related solicitations which are not sponsored by the city.
- Violation of copyright laws or licensing agreements;
- Transmittal of any language and/or subject matter that is offensive, objectionable, sexually suggestive, threatening or otherwise inappropriate; including but not limited to conduct that is forbidden under the Anti-Harassment Policy;
- Gambling;
- Usage which precludes or hampers City network performance;
- Attempts to make unauthorized entry to other City systems to which the user does not have authorized access, or to other networks;
- Accessing streaming audio, except for legitimate City business.

D. ELECTRONIC (E-MAIL) COMMUNICATION

All e-mail messages are records and are the property of the City of Port Angeles and users should not expect privacy or confidentiality when using E-mail. The City of Port Angeles Email Retention Policy is established to provide for efficient retention of email communications. Retention and disposition of public records is governed by retention schedules issued by the State of Washington.

All email messages, sent or received, using City of Port Angeles systems are the City's records and must be managed in accordance with Chapter 40.14 RCW. They are also subject to related legislation such as the Public Disclosure law Chapter 42.17 and 42.56 RCW, and Penal provisions Chapter 40.16 RCW. Consequently, all email messages may be public records that are subject to record retention requirements. Email is defined as the messages sent and received by email systems, including all attachments, and all transmission and receipt data (metadata).

1. It is the policy of the City of Port Angeles that all email shall be retained according to the terms herein.
2. All email shall be retained for a period of at least 6 years in a long-term email retention location. After 6 years an email stored in the long-term email retention storage location will be deleted unless longer-term storage is requested, in writing, by the City Clerk, City Manager, or City Attorney.
3. A copy of all email in a user's mailbox shall be published to the long term email retention storage location daily. (Publishing is the process of copying an original encrypted email to a universal XML format).
4. No email may be deleted from any user's mailbox until it is published to the long-term email retention storage location.
5. All email in a user's mailbox shall be available to the user in its native GroupWise format and accessible by the user for 30 days from receipt.
6. After 30 days an email shall be deleted from the user's mailbox.
7. Users shall have view-only access to all their own email retained in the long-term email retention storage location by means of a separate XML viewer.
8. Global access to view, search, print, copy, or delete email published to the long term email retention storage location must be authorized, in writing, by the City Clerk, City Manager, or City Attorney.
9. Published email retained in the long-term email retention storage location shall include or be linked to the essential metadata describing content and structure of the business record and the context of its creation.

E. Electronic Mail (E-Mail) Guidelines

1. E-mail should follow the standards of good business etiquette as expected in any other form of written or face-to-face communication. It must not be used for the expression of ill will or bias against individuals or groups, offensive material such as obscenity, vulgarity or profanity, jokes, sarcasm or other non-business like material. Sexually explicit material, profanity and name-calling are prohibited communications.
2. E-mail is intended for official City business purposes, not personal or recreational use. By using the electronic mail system, all users have consented that the City, at its discretion, may inspect, use or disclose any E-mail or other electronic communications and/or data without notice.
3. If an E-mail is delivered to the wrong person, the recipient must stop reading as soon as he/she realizes the message was not meant for him, and notify the sender or system administrator immediately. It is impermissible to purposefully read E-mail intended for another person without the express permission of the sender.
4. The City's Email system may not be used for commercial, religious, charitable or political activities support for outside organizations or uses not related to the direct conduct of the City's business.
5. The City reserves the right to review, access and disclose the contents of any files or documents located on a City-owned computer. Additionally, the City maintains the right to monitor the use or content of any City-owned computer without notice to City employees.
6. Limited personal use of e-mail is allowed if it complies with this policy.

F. INTERNET USE

The Internet is a tool, which may be provided to individuals for use in conducting City business as a means to increase productivity and efficiency. All employees are responsible to use the Internet resources in an effective, ethical and lawful manner, and in accordance with this policy.

Individuals must be aware and at all times attempt to prevent potential City liability in their use of the Internet. It will be the personal responsibility of each individual using the Internet to ensure no misunderstandings occurs as to representations made by city employees. Any correspondence to be transmitted via the Internet that purports to represent the view of the City of Port Angeles will require prior review and approval of the affected Department Director.

Computer files external to the City of Port Angeles shall not be downloaded on a City computer without being properly scanned for viruses.

Resources of any kind for which there is a fee including, without limitation, sites on the Internet, must not be accessed or downloaded without prior approval of a Department Director.

G. SOFTWARE GUIDELINES

Computer users shall use only software that is provided or approved by the City and shall use the software only in accordance with the license agreement, contract or grant.

The City computer system is designed to work in a network environment. Installation of unauthorized software can result in damaging the integrity of the system. Employees must obtain prior approval from their supervisor and the Information Services Division before downloading or installing software on any City-owned computer.

Employees shall respect and abide by the terms of software licenses, including, but not limited to a prohibition on reproduction of licensed software. Unlicensed or copies software is prohibited on any City computer.

Any suspected misuse of software or related documentation within the organization shall be reported immediately to the supervisor or Department Director

Any questions or issues which arises as a result of this policy should be directed to the Human Resources Manager. Violation of this policy may result in discipline, up to and including discharge.

2.17 REPORTING IMPROPER GOVERNMENTAL ACTION AND PROTECTING EMPLOYEES AGAINST RETALIATION

The Washington State Whistleblower Act is intended to protect local government employees who raise issues of improper governmental actions with their supervisors and with appropriate governmental agencies. The City of Port Angeles respects the rights of reporting employees and has adopted this policy to insure compliance with the law.

It is unlawful for a local government to take retaliatory action because an employee, in good faith and in conformance with the local government's procedures, provides information that improper governmental action may have occurred.

A. POLICY STATEMENT

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

B. DEFINITIONS

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

"Improper governmental action" means any action by a City of Port Angeles officer or employee:

- a. That is undertaken in the performance of the officer's or employee's official duties, whether or not the action is within the scope of the employee's employment; and
- b. That (i) is in violation of any federal, state, or local law or rule, (ii) is an abuse of authority, (iii) is of substantial and specific danger to the public health or safety or (iv) is a gross waste of public funds.
- c. "Improper governmental action" does not include personnel actions, including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployment, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or civil service laws, alleged violations of labor agreements or reprimands.

"Retaliatory action" means any adverse change in the terms and conditions of a City of Port Angeles employee's employment.

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

C. PROCEDURES FOR REPORTING

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

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

The supervisor, the City Manager, or the City Manager's designee, as the case may be, shall take prompt action to assist the City of Port Angeles in properly investigating the report of improper governmental action. The City of Port Angeles' officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law, unless the employee authorizes the disclosure of his or her identity in writing.

After an investigation has been completed, the employee reporting the improper governmental action shall be advised of a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.

The City of Port Angeles employees may report information about improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action if the City of Port Angeles employee reasonably believes that an adequate investigation was not undertaken by the City of Port Angeles to determine whether an improper governmental action occurred, or that insufficient action has been taken by the City of Port Angeles to address the improper governmental action or that for other reasons the improper governmental action is likely to recur.

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

D. PROTECTION AGAINST RETALIATORY ACTIONS

City of Port Angeles officials and employees are prohibited from taking retaliatory action against a City of Port Angeles employee because he or she has in good faith reported an improper governmental action in accordance with these policies and procedures.

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

If the employee's supervisor, the City Manager, or the City Manager's designee, as the case may be, does not satisfactorily resolve a City of Port Angeles employee's complaint that he or she has been retaliated against in violation of this policy, the City of Port Angeles employee may obtain protection under this policy and pursuant to state law by providing a written notice to the City of Port Angeles City Council no later than thirty days after the occurrence of the alleged retaliatory action that:

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

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

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

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

Office of Administrative Hearings Lacey, WA 98504-2488
P.O. Box 42488, 4224 Sixth S.E. (206) 459-6353
Rowe Six, Bldg. 1

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

E. RESPONSIBILITIES

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

In order to insure reporting options for the employee, the City Manager's designee will be: (1) Human Resources Manager, (2) City Attorney/Senior Assistant City Attorney.

List of Agencies. Following is a list of agencies responsible for enforcing federal, state, and local laws and investigating other issues involving improper governmental action. Employees having questions about these agencies or the procedures for reporting improper governmental action are encouraged to contact the General Manager.

