

City of Colville Personnel Policy

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PERSONNEL POLICIES

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Signed: _____

Date Issued: _____

City of Colville Personnel Policy

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TO: Department Heads
FROM: Duane Scott, Mayor
DATE: September 13, 1999
RE: City of Colville Personnel Policy Manual

This Manual has been prepared as a guide and reference for members of management at all levels of supervisory responsibility. The Manual has the unqualified approval of the City Council and Department Heads.

We believe it is in the best interest of the organization and our employees to have written personnel policies because of the complex legal nature of the employment relationship. It is essential that all members of management understand the role of these policies in meeting the organization's objectives and in limiting our legal exposure.

Any policy, however, is only as good as its implementation. Supervisors who are in direct contact with, and responsible for, a group of employees are essential to effective policy implementation. You are the individuals who must translate these ideas and principles into action. We depend upon you for the successful development of a productive, legal, and harmonious working environment for our employees.

Accordingly, I request each of you thoroughly familiarize yourself with the contents of this Manual so all personnel policies of the City may be administered fairly and effectively. Thank you for working with me to achieve these very important objectives.

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Policy:

It is the policy of the City that this Manual shall be used as an outline of the basic personnel policies, practices, and procedures for the organization. The Manual is not intended to alter the employment-at-will relationship in any way.

Comment:

- (1) This Manual contains general statements of City policy and shall not be read as including the fine details of each policy. Additionally, this Manual shall not be interpreted as forming an express or implied contract or promise that the policies discussed in it will be applied in all cases. The City may add to the policies in the Manual or revoke or modify them from time to time. The city will try to keep the Manual current, but there may be times when policy will change before this material can be revised.
- (2) All Manuals are City property and are assigned to the job position and not to the individual. The City Clerk is responsible for distribution of the Manuals and approved revisions to Department Heads and supervisors who, in turn, are responsible for safeguarding the materials and inserting approved changes. All Manuals must be returned to the City Clerk upon termination of employment.
- (3) The City Council reviews and approves changes in the City's personnel policies. Department Heads and supervisors are encouraged to submit recommended changes or new policies. The manual will be reviewed annually by the City Council each July. The City Clerk may implement changes in order to comply with State or Federal law.
- (4) Department Heads and supervisors shall refer to the Manual whenever questions of policy interpretation or implementation arise. Issues needing clarification shall be referred to the City Clerk or the Personnel Committee.
- (5) As used in this Manual:
 - (a) The words "shall" or "will" shall be interpreted as mandatory and the word "may" as permissive;
 - (b) Supervisory personnel shall be referred to as "Department Head" or "immediate supervisor" where these individuals have the authority to assign the work of two or more subordinates.
 - (c) For purposes of this policy, an employee's "immediate family" is defined as: the

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employee's parent, spouse (or spouse equivalent in a cohabitation relationship), child, sister, brother,, grandparent, grandchild, mother-in-law, father-in-law, step-child, step-brother, step-sister, step-parent, step-parent-in-law, brother-in-law, sister-in-law and great-grandchild.

- (6) The policies in this manual are enacted by the City of Colville in order to further the following goals:
 - (a) To provide a uniform system of personnel administration throughout the City service.
 - (b) To ensure that recruitment, selection, placement, promotion, retention, and separation of City employees are based upon employee qualifications and fitness, and are in compliance with federal and state laws.
 - (c) To assist managers in the development of sound management practices and procedures, and to make effective consistent use of human resources throughout the City.
 - (d) To promote communication between Department Heads, immediate supervisors, and employees.
 - (e) To ensure, protect, and clarify the rights and responsibilities of employees.
- (7) These personnel policies shall apply to all City employees except elected officials and independent contractors. In the event of conflict between these policies and any contract, City ordinance, Civil Service Commission policies or state or federal law, the terms and conditions of that contract, rule, or law shall prevail. In all other cases, these policies shall apply.

In the event of the amendment of any ordinance, rule, or law incorporated in this document or upon which these provisions rely, these rules shall be deemed amended in conformance with those changes.

The City specifically reserves the right to repeal, modify or amend these policies at any time, with notice. None of these provisions shall be deemed to create a vested contractual right in any employee or to limit the power of the Mayor or City Council to repeal or modify these policies. The policies are not to be interpreted as promises of specific treatment.