CLALLAM COUNTY

Clallam County Prosecuting Attorney
Clallam County Court House
223 East Fourth Street
Port Angeles, WA 98362
(360) 452-7831

STATE OF WASHINGTON

Attorney General's Office
Fair Practices Division
2000 Bank of California Center
900 Fourth Avenue
Seattle, WA 98164
(206) 464-6684

State Auditor's Office
Legislative Building
Post Office Box 40021
Olympia, WA 98504-0021
(360) 753-5280

Human Rights Commission
402 Evergreen Plaza, Building FJ-41
711 Capitol Way
Olympia, WA 98504-2490
(360) 753-6770

State Department of Health
Health Consumer Assistance
Post Office Box 4789
Olympia, WA 98504-7891
(360) 753-2870
800-525-0127

Department of Labor & Industries
300 West Harrison, Room 201
Seattle, WA 98119
(206) 281-5400

Puget Sound Water Quality Authority
Post Office Box 40900
Olympia, WA 98504
(360) 493-9300

Department of Social and Health Services
Special Investigation Office
5200 Southcenter Boulevard, Suite 23
Tukwila, WA 98108
(360) 764-4048
Fraud Complaints:
800-562-6025

UNITED STATES

U. S. Attorney
800 Fifth Avenue
Seattle, WA 98104
(206) 553-7970

Consumer Product Safety Commission
Hot Line:
800-638-2772

Environmental Protection Agency
Criminal Investigations
1200 Sixth Avenue
Seattle, WA 98101
(206) 553-8306

Equal Employment Opportunity Commission
2815 Second, Suite 500
Seattle, WA 98121
(206) 553-0968

2.18 PURCHASE OF SURPLUS PROPERTY AND EQUIPMENT

Employees may participate in bidding for surplus City equipment and/or property, provided no special privileges or conflict of interest arises from such action. A conflict of interest for the purposes of this Section is defined by Chapter 42.23 RCW, A Code of Ethics for Municipal Officers - contract Interests.

The following employees may not participate in bidding for or purchase of surplus property/equipment: (1) City Council members; (2) City Manager; (3) Department Heads; and (4) an employee responsible for surplus and sale of the property and/or equipment.

Employees electing to bid on or purchase surplus property/equipment for which no conflict of interest arises shall participate in the sale process stipulated by City Council. In addition, such employee shall declare his/her interest in participating in the bidding process to his/her Department Head in advance, or as soon as possible after the public notice of sale is released.

2.19 CITY SPONSORED ACTIVITIES AND PROGRAMS FOR EMPLOYEES

The City of Port Angeles endeavors to create a harmonious and productive work environment and improve communication for employees. To this end, the City sponsors certain activities and programs such as periodic employee breakfasts, safety and wellness programs, and annual awards luncheons. The City Council authorizes the City Manager to provide necessary funding for these employee programs. However, funding is limited to budgetary constraints.

2.20 CITY OWNED CELLULAR PHONES

The acquisition and use of cellular phones by City departments shall be in accordance with this policy. The purpose of this policy is to ensure cellular phones are used in the most expeditious manner and to provide guidelines in the acquisition and use of such equipment.

The purchase and/or installation of cellular phones shall be approved by the Department Head. It shall be the responsibility of the Department Head to ensure that sufficient funds are budgeted for the purchase and monthly operational costs associated with such equipment prior to its use.

Cellular phones owned by the City shall be used only for authorized City business as determined by the Department Head and the individual employee's job requirements. The general use of cellular phones shall not be in lieu of more cost effective, practical and available means of communication.

Cellular phones may be used for personal reasons only when no other immediate means of communication is available to the employee. In such event, the employee shall reimburse the City for the cellular phone charge incurred.

It is the responsibility of the Department Head or his/her designee to provide for a routine examination of cellular phone billing summaries to ensure proper use of such equipment.

2.21 CITY LOCKERS

The City may furnish lockers for certain employees for security of employee possessions. The City does not assume responsibility for any theft or damage to the personal belongings of employees, and the City reserves the right to search these lockers at any time.

2.22 INCLEMENT WEATHER POLICY

Curtailing Services and Closing Facilities: In the event of an emergency or during severe weather conditions, as declared by the City Manager, certain City services and/or facilities may be closed or services curtailed. Under such emergency or severe weather conditions, only primary services, as determined by the Department Head, shall be provided, i.e., electric services and Public Works activities such as water, sewer, street maintenance, and garbage collection.

The City will make reasonable efforts to notify affected employees that a facility will be closed, such as announcements over the radio and phone calls, if appropriate, as determined by the City.

Administering Pay: Should conditions prevail which would prohibit City employees from reporting to work as scheduled, the following shall apply relative to the administration of pay for affected employees:

Normal Situation: Employees who are normally scheduled to work and do report to work shall receive their normal rate of pay for the hours worked.

Leave Work Early: If an employee is authorized by his/her supervisor to leave work before the designated shift ends, such time will be charged to first accrued comp time and then accrued vacation or leave without pay.

Unable to Report: Employees who are normally scheduled to work but are unable to report to work because of the weather conditions shall charge such time to first accrued comp time and then accrued vacation or leave without pay. It will be the responsibility of the employee to contact his/her supervisor or by telephone if the employee is scheduled but is unable to report for work during the emergency or inclement weather conditions.

City Facility Closed: Employees who are normally scheduled to work but are unable to report to work because the City facility is closed shall charge time to first accrued comp time and then accrued vacation or leave without pay.

A second option, on an individual basis, with Department Head approval, is for the employee to report to the closed facility and work.

A third option, with Department Head approval, is for the employee to receive his/her normal pay as if he/she had worked and later make up the hours scheduled but not worked. This make-up time shall be arranged within a reasonable time between the employee and the Department Head and shall not result in overtime compensation.

Employees on Leave: Employees who are scheduled to be on paid leave, such as vacation, comp time, or holidays, shall have such time charged to the leave allotments as originally scheduled.

CHAPTER 3 – EMPLOYMENT RELATED POLICIES

3.00 NOTIFICATION OF VACANCIES

When a vacant position occurs in a Department, the Department Head will notify Human Resources by e-mail or memo of the vacancy, and will designate a contact person in the Department with whom Human Resources will coordinate the selection activity.

In working with the Department, Human Resources will assist in determining the necessary recruitment period, develop the recruitment process and place job ads, screen applications, test qualified applicants, and monitor the selection process for compliance with lawful requirements. H.R. will also assist the Department with the appropriate pre-employment procedures, such as medical examination, reference checks, psychological evaluations, and employee orientation once the hiring decision is made by the Department Head.

3.01 CITY APPLICATIONS

All Departments use the City of Port Angeles Employment Application as approved by Human Resources when recruiting for vacancies. This is to ensure uniformity and compliance with applicable Federal/State requirements relative to the selection process.

3.02 PROBATIONARY STATUS OF NEW EMPLOYEES

Except as otherwise determined by the City Manager, all newly hired regular full-time or regular part-time employees are hired for a probationary period of six (6) months (twelve months for law enforcement and Fire Department positions). The Department Head uses this probationary period as an extension of the selection process to evaluate the employee's work performance. Each employee receives a performance evaluation during the probationary period, generally at three (3) and six (6) month intervals, or more frequently, as determined by the Department Head.

Probationers may be terminated during this period at any time, with or without cause, and without right of appeal.

A probationary period may be extended in the instance of an employee on an extended leave of absence, so that the Department has the full term of the probationary period to evaluate the employee.

3.03 VERIFICATION OF LAWFUL EMPLOYMENT IN THE U.S.A.

Federal law requires the employer to ensure that newly hired employees are lawfully employable in the United States. Failure to do so is punishable by fines and/or imprisonment. To comply with this requirement, the hiring manager or Human Resources must review the employee's driver's license and Social Security card other proof of identification allowable under the law and complete an I-9 form no later than the third day of work, and return it to Human Resources. Check with the Human Resources Office for other identification.

3.04 PRE-EMPLOYMENT PROCEDURES

Applicants who have received a conditional offer of employment may be required to complete a pre-employment medical examination scheduled by Human Resources prior to employment. Human Resources will coordinate the examination with the Department and the potential new hire. Failure of the candidate to pass the pre-employment medical (i.e., as determined by the City physician) (plus polygraph and psychological evaluations for law enforcement positions) or other required procedures will result in disqualification from employment.

3.05 STARTING SALARY FOR NEW EMPLOYEES (Excluding City Manager and Department Heads).

If the Department Head wishes to start the employee at mid-range or higher, such a request must be approved by the Human Resources Manager and the City Manager prior to offering the salary to the new employee.

3.06 NEW EMPLOYEE ORIENTATION

The Department Head or his designee will make arrangements with the Human Resources Office for employee orientation within the first week of employment for new employees.

The orientation will include a checklist of items covered with the employee's signature when such orientation is completed. A copy of the checklist will be placed in the employee's personnel file. Any orientation relative to specific Department concerns is the responsibility of the respective Department Head.

3.07 PERFORMANCE EVALUATIONS

Performance evaluations are recognized as an integral part of a supervisor's responsibilities toward effective employer-employee relations. To this end, an employee should receive his/her performance evaluation in a timely manner. The completed performance evaluation becomes part of the employee's permanent record.

New Hires: Performance evaluations will be completed at three (3) month, and at six (6) month intervals. For Police and Fire classifications, such evaluations will be completed at three (3) month, six (6) month, and twelve (12) month intervals. More frequent evaluations may be conducted at the discretion of the Department Head or appropriate Manager

Annual Review: Each employee receives an annual performance evaluation which shall be within the first quarter of the year. The Department Head selects the month in which all employees of that department will have their annual reviews. Merit salary increases, if given, shall be effective (advancement through the steps of the salary range) on the employees anniversary date.

Special Evaluations: A Manager or supervisor may conduct a special performance evaluation at any time to evaluate the employee's job performance over a given period. Such evaluations may be used relative to a specific problem, which needs to be corrected within a certain time period.