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Policy:

It is the policy of the City that the work of all employees is to be assigned, directed, and reviewed by supervisory personnel. Employees ordinarily will have only one person to whom they report.

Comment:

- (1) A primary role of each supervisor is to provide an effective link between management and non-management employees. Accordingly, Department Heads are expected to communicate the goals and policies of the City to the employees who report to them. They also are expected to communicate back to the Mayor the attitudes, suggestions, and concerns of their employees
- (2) In addition to mastering the knowledge, skills, and abilities needed for their work unit, supervisors must be able to lead and motivate their employees to do their best work. Thus, supervisors shall be prepared to:
 - (a) Treat employees as individuals and with respect;
 - (b) Give recognition for good performance, and provide guidance when improvement is needed;
 - (c) Explain in advance when and why changes are necessary;
 - (d) Recommend employees with growth potential for promotion, even if it means losing them to other work units;
 - (e) Show integrity by admitting mistakes instead of shifting the blame to others;
 - (f) Be impartial and let employees know the reasons for any decisions that might be interpreted as unfair;
 - (g) Demonstrate a desire for good performance by setting work goals and standards for employees; and holding them accountable;
 - (h) Create a feeling of teamwork and belonging among employees;
 - (i) Set good examples by holding themselves to the standards of conduct and performance that they demand of their employees.
- (3) Supervisory personnel are responsible for ensuring that the City's goals for employee conduct and performance are achieved and that the personnel policies established by this Manual are implemented. Therefore, supervisory personnel duties include:

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- (a) Recommending the hiring of personnel and overseeing special job training;
 - (b) Keeping employees informed on factors relating to their work assignments, work progress, and opportunities for advancement;
 - (c) Evaluating the performance of trial employees, regular employees, and employees who are being considered for termination;
 - (d) Recommending promotions, transfers, and termination of employees;
 - (e) Scheduling vacations and meal/rest breaks;
 - (f) Approving meal allowances and reimbursement of employee expenses;
 - (g) Controlling absenteeism and tardiness, and approving requests for time off;
 - (h) Verifying employee time sheets and scheduling overtime when necessary;
 - (i) Recommending job modification or corrective action when appropriate;
 - (j) Complying with applicable federal and state laws and regulations concerning nondiscrimination, sexual harassment, and employee safety;
 - (k) Maintaining neat and orderly work areas;
 - (l) Implementing suggestion, disciplinary, and problem review procedures and;
 - (m) Ensuring that all rules and regulations are observed by employees.
- (4) Nothing in this policy shall be considered as a contract or promise, express or implied, to employees that supervisory personnel will in each case perform any or all of the activities described above, or that those activities will be performed the same way in each case.

Policy:

It is the policy of the City that the City Clerk function as a coordinator for human resources activities, reporting to the Mayor.

Comment:

- (1) The City Clerk is responsible for handling the City's human resources function and, in such capacity, provides staff assistance to Department Heads in developing, communicating, and carrying out the City's personnel policies.
- (2) The City Clerk's Human Resource Administration responsibilities include the following:
 - (a) Coordinating, planning and formulating general personnel policies;
 - (b) Overseeing compliance with all federal, state, and local employment laws and regulations;
 - (c) Overseeing the recruitment, interviewing, testing, selection, placement, and orientation of new employees;
 - (d) Implementing approved training, programs;
 - (e) Coordinating the appraisal, transfer, promotion, layoff, recall, demotion, and termination of employees;
 - (f) Administering compensation programs for both exempt and non-exempt employees;
 - (g) Administering employee benefit plans and programs and disclosing information concerning benefits to employees;
 - (h) Administering appropriate disciplinary and grievance procedures and ensuring that those policies or procedures do not alter the employment-at-will relationship or constitute a contract or promise that those policies or procedures will be followed in each and every case;
 - (i) Maintaining personnel records and evaluating personnel programs and policies.
 - (j) Assuring that all job descriptions are accurate in collaboration with the Mayor and Department Head.

Policy:

It is the policy of the City to implement fair and effective personnel policies and to require all employees to support the City's best interests.