3.08 HIRING OF FORMER EMPLOYEES

Employees who have resigned their employment in good standing and who the Department Head is willing to rehire, or who are on a valid layoff list for re-employment, may be eligible for rehire. If such an employee is rehired in his/her former classification within one (1) year from the date of separation, the employee may be credited for his/her previous work time only for purposes of determining his/her wage. Such wage determination is subject to review by the Human Resources Manager and approval by the Department Head and City Manager.

3.09 ADJUSTMENT OF HIRE DATE

For purpose of calculating seniority, leaves of absence with out pay extending more than 30 days shall not be credited toward total time of employment. An employee, who is on a leave of absence without pay from City service for a period of thirty (30) days or more, shall have his/her City anniversary date (for City seniority) adjusted for the period of such leave.

3.10 PERSONNEL RECORDS

Personnel records are maintained in the Human Resources Office and are property of the City. The records include, but are not limited to, the employee's application, a record of all personnel actions affecting the employee such as pay changes, promotions, title changes, leaves of absences, transfers, accidents, disciplinary actions, and other related information.

It is the responsibility of employees to inform Human Resources if they move, change their telephone number or experience other changes in their personal information. In this way, personnel records will remain accurate and up-to-date.

An employee's record is confidential to the extent allowable by law. The employee's representative may have access to the employee's file upon written authorization by the employee, with a copy of such authorization placed in the file. The personnel file may also be obtained by a valid court order. The City reserves the right, as provided for by City Ordinance, to charge a copy fee for providing copies of such information from the file.

If the employee is disciplined, resulting in documentation being placed in his/ her personnel file, the employee may submit a rebuttal to the information. The employee may review his/her personnel file and obtain a copy of any information so contained with advance notice to Human Resources.

3.11 OTHER EMPLOYMENT

If an employee obtains employment in addition to his/her City job, the employee shall provide written notice to the Department Head. Such notice from the Department Head shall be placed in the employee's personnel file.

Outside employment that results in a conflict of interest with City employment, or that interferes with the employee's work performance, as determined by the Department Head and subsequent verification by the City Attorney, will be prohibited. Advance notice and review for compliance with this policy is required by the Department Head or, in the case of other employment for Department Heads, the City Manager's approval.

CHAPTER 4 - PERSONNEL ACTIONS

4.00 PERSONNEL ACTION FORMS

A personnel action shall be initiated by the employee's manager. Such personnel actions include, but are not limited to, new hires, promotions, demotions, changes in compensation, leaves of absence, title changes, reclassifications, transfers, terminations, and resignations..

4.01 RESIGNATION IN GOOD STANDING

An employee who leaves City service shall provide a written resignation to the employee's supervisor with a minimum of two (2) weeks advance notice. Resignations with less than this notice shall be deemed resignations not in good standing, unless authorized by the City Manager.

4.02 RECLASSIFICATION (Excluding City Manager and Department Heads).

Because of changes in service demands, job requirements, assigned duties and responsibilities, technology, or other reasons, a position may be reclassified. Such changes in a job require a classification review conducted by Human Resources , which may affect the wages of the class (increase or decrease), change in qualifications, or amending of the job description. A request for a classification review may only be initiated by a Department Head, the City Manager, or Human Resources.

A Department Head may initiate a request for a classification review for a newly created position or for an existing position, if the duties/responsibilities have significantly changed. A classification review will not be undertaken solely to support a pay increase. Any request for a classification review shall be in writing to Human Resources, with a copy to the City Manager. Any reclassification is subject to appropriate funding within the respective Department.

If the classification review results in an up-grade of the salary range, the incumbent shall be placed within the new range at the step nearest his/her present salary, but not lower. If the classification review results in a downgrade of the position and if a represented position, the City will bargain the impact of the reclassification with the union, based on the scope of responsibility and assigned duties. If a management or non-represented position, the Department Head and Human Resources will determine the appropriate salary level, subject to approval of the City Manager. Downward reclassifications shall not be considered a demotion.

4.03 LAY-OFF PROCEDURES (Excluding City Manager, Department Heads, and Police and Fire classifications under authority of Civil Service).

The City may lay off employees where there are changes in service levels, reorganization, a position is abolished, lack of funding, or other appropriate reason requiring a reduction in the work force as determined by the City. The City shall make efforts to keep such lay-offs to a minimum by attrition or integrating affected employees into other positions.

Any employee laid off shall receive a minimum of two weeks written notice prior to the effective date of the lay-off.

Employees having rights to layoff procedures include regular full-time and regular part-time. Seasonal employees or temporary employees do not have rights to the layoff procedures or re-employment rights.

Lay-off will generally be in inverse order of hire by classification within each Department. However, in considering which employees are laid off, the City shall retain the most qualified and job performance shall be a factor in such retention. If the City needs a particular skill, the City maintains the right to retain such an employee. Qualifications will be determined by the knowledge, abilities and skills for the classification.

"Bumping procedures" shall apply to class seniority for positions holding prior status in a lower class within an occupational series. Such procedures are defined as employment status held in a lower classification within the same occupational series; i.e., a maintenance worker may be "bumped" by a leadworker with greater seniority and who has held status in the lower classification.

Lay-Off List

For a period of eighteen (18) months from the date of lay-off, regular full-time employees who were laid off, followed by regular part-time employees, shall have re-employment rights to a position in the classification they held prior to such lay-off and shall have first opportunity to fill a position when one becomes available. An employee re-hired from the lay-off list shall be placed at the salary range and step held by the employee prior to being laid off. However, the salary schedule shall be the rate of pay at the time of re-employment.

It shall be the responsibility of the laid off employee to keep his address current with the City. If a position becomes available, the City will notice the employee at the last address of record. If the employee fails to respond to the notice within ten (10) calendar days, the employee's name will be removed from the lay-off list for future consideration, unless a valid reason exists, as determined by the City, for such failure to respond.

4.04 RETIREMENT

Employees covered by the Public Employees Retirement System (PERS I, II or III) or the Law Enforcement Officers and Firefighters Retirement System (LEOFF I or II) wishing information concerning retirement should contact the Department of Retirement Systems in Olympia, Washington. If an employee wishes to retire, the employee must send an application for retirement to the Retirement System Office at least ninety (90) days prior to his/her retirement effective date. The Department of Retirement Systems will provide the employee with the estimates of benefits due the retiring employee. An employee shall provide as much notice as possible to the affected Department Head prior to the retirement effective date, preferably six months notice.

4.05 SEPARATION OF EMPLOYMENT (Excluding the City Manager)

Termination of employment shall be based on either (1) resignation by the employee, (2) disciplinary action of the employer, (3) retirement, (4) reduction in force by the employer, or (5) termination by the employer.

Whenever an employee's service with the City terminates, it is the responsibility of the Department Head to ensure that the Personnel Action Form is processed in a timely manner and that all City keys and other City property is returned.

CHAPTER 5 - SALARY ADMINISTRATION

5.00 SALARY STRUCTURE

Salaries for union represented employees are established through the collective bargaining process and adopted by the City Council. Salaries for Management, Confidential, and non-represented employees are established by the City Council.

5.01 SALARY STEPS

Each classification has an established salary range that has either several steps or a flat rate and may be either hourly or monthly. An employee may advance in the salary range with annual progression through the steps based upon satisfactory performance as determined by management. Merit pay increases are not automatic based on length of service but are based on job performance. Salary changes are made by the Department submitting a Personnel Action Form, approved by Human Resources and the City Manager.

5.02 ELIGIBILITY FOR SALARY INCREASES

Regular, full-time employees are eligible for a merit salary step increase(s) (increment advance) upon completion of the initial probationary period and annually thereafter, to the maximum of the established salary range.

Regular part-time employees do not receive annual merit salary increases. Employees in these positions are eligible for a salary increase based upon the number of hours budgeted to work for their position, in relation to when full-time employee would be eligible for a salary increase (i.e., one-half or three-quarter time position). For example, a one-half time employee who works 1,040 hours/year (i.e., half time) is eligible for a salary increase upon completion of 2,080 authorized work hours, or two years.

In order for any step increases, (which are conditional upon satisfactory performance), to be effective, the employee must receive a satisfactory performance evaluation by the employee's supervisor, with approval by the Department Head and City Manager. Annual salary increases are not automatic and may be withheld in the event of unsatisfactory performance, excessive absenteeism, unsafe work record, because of disciplinary actions within the evaluation period, or as determined by the Department Head and substantiated through documentation.

5.03 PAYROLL DEDUCTIONS

As required by law, the City deducts applicable payroll withholdings for Social Security, Federal taxes and Retirement. Other payroll deductions on a voluntary basis are provided for through payroll authorization procedures, such as union dues, deferred compensation, United Way, etc.

5.04 PAY DAYS

The City issues a paycheck every other Friday on a bi-weekly basis. The paycheck covers the two-week (80-hour) work period ending Sunday before the payday.