Comment:

- (1) The City is committed to fostering a mutually satisfying relationship with its employees. Thus, the City attempts:
 - (a) To provide equal employment opportunity and treatment regardless of race, religion, creed, color, sex, age, national origin, disability, marital or veterans status;
 - (b) To provide compensation and benefits commensurate with the work performed;
 - (c) To establish reasonable hours of work based on the City's production and service needs;
 - (d) To monitor and comply with applicable federal, state, and local laws and regulations concerning employee safety;
 - (e) To offer training opportunities for those whose talents or needs justify the training;
 - (f) To be receptive to constructive suggestions regarding a job, working conditions, or personnel policies;
 - (g) To establish appropriate means for employees to discuss matters of interest or concern with their immediate supervisor or Department Head;
 - (h) To establish a means to settle a grievance between employees and their immediate supervisors and provide the opportunity to appeal to a higher authority.
- (2) The City, as part of its commitment to provide the public with excellent services, expects all employees:
 - (a) To deal with the public and suppliers in a professional manner;
 - (b) To perform assigned tasks in an efficient manner;
 - (c) To be punctual;
 - (d) To demonstrate a considerate, friendly, and constructive attitude toward fellow

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employees; and;

- (e) To follow the policies adopted by the City.
- (3) The City retains the sole discretion to exercise all managerial functions, including the rights:
- (a) To dismiss, assign, supervise, and discipline employees;
 - (b) To determine and change starting times, quitting times, and shifts;
 - (c) To transfer employees within departments or into other departments and other classifications;
 - (d) To determine and change the size and qualifications of the work force;
 - (e) To determine and change methods by which its operations are to be carried out;
 - (f) To determine and change the nature, location, services rendered, quantity, and mode of continued operation of the City's services. No Department Head will introduce or enhance a level of service. Department Heads will recommend changes to the Mayor.
 - (g) To assign duties to employees in accordance with the City's needs and requirements and to carry out all ordinary administrative and management functions.
- (4) Employment is on an at-will basis, so that either the City or the employees may end the relationship at any time and without cause or prior notice, unless otherwise provided by a collective bargaining agreement. Nothing in this Manual changes the relationship or creates an express or implied contract or promise concerning the City's policies or practices, including policies or practices it will implement in the future. Accordingly, the City retains the right to establish, change, and abolish its policies, practices, and regulations as it sees fit.

Policy:

It is the policy of the City that all employees are employed at the will of the City for an indefinite period.

Comment:

- (1) Employees are employed at the will of the City and are subject to termination at any time, for any reason, with or without cause or notice. At the same time, these employees may terminate their employment at any time and for any reason.
- (2) Only the City Council is authorized to modify this policy for any employee or to enter into any agreement, oral or written, that changes the at-will relationship. Supervisory and management personnel shall not make any representations to employees or applicants concerning the terms or conditions of employment with the City which are not consistent with City policies. No statements made in pre-hire interviews or discussions, or in recruiting materials of any kind, alter the at-will nature of employment or imply that discharge will occur only for cause.
- (3) This policy may not be modified by any statements contained in this Manual or any other employee handbooks, employment applications, City recruiting materials, City memoranda, or other materials provided to applicants and employees in connection with their employment. None of these documents, whether singly or combined, create an express or implied contract of employment for a definite period, or an express or implied contract concerning any terms or conditions of employment. Similarly, City policies and practices with respect to any matter shall not be considered as creating any contractual obligation on the City's part or as stating in any way that termination will occur only "for cause." Statements of specific grounds for termination set forth in this Manual or in any other City documents are examples only, not all-inclusive lists and are not intended to restrict the City's right to terminate at-will.
- (4) Completion of a trial period or conferral of regular status does not change an employee's status as an at-will employee or in any way restrict the City's right to terminate such an employee or change the terms or conditions of employment.

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Policy:

It is the policy of the City to treat all applicants and employees equally and without regard to race, religion, creed, color, national origin, sex, age, disability, marital or veteran status, or any other basis prohibited by local, state, or federal law. It is also the policy of the City to foster and maintain a harmonious nondiscriminatory working environment for all employees. Toward this end, the City will not tolerate racial, ethnic, religious or sexual slurs or comments demeaning national origin or the disability by any employee to or about any employee or applicant.

Comment:

- (1) This policy applies to all terms, conditions, and privileges of employment, and all policies of the City, including hiring, trial period, training, orientation, placement and employee development, promotion, transfer, compensation, benefits, educational assistance, layoff and recall, social and recreational programs, employee facilities, termination, and retirement.
- (2) Violations of this policy will be cause for disciplinary action, such as verbal or written warnings, suspension and or termination.
- (3) Employees who feel they have been the victim of discriminatory treatment in violation of this policy shall bring this concern immediately to the attention of their Department Head, the City Clerk or to the Mayor for appropriate action.
- (4) All departments shall adhere to the following guidelines:
 - (a) Employment Practices. All activities relating to employment such as recruitment, selection, promotion, termination, and training shall be conducted in a nondiscriminatory manner. Personnel decisions shall be based on individual performance, staffing requirements, and in accord with governing Civil Service Laws or rules.
 - (b) Cooperation with Human Rights Organizations. The City will collaborate with all organizations and commissions organized to promote fair practices and equal opportunity in employment.
- (5) The City, if required by law, will establish a written affirmative action program to achieve prompt and full utilization at all levels and in all segments of the work force of minorities, disabled persons, Vietnam-era or disabled veterans, and women. The results of the program shall be reviewed annually and modified as necessary to achieve its objectives.

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- (6) The City Clerk, who reports directly to the Mayor on matters relating to this policy, is responsible for formulating, implementing, coordinating, and monitoring all efforts in the area of equal employment opportunity. The City Clerk's duties include:
 - (a) Assisting management in collecting and analyzing employment data;
 - (b) Developing policy statements, required affirmative action programs, and recruitment techniques designed to comply with the equal employment policies of the City;
 - (c) Complying with various statutory record keeping and notice requirements of employment-related statutes and regulations;
 - (d) Preparing, if required by state or federal law, an annual review and summary of the City's affirmative action programs and submitting the results achieved under these programs to the Mayor;
 - (e) Assisting supervisory personnel in arriving at solutions to specific personnel problems;
 - (f) Serving as liaison between the City and government agencies, equal employment opportunity organizations, and other community groups;
 - (g) Keeping management informed of the latest equal employment opportunity developments.
- (7) Any communication from an applicant for employment, an employee, a government agency, or an attorney concerning any equal employment opportunity matter shall be referred to the City Clerk.
- (8) While overall authority for implementing this policy is assigned to the City Clerk, an effective equal employment opportunity program cannot be achieved without the support of all employees. An employee who believes they have suffered discrimination has a responsibility to report their concern to their immediate supervisor, the City Clerk, or the Mayor.

Policy:

It is the policy of the City to respect diversity in the work place and promote a productive work environment free of verbal or physical conduct by any employee that harasses, disrupts, or interferes with another's work performance or that creates an intimidating, offensive, or hostile work environment.

Comment:

- (1) Employees are expected to maintain a productive work environment that is free from harassing or disruptive activity. No form of harassment will be tolerated. Supervisory and management personnel have a responsibility to keep the workplace free of any form of harassment, and in particular, sexual harassment, and to respect the diversity of individuals.

- (2) **SEXUAL HARASSMENT DEFINED:**

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

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

- (a) It is part of a manager's or supervisor's decision to hire or fire.
 - (b) It is used to make other employment decisions like pay, promotion, or job assignments.
 - (c) It interferes with the employee's work performance, or
 - (d) It creates an intimidating, hostile, or offensive work environment.
- (3) Other or offensive conduct in the workplace, whether committed by supervisors, managers, non-supervisory employees, or non-employees, is also prohibited. This conduct includes:
 - (a) Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions;
 - (b) Verbal harassment of a sexual nature, such as lewd comments, sexual jokes or references, and offensive personal references;
 - (c) Demeaning, insulting, intimidating, or sexually suggestive comments about an individual's personal appearance;