5.05 OVERTIME (Non-Exempt Employee)

Overtime hours for regular full-time employees are authorized hours worked in excess of eight (8) hours in a workday or forty (40) hours in a workweek. For regular part-time employees, the non-overtime workweek is 40 hours/week, regardless of the number of hours worked in any particular day.

Overtime compensation will be paid for authorized overtime hours worked at the rate of time and one-half the employees regular rate of pay. Assignment of overtime hours is a management prerogative and is not voluntary. Employees may not work overtime without their supervisor's approval.

To be eligible for overtime compensation, an employee must be in a classification designated as non-exempt per Fair Labor Standards Act (FLSA) requirements. Classes exempt from overtime include executive, professional, and certain administrative positions. The Human Resources Office maintains a list of exempt and non-exempt classes.

5.06 WORK ON A HOLIDAY (Excluding exempt employees)

If a regular full-time employee (designated as non-exempt per FLSA) works on a scheduled holiday, the employee shall be paid the overtime rate for the shift and shall receive an in lieu holiday to be taken at a later date, subject to supervisory approval, or the City may pay in cash the equivalent; i.e., 2-1/2 times the employee's hourly rate. Regular part-time employees do not receive overtime for work on a holiday, unless they exceed forty (40) hours per workweek.

The regular part-time employee shall receive an in lieu holiday based upon a pro-ration of their annual authorized work hours.

5.07 HIGHER CLASSIFICATION PAY FOR NON-REPRESENTED EMPLOYEES (Excluding City Manager and Department Heads)

The Department Head may assign an employee to work in a higher classification in the event of a position being temporarily vacant. Such assignment may be made if the position will be vacant for a minimum of one week or more. The premium pay shall be 5% of the employee's regular rate of pay. To qualify and be assigned higher class pay, the employee must be granted the responsibility and authority of the higher class, including making decisions within the normal scope of work. In the event a Department Head documents unusual circumstances for higher class assignment, such exceptions shall be submitted to the City Manager for variance to this policy.

5.08 COMPENSATORY TIME OFF (COMP TIME) (Non-Exempt Employees)

If a Department Head elects to offer compensatory time off in lieu of cash for overtime hours worked, and an employee elects to take comp time in lieu of cash, the rate of earnings shall be one and one-half hours of comp time earned for each hour of overtime worked, computed to the nearest 30 minutes. The maximum number of hours of comp time accrued shall not exceed 80 hours.

Overtime worked in excess of this amount shall be paid off in cash. In the event of separation of City service, comp time hours accrued but not taken shall be paid off in cash at the employee's rate of pay in the classification the employee holds regular status. Prior to a promotion, accrued comp time shall be taken off or paid in cash to eliminate this fiscal liability.

Departments are responsible for keeping and maintaining records of comp time hours accrued and taken on the regular time card used for payroll. The record-keeping requirements are mandated by the Fair Labor Standards Act (FLSA).

Employees wishing to schedule time off to use accrued comp time hours shall do so in advance, similar to vacation usage.

5.09 VACATION CASH OUT

In an effort to reduce the City's future liability for vacation accrual, the City may allow employees to cash out a portion of their vacation on an annual basis, based on the following conditions: If an employee has in excess of 200 hours of combined sick leave and vacation accrual upon the date of the request, the employee may request to cash out vacation based on the appropriate language in the labor contract or for non-represented employees, up to 80 hours. However, they must leave two weeks of vacation on the books to be used.

Requests will be submitted to the Finance Department by September 1st of each year to be considered for funding in the subsequent budget.

CHAPTER 6 - ATTENDANCE AND HOURS OF WORK

(Excludes City Manager and Department Heads)

6.00 HOURS OF WORK

The regular workweek is 40 hours. The workday is generally 8 hours in a 24-hour period, as scheduled by the Department, with 5 consecutive days on and 2 consecutive days off. Each Department shall establish work schedules for employees that may vary and may include weekends.

6.01 ATTENDANCE

Employees are expected to arrive at work in sufficient time, ready to work when the work shift begins. Punctual attendance is required. If an employee is going to be late for work, or absent from work, it is the employee's responsibility to notify his/her supervisor in advance of the situation. Each Department will establish attendance notification procedures for employees (i.e., minimum time for notifying supervisor of absence). Repeated tardiness is subject to disciplinary action.

An employee absent from work without proper notification shall be subject to disciplinary action and if the absence continues for three (3) or more consecutive days or shifts, s/he shall be considered as having abandoned his/her job and may be terminated, depending upon the circumstances of the employee's absence.

6.02 REST PERIODS & MEAL PERIODS

Employees working 8-hour shifts shall be entitled to two (2) 15-minute rest periods; one during the first half of the 8-hour shift, and one during the second half of an 8-hour shift. Break times are scheduled by the supervisor per department/division needs so as not to interfere with City business and such breaks or meal periods shall not be accrued for use at a later time.

Meal periods may be 30 or 60 minutes in length, as established by the Department work schedule and may be paid time or non-paid time, depending upon the employee's work schedule. If an employee works less than a 5-hour shift, a meal period is not provided.

6.03 REPORTING OF WORK HOURS

Maintaining accurate time records relative to hours worked and leave time is required by law. Each employee is responsible for completing his/her time card and each supervisor is responsible for verifying such information prior to submittal for payroll purposes. Falsification of time records will be grounds for disciplinary action, up to and including termination.

CHAPTER 7 - LEAVES OF ABSENCE

7.00 VACATION (Excluding City Manager and Department Heads)

Vacation shall be earned and taken as provided for in Schedule C, for management and non-represented employees or appropriate labor agreement. Vacation may be taken, upon supervisory approval, after completing the first six (6) months of employment. Unused vacation credits shall be paid off in cash upon separation from City service.

Except during probationary periods for promotional positions, probationary employees do not accrue vacation and are not entitled to any vacation pay-off if they are terminated or resign during the probationary period. After reaching regular status, the employee is credited with the appropriate number of hours of vacation time. Regular part-time employees earn an amount pro-rated, based upon the number of authorized hours budgeted for the position. All vacation taken is subject to advanced supervisory approval.

7.01 SICK LEAVE (Excluding the City Manager and Department Heads) (See also Section 7.05, Family Leave)

Sick leave is a benefit provided by the City to regular full-time and regular part-time employees. Sick leave is considered a privilege and not a right. Abuse or improper use of sick leave is subject to disciplinary action.

Sick leave is earned at the rate of eight (8) hours per month (3.69 hours bi-weekly) (Fire shift employees refer to the labor contract.) for all regular full-time employees. Regular part-time employees earn an amount prorated based upon the number of authorized hours budgeted for the position.

Sick leave may be used, with advance approval of the supervisor or Department Head, for illness or injury to the employee, to care for members of his/her immediate family who have serious or emergency illness, to care for a minor child who has an illness that requires treatment or supervision, or for funeral leave. Use of sick leave for funeral leave is limited to three (3) days per incident unless additional time is approved by the Department Head. The definition of immediate family member for purposes of this policy is spouse, child, parent, parent-in-law or grandparent.

If a Department Head or supervisor has reasonable cause to believe an employee has used sick leave improperly, the employee may be required to show proof of illness/injury by verification from a physician. Such proof of illness may be requested for any suspected abuse or misuse of sick leave benefits. Prior to the Department Head requiring the employee to produce a doctor's statement relative to the illness, the employee may, upon request, discuss the matter with the Department Head so extenuating circumstances, if any, may be considered.

Employees may use sick leave for medical, dental, and other related health appointments, and should schedule such appointments to cause the least disruption as possible to the work. When possible, appointments should be scheduled on the employee's own time or days off. Sick leave may be used in 30-minute increments, and recorded on the employee's time card.

7.02 MILITARY LEAVE

Any employee of the City who is a member of the State National Guard or a Federal Reserve Military unit shall be entitled to be absent from employment with the City with full pay up to fifteen (15) calendar days during each calendar year while engaging in the performance of an officially ordered military duty and while going to or returning from such duty, in accordance with the laws of the State of Washington (RCW 38.40.060). Such leave shall be in addition to any other leave and vacation benefits. Leave for military purposes in excess of 15 days per year shall be days off as vacation leave and shall be scheduled to comply with military orders. Employees who are called or volunteer for service with the armed forces of the United States shall be entitled to be considered for reinstatement in accordance with the provisions of State law (Chapter 73.16 RCW) and Federal law. Upon application for reinstatement, the employee must provide a copy of his/her military discharge papers.

7.03 JURY DUTY

If an employee is called for jury duty, the employee shall promptly notify his/her supervisor of such jury duty service.

If the employee is called to sit on a jury during his/her normal work hours, the employee will receive his/her normal salary but shall surrender to the City any pay for jury duty paid to the employee, excluding mileage, if applicable.

When the employee is excused from jury duty, he/she shall report back to work immediately and notify his/her supervisor that he/she is able to return to work for the balance of his/her shift.

This section does not apply to time spent in court on personal business. Such time shall be charged to accrued vacation, comp time, or leave without pay.