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- (d) The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects, pictures, or photographs;
 - (e) Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.
- (4) Sexual harassment is inappropriate, offensive and illegal and will not be tolerated by the City. The City will take an affirmative role in protecting its employees from sexual harassment. If an employee believes they are being sexually harassed, that employee should immediately identify the offensive behavior to the harasser and request that it stop. If it does not stop, or the employee prefers not to confront the harasser, the employee must report the incident(s) to their immediate supervisor, Department Head, the City Clerk or the Mayor. No employee will suffer retaliation for reporting such concerns.
- (5) Complaints in cases of sexual harassment will be dealt with promptly. When a Department Head is notified of alleged harassment, he or she will immediately notify the City Clerk who will investigate the allegation and take appropriate action in conjunction with the Mayor. The investigation shall be objective and complete. All information collected in the investigation shall be documented. The investigation may include interviews with the parties directly involved, and where necessary, with employees who may have observed the alleged harassment or who may be similarly situated with the complaining employee, and who may be able to testify to similar experiences with the accused employee.
- (6) If the investigation shows the accused employee did engage in sexual harassment, appropriate disciplinary action will be taken, up to and including suspension or termination.
- (7) The City prohibits any form of retaliation against employees for bringing bona fide complaints or providing information about harassment. However, if an investigation of a complaint shows that the complaint or information was knowingly false, the individual who provided the false information will be subject to disciplinary action, up to and including termination.

Policy:

It is the policy of the City to classify employees for the purpose of determining the time sheet reporting requirements and benefit eligibility.

Comment:

- (1) **Non-exempt Status:** The Fair Standards Act ("FLSA") requires that covered employers pay certain employees overtime for every hour worked over 40 in a single workweek. These employees are referred to as "non-exempt" since they are subject to, and not exempt from, the FLSA's minimum wage and overtime requirements. As a general rule, most employees are subject to the FLSA unless they are specifically exempt from it. Non-exempt employees are generally paid on an hourly basis, although they may be paid a salary as long as they are paid overtime for any hours worked over 40 in a workweek. Non-exempt employees must be paid a salary at one and a half times their normal salary rate for every regular hour worked over 40 hours in one week.
- (2) **Exempt Status:** Exempt employees are exempt from FLSA requirements and are generally paid a constant salary, regardless of the number of hours they work. They are not entitled to overtime compensation.
- (3) **Employee Classification Definitions:** The following employee definitions are used to classify each employee for benefit eligibility:
 - (a) **Trial Employee:** A newly hired, employee who is completing a six-month evaluation.
 - (b) **Regular Employee:** An employee who is hired for an unspecified period of time and has successfully completed the six (6) months trial period. This excludes all persons in an elected position.
 - (c) **Full-Time Employee:** Employee who is regularly scheduled to work 40 hours per week.
 - (d) **Part-Time Employee (20-39 hpw):** An employee who is regularly scheduled to work less than forty (40) hours, but 20 or more hours per week, and is paid on an hourly basis.
 - (e) **Part-time (<20 hpw) Employee:** An employee who is regularly scheduled to work less than 20 hours per week and is paid on an hourly basis.
 - (f) **Temporary Employee:** An employee who is hired to work any number of hours per week for a limited period of time less than nine (9) months per year.

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- (g) Contract Employee: An employee who is hired for a specified period of time for which the terms and duration of employment are documented by an employment contract.
- (2) Seniority: The following define the City's policies regarding seniority:
- (a) Seniority of an employee is defined as the length of the employee's continuous service to the City since the employee's most recent date of hire.
 - (b) In the event of layoff by the City, in excess of thirty (30) days, the employee's seniority date shall be advanced in an amount corresponding to the length of the layoff and thereafter referred to as the "adjusted seniority date."
 - (c) When an employee is transferred to another department they will retain seniority rights.
 - (d) Seniority includes time in position not just total employment with the City.

Policy:

It is the policy of the City to be an equal opportunity employer and to hire individuals solely on the basis of their skills, knowledge and ability to perform the job to be filled. Unless otherwise provided in writing, employment with the City is considered to be at-will, so that either party may terminate the relationship at any time and for any lawful reason

Comment:

- (1) The City will normally try to fill job openings above entry level by promoting from within, if qualified internal applicants are available. In addition, the City will normally give consideration to any known qualified individuals who are on layoff status before recruiting applicants from outside the organization.
- (2) If internal candidates are to be considered for job openings, the City Clerk will post the openings according to approved procedures.
- (3) If external candidates are to be considered for job openings, the City Clerk, in collaboration with the Department Head and Mayor, will be responsible for identifying candidates using the appropriate recruitment methods.
- (4) During the recruitment, hiring, and orientation process, no statement shall be made promising permanent or guaranteed employment. No document, other than a collective bargaining agreement, shall be called a contract. All employees of the City shall be aware that employment with the City is at-will, and shall not make any representations otherwise.
- (5) **PROCEDURE FOR RECRUITING:** Whether candidates from within or outside the City's employ are to be considered for a job opening, the following procedures shall be followed:
 - (a) **New Position Descriptions:** If a Department Head wishes to create a new position, they shall prepare an outline of the duties and qualifications and, with the help of the City Clerk, prepare a job description to be reviewed and approved by the Mayor and the job evaluation committee. The job description shall then be referred to City Council for budget approval. Newly created positions will be incorporated into the appropriate job posting books for future vacancies and will be filled according to the policies on recruitment and selection of employees. When candidates from within or outside the City are to be considered for job openings, the following procedures shall be followed:
 - (b) **Job Requisition Forms:** When there is or will be an open position, a **JOB REQUISITION** form must be completed by the Department Head and submitted to the Mayor for approval. The Mayor will forward the approved form to the City Clerk for processing.

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- (c) Recruiting Sources: The City will use whatever means are appropriate to recruit qualified applicants for job vacancies in compliance with contractual, legal, and affirmative action requirements. All recruitment efforts will be conducted in the spirit of equal employment opportunity. Appropriate means may include, but will not necessarily be limited to: internal job postings, help wanted advertisements or public or private employment agencies.
- (d) Position Announcements: The City Clerk will complete a position announcement for internal posting and will utilize a central location in City Hall for posting all job announcements. Available positions will be posted internally for a minimum of five (5) days and may be advertised externally at the same time. Internal position announcements shall include the title of the open position, a brief description of the position's minimum and/or preferred qualifications, the position's principal duties, the dates applications will be accepted for the position, and the place and manner for filing applications.
- (e) Applications: All candidates for employment must fill out and sign an employment application form in order to be considered for hire. Any information submitted on the application or related documents shall be verified prior to hiring, to the extent necessary, to determine the applicant's qualifications for employment. Any false or misleading information supplied as part of an application for employment will be grounds for rejecting the applicant or dismissing an employee. All applications shall state that the City is an "Equal Opportunity Employer". The City Clerk may add information, considered appropriate to the position announcement.
- (f) Selection Criteria: The Department Head and City Clerk, with the Mayor's assistance, will establish selection criteria designed to determine each applicant's knowledge, skills, and ability to perform the duties and responsibilities of the open position. The City Clerk, in consultation with the Department Head, will consider requests for accommodation of disabilities and religious beliefs and will determine what, if any, accommodation will be made.
- (g) Interviews: The Department Head and the City Clerk, will pre-screen applicants and conduct preliminary interviews. The Library Board hires Library personnel. If the Department Head and the City Clerk determine that the applicant is qualified for employment, a second interview may be arranged between the applicant and the appropriate board.
- (h) Pre-employment Testing: Selection procedures may include written, oral and/or performance examinations, which measure the applicant's or employee's job-related ability, knowledge and skills. The appropriate form of each examination will be determined by the Department Head in collaboration with the City Clerk. The Department Head will set the minimum qualifying score standards for required examinations.
- (i) The Decision to Hire: The Department Head has the responsibility to determine whether an applicant is technically qualified for the position open and meets the other job-related criteria necessary to perform the job. The decision whether to

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hire the applicant is to be made by the Department Head, but must also have the approval of the Mayor.

- (j) Background Checks: Following a decision to hire the applicant, the City Clerk shall determine whether the applicant has the legal right to work in the United States, and verify information provided on the application, and where appropriate, conduct credit, driving record and criminal conviction checks. The Department Head or City Clerk will conduct reference checks. A prior conviction, taken by itself, will not necessarily disqualify an applicant. Drug tests cannot be conducted until after a formal offer of employment has been made. All offers of employment shall be contingent on the successful completion of a required drug test.
- (k) Offers of Employment: After the appropriate Department Head(s) has selected a candidate for employment or promotion, the Mayor will contact the successful candidate to officially extend an offer of employment or promotion and establish a starting date. The candidate must be made aware that his/her employment and compensation can be terminated with or without cause, and with or without notice, at any time, at the option of either the City or the employee. All verbal offers of employment shall also be made in writing and include starting pay, confirmation of the start date, and where applicable, a statement making employment contingent on a drug test or pre-employment physical.
- (l) Pre-Employment Physical Examinations: The City may establish minimum medical and physical standards for a position, which reasonably relate to the duties and responsibilities of that position. The standards may differ based on the duties and responsibilities of each position. Failure to meet the required standards for a position will result in disqualification for appointment or promotion to the position.