7.04 HOLIDAYS (Regular full time and Regular part-time employees)

Holidays are set forth in the appropriate ordinance or labor agreement. The holidays for Management and unrepresentative employees are:

New Year's Day	Thanksgiving Day
Martin Luther King Jr. Birthday	Day after Thanksgiving Day
Presidents Day	Christmas Day
Memorial Day	Two (2) Floating Holidays
Independence Day	
Labor Day	
Veteran's Day	

Two floating holidays shall be granted to eligible employees on the payroll, effective January 1st of each year. Employees hired after July 1st shall receive one floating holiday for the calendar year. Floating holidays may be taken in only 8-hour periods and must be scheduled in advance with the supervisor.

Section 7.05 FAMILY LEAVE

The City of Port Angeles will comply with all applicable requirements of the Washington Family Care Leave Act, RCW 49.12.270; Washington Family Leave Law; Washington Law Against Discrimination; and the Family and Medical Leave Act of 1993,

Washington Family Care Leave Act, RCW 49.12.270

This statute permits employees to utilize employer-provided sick leave or other paid time off under the terms of the employer to care for a child with a health condition that requires treatment or supervision; Or a spouse, parent, parent-in-law or grandparent of the employee who has a serious health condition or an emergency condition related to health.

Washington Family Leave Law

This law allows that leave provided due to sickness or disability because of pregnancy or childbirth must be granted *in addition* to FMLA leave. For example, leave provided for the temporary disability due to childbirth is separate from FMLA approved to care for the newborn. Recovery from a normal birth is usually six weeks, unless additional time is recommended by the employee's physician.

Washington Law Against Discrimination

This law requires the employer to provide leave of absence to a pregnant employee for the temporary disability due to pregnancy or childbirth. In addition, an employer is required to provide the same benefit to men and parents of stepchildren.

Family and Medical Leave Act of 1993

Eligibility: To be eligible for family leave, an employee must have been employed by the City for at least 12 consecutive months prior to the date family leave is to begin and have been compensated for at least 1,250 hours during the same 12-month period. Family leave is available to all regular full-time and regular part-time employees on a pro-rated basis.

An eligible employee may take up to twelve (12) work weeks of family leave during any consecutive twelve (12) month period for:

1. The birth of a child and to care for a newborn child; or
2. Placement with the employee of a child for adoption or foster care; or
3. Care for a spouse, child under the age of 18 years, or parent, but not including parent-in-law, who has a serious health condition; or
4. To care for self, if the employee has a serious health condition that makes the employee unable to perform the essential functions of the employee's job.

Spouses employed by the City are entitled to a combined total of 12 work weeks of family leave for the birth or placement of a child for adoption or foster care, or to care for a child or parent, but excluding a parent-in-law, who has a serious health condition.

Family leave shall include unpaid leave, paid leave, compensatory time and paid legal holidays, if any. Leave for childbirth, adoption or placement for foster care shall be completed within twelve (12) months after the birth or placement for adoption, as applicable.

Family leave shall be charged to accrued sick leave, accrued compensatory time, and floating holidays. Unpaid leave as family leave shall be authorized only after the exhaustion of all forms of available paid leaves above. Vacation may also be used for family leave.

Medical Certification Required: An employee shall request family leave on an approved City request form and provide a certification from the healthcare provider. Submission of the medical certification should be made at the time of application but shall be submitted no later than 15 calendar days after application is made. Failure to provide the medical certification within the required 15 days after application, when the leave was foreseeable, may be cause to deny family leave until such time as an acceptable medical certificate is provided to the City.

For employee absence due to a worker's compensation (L&I) claim, the medical information provided by the healthcare provider to the City or the third party administrator will be accepted as medical certification.

If the validity of the claim is disputed or unclear, the City may require the employee to obtain a second opinion by a provider of the City's choice and at the City's expense. In the event of a dispute between the two providers, the City may require an opinion of a third provider jointly selected by the employer and the employee, the cost of which shall be borne by the City. The opinion of the third party shall be binding.

Maintenance of Benefits: During periods of family leave, the City will maintain employee and dependent coverage under the health plan under which the employee was enrolled at the time leave commenced and shall make premium payments at the same level as was made prior to leave commencement. The employee will continue to pay the employee contribution portion of the medical premium. If on unpaid status, the employee will reimbursement the City for the employee contribution on a monthly basis per procedures established by the Finance Department. Should the employee fail to return to work at the conclusion of authorized family leave, the City shall recover any premiums paid for maintaining health coverage under this section, unless the reason is the continuation, onset, or recurrence of a serious health condition, or other circumstances beyond the employee's control.

Approval of Family Leave: All requests for family leave require the approval of the employee's Department Director and the Human Resources Manager.

An employee planning to take family leave shall complete the request for family/medical leave and provide their Department Director and immediate supervisor with written notice thirty (30) days in advance of the anticipated date of delivery or placement for adoption or foster care, stating the dates the employee intends to take family leave, unless exempted as follows:

1. The birth is premature;
2. The mother is incapacitated due to birth so that she is unable to care for the child;
3. The employee takes custody of the newly adopted child or child placed for foster care at an unanticipated time and is unable to give thirty (30) days advance notice;
4. The Department Director, employee's supervisor and employee agree to notice of less than thirty (30) days.

Subject to #1 below, an employee who exercises any right provided under this section shall be entitled, upon return from leave or during any reduced leave schedule:

1. To the same or equivalent position and salary as was held by the employee when the leave commenced; or
2. If the department's circumstances have so changed that the employee cannot be reinstated to the same position, or a position of equivalent pay and benefits, the employee shall be reinstated in any other position which is vacant and for which the employee is qualified.

The entitlements above are subject to bona fide changes in compensation or work duties, and do not apply if:

1. The employee's position is eliminated by a bona fide restructuring, or reduction-in-force; or
2. An employee on family leave takes another job.

Family leave for birth or adoption, placement for foster care, or for serious health conditions may only be used in full work week units and may not be used on an hourly basis or on a single day usage basis unless intermittent leave is requested by the employee and approved by both the Department Director and Human Resources Manager. Only the actual number of hours taken will be subtracted from the employee's annual family leave entitlement. Legal holidays occurring during a week of family leave will not extend the total number of weeks of family leave available.

If an employee or supervisor have any questions concerning any portion of family leave, please consult Human Resources.

7.06 LEAVE OF ABSENCE WITHOUT PAY

Excluding approved military leave, a leave of absence without pay is permitted by the City under certain circumstances and after all other paid leave benefits are exhausted. The City reserves the right to approve, modify, or deny any leave of absence without pay requests.

A leave of absence without pay is a privilege the City may extend to regular full-time and regular part-time employees, for specific periods of time, on a case-by-case basis. Such leaves may be granted, for personal or educational reasons or as medical leave for employees not covered by the FMLA.

A leave of absence without pay must be requested in writing on the Leave of Absence Request Form, obtained from Human Resources, and submitted to the Department Head as soon as the need for such leave is known. The request shall contain the reason for the leave and the expected duration of the requested time off, together with the date the employee will return to work.

During a leave of absence without pay, other than Family Leave, the employee shall be required to pay the necessary health premiums, if continued coverage is requested by the employee. Human Resources will assist the employee concerning their options for continued health coverage.

While on a leave of absence without pay, the employee shall not accrue or be entitled paid leave, including but not limited to sick leave, vacation, and holidays. The employee's City anniversary date of employment shall be adjusted equal to the duration of the leave of absence, if such leave extends beyond thirty (30) days.

Failure of the employee to return from an approved leave of absence without pay or make other arrangements acceptable to the City Manager shall result in termination of the employee, unless unique circumstances exist, as determined by the City Manager.

7.07 DONATION OF PAID LEAVE

This policy shall apply when a regular full-time employee or regular part-time employee has exhausted all forms of paid leave (i.e., vacation, sick leave, holidays, and comp time) because of a catastrophic illness or injury affecting the employee or eligible dependent. The policy will not apply to an employee on Worker's Compensation benefits or receiving long-term disability (LTD) benefits or any other form of compensation. Donated time for any employee shall expire 6 months after the time is given.

A catastrophic illness/injury is one which is likely to result in an extended disability of several weeks or more, based on medical evidence as provided by a physician's letter. The donation of the leave is intended to assist an employee during the 90-day waiting period before the long-term disability benefits begin. An employee cannot receive donation of leave time in excess of three months.

In the event a medical situation occurs where an employee needs donated paid leave from other employees, the Department Head will notify the Human Resources Office, which will then post a notice that donation of paid leave time is needed to assist another employee.

If an employee wishes to donate a portion of his/her accrued paid leave (i.e., sick leave, vacation, comp time or floating holiday time) to another employee, a written request will be submitted specifying the name of the employee, and the amount of hours he or she wishes to donate, and shall forward this to the Human Resources Office. The Human Resources Manager shall have the authority to approve or deny the donation, based on the following factors:

1. The nature of the extended illness or injury to the employee who has depleted his/her paid leave time; i.e., sick leave, vacation, compensatory time, or holiday time.
2. The historical use of sick leave by the employee receiving the donation. If the employee has misused or has a poor record of sick leave usage, the request may be denied.
3. A physician's verification of the extended disability.

The donation, if approved, shall be on an hour-for-hour basis without any salary conversion. The maximum donation an employee may contribute is eighty (80) hours of paid leave time. The employee donating sick leave hours must maintain a minimum balance of three (3) weeks of accrued sick leave. Employees donating hours shall not receive payment for those hours at the time of resignation or retirement.

The Human Resources Manager will notify each employee of the hours donated and will initiate the paperwork for the transfer of paid leave time.

CHAPTER 8 – WORKERS COMPENSATION AND LOSS CONTROL

8.00 PURPOSE

It is the policy of the City of Port Angeles to provide a safe work environment, as required by law, for all employees.

The City of Port Angeles' Safety Program requires all employees to perform their assigned work as safely as reasonably possible. The success of this program necessitates cooperation from every employee in each City department.

The Department Heads and Division Managers are responsible for implementing safety policies as they apply to workers in their Departments/ Divisions, as well as the general public affected by their work. Each employee is responsible for following the safety policies in the completion of his/her assigned duties, for his/her own personal safety and the safety of his/her fellow employees, the general public, and City property.

Additionally, every employee shall be evaluated on safety practices and habits applicable to his/her job performance.

8.01 REPORTING OF ACCIDENTS INVOLVING CITY VEHICLES OR EQUIPMENT

All accidents to employees or the public involving City vehicles or equipment, regardless of severity, must be reported on the City "Report of Accident/Incident or Damage/Injury" report form and delivered to the Human Resources Office within 24 hours. These forms are self-explanatory and available from your supervisor or on the City's Intranet.

The employee's supervisor is responsible for making sure that the accident report is completed, and ensuring that it includes photographs of the scene, if appropriate, and witness statements containing names, addresses and phone numbers, and other relevant information.

The supervisor must make an immediate investigation, as complete as the situation warrants. The supervisor shall be responsible for obtaining damage estimates. Equipment Services will assist in determining damage estimates and coordinating the information to Human Resources.

8.02 REPORTING ON-THE-JOB INJURIES - WORKER'S COMPENSATION

Employees injured on the job are covered by worker's compensation benefits. This program covers medical expenses and time loss benefits approved by the State.

In the event of an injury, the employee must advise his/her supervisor immediately so that proper medical attention can be obtained and the "Employee and Supervisor Report of On-The Job Injury" is completed the same day of the injury and forwarded to Human Resources.

If medical attention is necessary, the employee or supervisor should request a SIF-2 (Self Insured Accident Form) from Human Resources. Employee and supervisor should complete the form, and the employee should report the claim number to the healthcare provider for billing purposes. *Both forms should be returned to Human Resources for processing as soon as possible.*

If the employee misses work because of the injury (called 'time loss'), the employee must provide a 'return to work' form from the doctor prior to returning to work. If the employee misses three (3) or more days of work, the worker's compensation program will pay approximately 60% of the employee's salary for time loss. The employee is permitted to use accrued sick leave time with the time loss benefits equal to his/her regular salary. If the employee misses less than three days of work, s/he shall use accrued sick leave.

When the employee receives the first time loss check, he/she shall meet with Payroll to select one of the following options: a) turning the check into the City for sick leave credit and to receive a regular paycheck, or b) keeping the check and receiving only the sick leave portion from the City. Questions regarding these options should be directed to Payroll.

If the employee returns to work in a light duty capacity, the department will determine whether or not the employee's restrictions can be accommodated for the period of time requested.

Until the doctor releases the employee to full duty, the employee is required to submit 'return to work' forms to his/her supervisor after each doctor's visit, who will forward the original to Human Resources.

Employees or supervisors shall direct questions about the worker's compensation process to Human Resources, or questions related to pay to Payroll in the Finance Department.

8.03 EMPLOYEE RESPONSIBILITY

Each employee has a responsibility to assist with the City's safety program, including but not limited to the following:

- A. Comply with and keep informed of necessary safety work rules, regulations, and practices.
- B. Use required safety Personal Protective Equipment (PPE) on equipment and around machinery, such as proper shoes, ear and eye protection, hardhat, respirator, etc.
- C. Report all injuries and accidents to his/her supervisor as soon as possible, regardless of the severity.

D. Report to the supervisor when the employee is taking any prescribed drugs that may affect the employee's ability to safely perform his / her job.

E. Report any unsafe conditions or acts, near misses, and other safety concerns immediately to his/her supervisor.

F. Wear a seatbelt while operating City vehicles, as required by law and do not talk on cell phones while driving, except for hands-free devices, approved by the City.

G. Actively participate in City wide and departmental safety training and safety programs.

8.04 SUSPENSION OR REVOCATION OF DRIVERS LICENSE

An employee whose job duties includes operating a City vehicle and whose drivers license has been disqualified, suspended or revoked for any reason must immediately notify his/her supervisor. Any employee who fails to provide such notification or operates a City vehicle without possessing a valid drivers license, will be subject to disciplinary procedures, as determined by the department director. Supervisors shall ensure that all employees for whom they are responsible are informed of this policy.

8.05 PREVENTION OF WORKPLACE VIOLENCE

The purpose of this policy is to provide management and employees with guidance should they encounter a situation they believe may result in violence, and to provide information and training to management and employees to help minimize the risk of injury or harm that may result from violence in the workplace. Workplace violence is any verbal or physical action that is communicated or perceived as a threat, harassment, abuse, intimidation or personal contact that produces fear, causes bodily harm or damages property. It may involve employees, family, strangers or customers. Because of the risk of misunderstanding it may also include joking about violence.

The City of Port Angeles will not tolerate any acts of violence to persons or property, or harassment of any employee or member of the public while in City offices, facilities, vehicles or work sites. As soon as made aware of possible issues of violence in the workplace, City management will deal promptly and appropriately to minimize the risk to employees, customers and property. The City recognizes that many incidents of violence represent a personal crisis that an individual is unable or unwilling to solve alone. The City shall provide the affected employee with resources as assistance to help resolve the issues to prevent escalation and enable continued productive employment.

All employees are responsible for their personal conduct and behavior and will not participate in any acts of violence, inappropriate behavior such as fighting or assaulting a co-worker or customer, using profanity or other abusive language, or using threatening or intimidating behavior. Employees engaging in any form of harassment or prohibited behavior will be subject to discipline up to and including termination.

Weapons are not permitted in the workplace, including knives in excess of a 2 ½ inch blade, dangerous or flammable chemicals or liquids, or other object intended to injure or harm. This excludes normal work tools or firearms in the case of sworn police officers. Possessing firearms or other weapons on City property (unless required as a condition of employment) is prohibited; however, one exception is allowed.

This one exception is if an employee has a personal and lawful weapon, such as a hunting rifle or hunting bow, which is locked and out of sight at all times inside their vehicle while on City property. This weapon may not be removed from the locked vehicle for any reason while on City property.

All employees should promptly report to management any threatening or dangerous conduct occurring within the workplace. The manager will report the incident to Human Resources and the appropriate department head. This includes notifying management of a court-issued restraining order filed on behalf of an employee that prohibits the subject of the order from contacting the employee at work. City management is responsible for developing crisis procedures and responding to potential or violent situations, depending on the nature of the incident. They shall conduct interviews and investigations, prepare documentation and notify appropriate assistance agencies.

If an employee is victim or witness to any acts of violence by another employee or member of the public, or if they fear they may become involved in an act of violence, they shall immediately report the event to their supervisor and Human Resources (and if criminal to the Police Department). In the event the incident involves the employee's supervisor, the report of the incident should be to the next level of management.

As soon as possible after a verbal report, the employee should make a written report (file a complaint) and turn it in to their supervisor promptly (with copy to Department Head and Human Resources). This complaint shall explain the nature of the issue and description of the facts, names of involved, any witnesses, and include dates, times, location.

All employees have access to the City Employee Assistance Program for confidential professional assistance. This program can provide employees with advice, evaluations, diagnoses and treatment plans.

CHAPTER 9 - STANDARDS OF EMPLOYEE CONDUCT AND DISCIPLINE

(Excluding City Manager, Probationary and Temporary Employees)

9.00 PURPOSE

Standardized rules of employee conduct and disciplinary procedures are necessary to ensure fair and equitable treatment of employees. These procedures are established so that all employees and supervisory personnel are aware of the rules of conduct and employee discipline.

Employees who have a property right in continued employment have certain rights, which are afforded prior to discharge of employment (excluding probationary discharge). The intent of this procedure is to provide such employees a pre-disciplinary review process which includes (a) verbal or written notice of the intent to discipline; (b) an explanation of the evidence and charges against the employee; and (c) an opportunity for the employee to respond to the charges.

This pre-disciplinary review process is intended to be informal. Exclusions from this pre-disciplinary review process are (a) verbal reprimands; (b) performance evaluations; and (c) written reprimands that do not result in loss of pay or benefits.

An employee is entitled to a pre-disciplinary meeting to review the evidence and documentation which will result in disciplinary action as well as the right to respond verbally and/or in writing to the charges brought against him/her. However, these procedures do not limit additional disciplinary action or evidence, if additional facts/evidence become subsequently available at a later date. The pre-disciplinary meeting is an informal meeting, including the employee, his/her representative, if any, the Department Head and employee's supervisor, and others as determined by the Department Head.