Any physical examination utilized as a selection procedure shall be completed by a physician or physician's assistant chosen by the City to examine applicants or current employees. When appropriate, the City may agree to accept an examination by another qualified physician. Any medical records involving employees, including those relating to physical examinations, shall be kept confidential and separate from an employee's general personnel records. The Department Head will notify selected applicants and make arrangements for City-paid pre-employment physical examinations.

Physical examinations, required as part of selection procedures must be completed before an applicant is hired or an employee is promoted to an open position. When an employee is rehired within a short period of time after a period of previous employment with the City, the Mayor may waive the requirement for another physical. Such a waiver must be recorded in writing in the employee's file.

- (m) Unsuitability for Employment: If the background, medical, or any other subsequent investigation discloses any misrepresentation on the application for employment or information indicating that the individual is not suited for employment with the City, the applicant will be refused employment or, if already employed, will be terminated.

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- (n) Orientation: When the candidate has accepted initial employment, the City Clerk and the Department Head will prepare any necessary paperwork for the orientation procedure. On the first day of work, or as soon as practicable, the new employee shall be scheduled for an orientation with the City Clerk to review employment related matters. The Department Head shall also conduct a department orientation with the new employee and is responsible for any necessary training.

- (6) Residency within the City shall not be a condition of initial employment or continued employment, except as otherwise required by state law, or City policy, provided, however, that an employee's selection of residence shall not interfere with the daily performance of his or her duties and responsibilities.

- (7) A member of an employee's immediate family, even though they may possess all the qualifications for employment, may not be hired, and current employees who marry or become immediate family may not continue employment if:
 - (a) One family member would have the authority or practical power to supervise, hire, discipline or terminate the other;
 - (b) One family member would be responsible for financially auditing the work of another;
 - (c) One family member would handle confidential material, which might create the appearance of improper or inappropriate access to that material by the other;
 - (d) There would be an actual conflict of interest or the appearance of a conflict of interest.

These criteria will also be considered when assigning, transferring, or promoting an employee.

For purposes of this policy, an employee's "immediate family" is defined as: the employee's parent, spouse (or spouse equivalent in a cohabitation relationship), child, sister, brother, grandparent, grandchild, mother-in-law, father-in-law, step-child, step-brother, step-sister, step-parent, step-parent-in-law, brother-in-law, sister-in-law and great-grandchild.

Should one of the above situations occur, the City will attempt to find a suitable position within the City to which one of the affected employees may transfer. If a transfer cannot be accomplished due to the unavailability of an open position, one of the employees must resign.

The decision as to which employee will transfer or resign will be made in the first instance by the employees involved. If the employees do not decide which employee will transfer or resign within thirty (30) days after becoming immediate family members,

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the Mayor shall determine which employee will transfer or resign based on the best interests of the City.

- (8) The City is taking affirmative action as required by law to employ and advance in employment qualified disabled veterans, veterans of the Vietnam era and qualified disabled individuals. Applicants for employment with the City who are veterans as defined in RCW 41.01.005 shall be given a preference in accordance with RCW 41.04.010 and 73.16.010.
- (9) Employees who have resigned their employment with proper notice or who were laid off due to a reduction in force may be eligible for rehire. If an employee is rehired into their former position within one (1) year of the date of separation from employment with the City. The employee may be credited for his or her previous service only for the purposes of wage computation.
- (10) Except for police officers and fire fighters, there is no mandatory retirement age for City employees. All employees must continue to meet performance requirements for their position to retain their employment. Police officers and fire fighters must retire no later than the last day of the calendar month in which they reach their 60th birthday. The Chief of Police is exempt (RCW 41.26.090 #3).
- (11) The City must have a permit authorizing employment of minors which is renewable each year. People between 16 and 18 years of age may be considered for regular full-time employment subject to state regulations relating to employment and working conditions of minors. All employees under 18 years of age must have a valid "Minor's Work Permit", available from the state department of Labor & Industries, prior to starting work. This permit must be submitted along with a copy of a legal document proving age.