After conclusion of the informal meeting, the Department Head will determine whether to proceed with the disciplinary action or amend his action accordingly. Such a decision may occur at the meeting or following the meeting, if additional time is needed. Exceptions to entitlement to the pre-disciplinary meeting are (a) verbal reprimands; (b) performance evaluations; and (c) written reprimands that do not result in loss of pay or benefits.

9.01 REPRESENTATION

During any meetings between a supervisor/manager with an employee involving disciplinary action or when such action may reasonably be expected, the affected employee has a right to representation on his behalf. Such representation is generally by a union officer, shop steward, or union business agent. Management will make an effort to comply with a request by an employee for representation prior to discussions or implementation of disciplinary action unless circumstances require immediate action.

9.02 RIGHT OF APPEAL

Employees may appeal disciplinary action according to the procedures applicable to them. Non-represented administrative and management employees should use the Complaint Resolution Procedure set forth in Chapter 10. Represented employees should use the grievance procedure in their collective bargaining agreement. Police and Fire Department Civil Service employees may appeal disciplinary actions that involve loss of pay or benefits to the Civil Service Commission. An employee shall request an appeal within the time frame provided in the applicable policy, agreement or statute. Failure to file such an appeal within this time period shall result in denial of the appeal as untimely and forfeits any right to appeal the disciplinary action.

9.03 CAUSES FOR DISCIPLINARY ACTION

The following list provides examples of conduct that may result in disciplinary action, up to and including termination. This list is not exhaustive; other conduct that is detrimental to the interests of the City may also result in disciplinary action.

- A. Excessive or unexcused tardiness or absenteeism
- B. Violation of the City's workplace harassment policy.
- C. Conviction of any criminal act, including any felony or misdemeanor that adversely impacts the City or the employee's ability to effectively perform the job.
- D. Conduct unbecoming an employee in the public service, which adversely affects the employee's performance or the effectiveness of the City's service to the public.
- E. Performance that does not meet City standards, as determined by management.
- F. Insubordination.
- G. Violation of the City's substance abuse policy
- H. Neglect of duty.
- I. Negligent or willful damage to public property or waste of public supplies or equipment.
- J. Violation of any lawful or reasonable regulation or order made and given by a supervisor.
- K. Misrepresentation in securing employment.
- L. Dishonesty, including but not limited to falsification of records, time cards, or other work activity records.

- M. Discourteous treatment of the public or other employees.
- N. Willful violation of any rule, regulation, policy, procedure, or safety practice.
- O. Failure to report an accident or falsely filing a report concerning an injury, accident, or other related incident.
- P. Violation of the any of the City's Personnel Policies and Procedures.
- Q. Misconduct of any kind.

CHAPTER 10 - SUBSTANCE ABUSE AND DRUG TESTING POLICY

The City of Port Angeles is committed to maintaining a drug and alcohol free work environment. The misuse of drugs or alcohol by employees is a threat to the public welfare and the safety of employees. Accordingly, employees are strictly prohibited from possessing, selling, consuming, or being under the influence of any drug (except as authorized by a physician) or alcohol while on City property, in City vehicles, or engaged in City work. If you are taking prescription drugs that may make you drowsy or impair your mental functioning, you must inform your supervisor so that s/he can make sure such drugs will not affect your ability to perform your job safely and effectively. Any violation of this policy will result in discipline, up to and including immediate termination.

The City encourages employees with drug or alcohol problems to come forward and seek help. If you have a drug or alcohol problem, and discuss it with management before it affects your performance or is discovered by management, the City will refer you to a treatment program and if possible, hold your job for your return. Under those circumstances, you will not be disciplined unless you fail to successfully complete the rehabilitation program or test positive for drugs within two years of completing a program.

Drug and Alcohol Testing

The city complies with federal law requiring drug and alcohol testing of employees who hold Commercial Driver's Licenses ("CDL"). Testing will be done in a manner that assures accuracy, reliability and privacy. CDL applicants will be tested prior to employment. Failure to pass will disqualify an applicant from employment.

CDL employees will be tested when there is reasonable cause to suspect impairment based on objective facts and circumstances, after involvement in an accident in a City vehicle where their performance could have contributed to the accident, randomly as selected by a computer selected list supplied each month, and upon return to duty after a previous positive test result.

Any CDL employee who is convicted of driving under the influence or violation of a drug statute must notify the City within five days of conviction.

Analytical urine testing will be conducted for marijuana, cocaine, opiates, amphetamines and phencyclidine. A positive test will be confirmed through Gas Chromatography/Mass Spectrometry testing. Alcohol testing will use evidential breath testing devices. A positive test result will result in a second test a short time later. Any alcohol test greater than 0.02 will be considered a positive test. A Medical Review Officer will review all positive test results.

Further details regarding drug testing will be provided to CDL employees during new employee orientation.

CHAPTER 11 - COMPLAINT RESOLUTION PROCEDURE

(Excluding City Manager and Department Heads)

11.00 PURPOSE

The Complaint Resolution Procedure is established to provide an orderly process for an employee who does not have recourse to a union grievance procedure to attempt to resolve a problem, complaint, unfair treatment, or improper application of a policy, rule, or regulation.

This employee grievance procedure is not to be used relative to issues covered by the labor contracts. Such matters are addressed through the grievance procedure of the respective labor contracts. An employee cannot process a grievance through the labor contract and attempt to use these complaint procedures for the same or similar issue.

NOTE: Grievance procedures of the labor contracts or this complaint resolution procedure, or any other administrative procedure, are not available to employees on probation who are discharged during the probationary period. The only exception to this is if such discharge involves workplace harassment or discrimination, in which case, this grievance procedure is limited to the specific charge.

11.01 EXCLUSIONS FROM THE COMPLAINT RESOLUTION PROCEDURE

- A. Work assignments, shift scheduling, overtime assignment, and similar related matters.
- B. Work performance evaluations.
- C. Complaints filed after twenty (20) days from the date of occurrence, or after twenty (20) days from the date the employee had knowledge of an occurrence, but in no event later than one (1) year from the date of the occurrence.
- D. Classification issues.

11.02 TIME LIMITS

Time limits are established to resolve complaints quickly. Complaints must be filed within 20 days from the date of occurrence or the employee having knowledge of the incident.

Time limits in the procedure may be extended by written agreement of the City and the affected employee. If the employee is not satisfied with the decision rendered at a particular step in the process, it is the employee's responsibility to initiate the action which submits the complaint to the next level of review within the time limits specified. Failure of the employee to submit the complaint within the time limits shall terminate the complaint and the matter shall be considered resolved.

11.03 RIGHT OF REPRESENTATION

An employee may have a fellow employee representative present during the complaint resolution procedures to assist the employee in the process. However, the employee shall notify the City in advance of the name and address of any such representative.

Attorneys are not generally permitted to participate in the complaint resolution procedure.

11.04 FORMAL COMPLAINTS

STEP 1

The employee must state the nature of the complaint, the alleged violation, and the desired solution, in writing on the City complaint form, together with any supporting documents. The complaint form and any supporting documents must be delivered to the Division Manager no later than ten (10) days when the employee had knowledge of the issue in dispute. The Manager will hold a formal meeting with the employee to review the facts, gather all supporting documents, discuss the complaint and desired solution. The Manager will issue a written decision on the original complaint form within a reasonable time, generally within five (5) days of the close of the formal meeting.

STEP 2

If the employee feels the Manager has not resolved the complaint, the employee may appeal to the Department Head. At this time, all supporting documents and evidence relative to the complaint must be included with the appeal. The Department Head will hold a formal meeting with the employee and his representative, if requested, within a reasonable time, generally within ten (10) days from the date of the appeal receipt, and attempt to settle the complaint.

A decision will be made, in writing, on the original complaint form, to the employee by the Department Head within a reasonable time, generally within ten (10) days from the close of the formal meeting.

STEP 3

If the employee is not satisfied with the decision of the Department Head, he may appeal the decision to the City Manager within five (5) days from receipt of the Department Head's decision. In his appeal to the City Manager, all supporting documents must be attached to the complaint form, together with the reason for appeal and stated remedy requested.

The City Manager or his designee will review the original complaint, all supporting documents, the Department Head's response, and the remedy requested, and issue a written decision within a reasonable time, generally within ten (10) days of receipt of the complaint. The City Manager may decide to meet with the employee or others to discuss or investigate the complaint. **The decision of the City Manager shall be final and binding upon the parties to the complaint.**

CHAPTER 12.00 - CITY TRAVEL, VEHICLE USE, AND REIMBURSEMENT POLICY (Excludes City Council Members)

12.00 TRAVEL POLICY

This policy is to provide for the consistent application and use of travel funds and to provide guidelines for authorization and reimbursement of travel expenses. The City Manager may authorize travel expenses over the limits in this policy at his discretion, on a case-by-case basis.

It is the employee's responsibility to use travel funds for their approved purpose only and properly document expenditures with receipts in accordance with this policy. In addition to this policy, the Finance Department provides guidelines on how to complete the travel request form, with timelines and other similar guidance. Contact the Finance Department for a copy of the travel guidelines and travel request forms.

AUTHORIZATION FOR TRAVEL EXPENSES

Prior to travel, employees must submit a Travel Request form to their Department Head for approval. The form must provide all travel costs, including transportation, lodging, registration, meals, and other related expenses. If an employee wants money for travel expenses in advance of the travel, such requests must be in the Finance Department seven working days or more before the planned trip

Requests for less than \$50 will be processed after completion of the travel.

All travel must be signed and approved by the employee's Department Head or his/her designee. Travel for Department Heads must be signed and approved by the City Manager or his/her designee. All travel in excess of \$2,500 must be signed and approved by the City Manager.

REIMBURSEMENT TO THE EMPLOYEE FOR EXPENSES

Travel expenses in excess of those received in advance will be paid to employees upon submission of the approved travel request/expense form. Travel expenses which the employee cannot document with receipts or other appropriate verification will not be approved for reimbursement (excluding meals).

Registration fees must be submitted for payment through Accounts Payable and will be paid directly to the vendor from information submitted. A City credit card may be used.

Travel expenses incurred but not approved on the Travel Request form may be reimbursable with proper verification, provided such expenses are directly related to City travel and are approved by the Department Head or City Manager.

The employee shall submit the completed travel/expense form within five (5) working days after completion of the travel. Per IRS regulations, travel not reconciled in a timely manner will become taxable income.

Checks for less than \$5.00 will not be written for those who travel frequently, but may be added to the next travel request.

The Finance Director shall review meal, lodging, mileage and car allowances periodically and recommend adjustments.

REIMBURSEMENT TO THE CITY BY EMPLOYEES

Employees are encouraged to pay advance travel overages by check or money order. However, in the event this is not possible, cash and the travel form must be turned in to the Finance Department for a written receipt.

ALLOWABLE EXPENSES

Meals:

Meal per diem payment will include tax and gratuity. Refer to the IRS travel reimbursement schedule by location, provided by Finance, which shall be amended as the IRS adjusts the rates. However, the maximum per diem allowable will be at the Seattle level, regardless of IRS rates.

To qualify for breakfast, an employee must leave before 7:00 a.m. To qualify for dinner, the employee must reasonably expect to return from business activities after 7:00 p.m. In the event travel is less than one day, the per diem payment will be pro-rated 25% for breakfast, 25% for lunch, and 50% for dinner. To qualify for meal allowance, the employee must be on City business outside the Port Angeles area (30-mile radius) during regular meal hours. No receipts are required for meal expenses unless you use your City credit card, then all receipts must be attached and no further amount will be paid.

If an employee is attending a meeting or conference where meals are included, reimbursement for substitute meals will not be allowed and the per diem will be reduced accordingly.

Lodging:

Lodging arrangements must be made in the most cost effective manner. Whenever possible, IRS rates should be followed. The Finance Department publishes the rates annually and tax is in addition to these IRS rates. When calling for rates, always ask for government or corporate rates. Receipts for lodging are required.

Airline Tickets:

Airline tickets will be purchased in the most cost-effective manner. Each Department will be responsible for placing reservations. Invoices for airfare must be submitted to Accounts Payable for payment, with a copy of the invoice, or a City credit card may be used

Ferry Fees and Taxi Fares:

These expenses will be reimbursed on the basis of receipts. Ferry tickets should be requested in advance from the Finance Department.

12.01 VEHICLE USE POLICY

General City Vehicle Policy:

City vehicles may only be used by employees for City business. The Department Head is responsible to ensure compliance with this vehicle use policy for their department. An employee may be assigned a vehicle on a regular basis or for special needs due to workload changes, seasonal or weather conditions that require an additional vehicle to provide services.

Employees authorized to use City vehicles shall operate the vehicle in a safe, courteous, and efficient manner and shall conform to all State and local laws governing the use and operation of a motor vehicle. Employee should not talk on cell phones while driving a city vehicle or if necessary, pull over off the roadway where it is safe. Employees must have valid Washington drivers' license and proof of insurance. The City reserves the right to require employees driving City vehicles to produce a driving record abstract upon request.

City vehicles may not be operated if the employee has consumed any amount of alcohol or is under the influence of any drug which may impair one's ability to operate the vehicle safely. It is the responsibility of the employee to notify his supervisor of any possible impairment, so he/she does not operate equipment or vehicles.

Any accident or injury occurring in a City vehicle shall be reported immediately to the employees supervisor as well as completing the necessary accident report forms obtained from the employee's supervisor.

Gas Credit Cards:

The use of City gasoline credit cards is permitted only for City-owned vehicles. Gasoline credit cards may be checked out for out-of-town travel from the Finance Department. The employee shall keep receipts of all expenses charged on the credit cards and turn these in when returning the credit card.

After-Hours City Vehicle Use for Employees Subject to Call Back:

The Department Head shall determine whether an employee takes home an assigned vehicle or has the employee report to a City facility to pick up the vehicle for after-hours use. This determination shall be based upon:

- a) The frequency of the call-outs (average of once per month);
- b) The person performs after hours emergency services;
- c) It is the most efficient method of operation in performing the services during the after-hours work.
- d) The employee must use the vehicle to respond directly to the call-out scene.

Non-City Employee Transportation:

An employee may transport non-City employees in City vehicles during the execution of City business only. This action requires advanced approval from the employee's Department Head. An employee assigned a City vehicle for after-hours use on a regular basis may use the vehicle for incidental personal business such as making a quick stop for groceries on the way home or other similar situation. Family members may not be transported in a City vehicle.

Reimbursement for Employees Using Their Private Vehicles:

Employees are encouraged to use a City vehicle for City business whenever possible. However, an employee may be authorized to use his/her private vehicle for conducting City business as determined by the Department Head. If a City vehicle is not available, reimbursement for mileage shall be based upon the Internal Revenue Service mileage reimbursement rate. In the event the employee prefers to use his/her private vehicle for out-of-town travel in lieu of an available City vehicle, the employee shall receive prior Department Head approval to be reimbursed for mileage at the rate authorized by the City Manager.

If an employee is authorized to use his/her private vehicle for City business, it is the responsibility of the Department Head to ensure the employee has a valid driver's license and vehicle insurance to protect the City in the event of an accident.

General Rule:

The personal use of a City-provided vehicle is taxable to the employee. "Personal use" includes commuting, as well as local and out-of-town personal travel.

Record Keeping Requirements:

Employees must keep records for business and personal miles driven in City-provided vehicles. Record keeping procedures shall be prescribed by the Finance Department.

For specific IRS regulations on record-keeping and vehicle taxation, see the Finance Department.

Loss of Drivers License:

If an employee who is expected to drive a City vehicle or operate equipment as a normal job activity loses his/her driver's license, the employee will notify their supervisor immediately and shall not operate any vehicle or equipment. The City will determine if the employee has an acceptable driving record and what personnel actions, if any, are necessary relative to employment status due to the loss of the driver's license.

12.02 RECRUITMENT EXPENSES

The City Manager may authorize reimbursement or the payment of certain expenses for candidates interviewed for City positions. Such expenses include reasonable costs for transportation, lodging, and meals.

Expenses incurred by City employees participating in the selection process shall also be reimbursed, including meals and expenses directly related to assisting and evaluating the candidates, as approved by the City Manager.

12.03 PAYMENT OF MEALS FOR CITY BUSINESS

Meal expenses for employees on official City business within the Port Angeles area may be eligible for reimbursement with approval by the Department Head or City Manager at the same rates as set forth in Travel Policy, Allowable Expenses section.

12.04 TUITION REIMBURSEMENT

The City's tuition reimbursement program covers payment for college course work to encourage employees to pursue job-related education/ training. Under the tuition reimbursement program, the City pays for 75% of tuition and required books, subject to budgetary restrictions and in accordance with the following requirements:

- A) Requests for tuition reimbursement must be made in writing, in advance, on the form provided by the Human Resources Office.

- B. All course work must be job-related and requires advance approval by the Department Head.

- C) Prior to payment of approved tuition reimbursement, the employee must provide proof of a grade "C" or better, together with a copy of receipts for the course and required books.

- D) The City may retain certain course materials (i.e., books, reference materials) if the Department Head determines such materials are of value to the City.

Courses offered during regular work hours may be approved, per the above policy, if time off can be arranged without affecting the public services or disrupting departmental operations. Such time off should be charged to accrued vacation, comp time, leave without pay, or make up the time during the workweek.

Acknowledgement of Receipt

I, _____, acknowledge that I have received the City of Port Angeles Personnel Policy and Procedure Manual dated _____, _____. I understand that it is my responsibility to read and understand the policies and to ask my supervisor or Human Resources if I have any questions.

I understand that this Manual supersedes any prior manuals or handbooks issued by the City. I understand that the Manual contains guidelines for personnel administration and that it is not a contract. I understand that the City may revise the policies and procedures at any time with or without notice, subject to Council approval.

Date: _____

8/11/06 last update