Policy:

It is the policy of the City to provide orientation programs for new employees and to conduct or support training programs that it determines to be appropriate.

Comment:

- (1) The City Clerk is responsible for the overall development and coordination of the orientation program and for implementing the portions that cover City history, philosophy, policies, benefits, and new employee files and documentation. Each Department Head is responsible for orientation as it applies to introducing the new employee to the specific job and department and may select a coworker to serve as a sponsor to facilitate the new employee's transition.
- (2) Department Heads are responsible for recommending employees for special training programs, for providing on-the-job training, and for arranging outside trainers. Training will normally be conducted during regular working hours.
- (3) Department Heads, will recommend to the Mayor for approval of employee participation in continuing education and training programs when that instruction is regarded as beneficial or considered necessary for satisfactory job performance. In some cases, employees may be required to enroll in and complete the programs satisfactorily.
- (4) The City may consider the feasibility of sponsoring or conducting special programs for groups of employees when continuing education and in-service programs are required for licensing or for re-certification of a license. Under those circumstances, it will apply for approval by the licensing authority and will attempt to comply with all requirements established by that authority. However, it may at its discretion cancel, modify, or withdraw from any certification or program.
- (5) The City will provide special training programs for safety and health matters when considered necessary or as required by government regulation.
- (6) City sponsored or conducted orientation and training programs may be reviewed periodically to evaluate the quality of the instruction, the content, and the results. The City Clerk or an outside organization will administer the evaluation, which may involve the testing of participants.
- (7) Employees may receive certificates of completion for successfully finishing City approved or sponsored training and educational programs. The City Clerk will maintain records of all training programs completed by each employee.

Policy:

It is the policy of the City that applicants to whom a conditional offer of employment has been extended and current employees may be required to undergo medical tests, procedures, or examinations whenever management determines that these are necessary for the safe or efficient operation of the City's business.

Comment:

- (1) Successful applicants for employment may be required as a condition of employment to take a medical examination, to establish their fitness to perform the jobs for which they have applied, to avoid endangering the health and safety of themselves or others. If management determines that an examination is appropriate to a particular position, all applicants for the job to whom a conditional offer of employment has been made shall be examined.
- (2) Employees may be required to have a medical examination on other occasions when the examination is job-related and consistent with business necessity. For example, a medical examination may be required when an employee is exposed to toxic or unhealthful conditions, requests an accommodation for a disability, or has a questionable ability to perform current job duties or the duties of the job for which the employee is being considered.
- (3) Employees are encouraged, but not required, to have physical examinations periodically during their employment and to participate in wellness programs.
- (4) Medical examinations required by the City will be paid for by the City and will be performed by a physician or licensed medical facility designated or approved by the City. Medical examinations paid for by the City are the property of the City, and the examination records are to be treated as confidential and held in separate medical files. However, records of specific examinations, if required by law or regulation, will be made available to the employee, persons designated and authorized by the employee, public agencies, relevant insurance companies, or the employee's doctor.
- (5) Employees who need to use prescription or nonprescription legal drugs while at work must report this requirement to the City Clerk and the immediate supervisor if the use might impair their ability to perform the job safely and effectively. Depending on the circumstances, employees may be reassigned, prohibited from performing certain tasks, or prohibited from working if they are determined to be unable to perform their jobs safely and properly while taking prescription or nonprescription legal drugs.
- (6) The City reserves the right to require acceptable confirmation of the nature and extent of any illness or injury that requires an employee to be absent from scheduled work.

The City also may require a second and, if necessary, third medical opinion regarding an

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employee's absence because of illness or injury. Any required additional opinions will be paid for by the City.

- (7) Employees returning from a disability leave or an absence caused by health problems may be required to provide a doctor's certification of their ability to perform their regular work satisfactorily without endangering themselves or their fellow employees.
- (8) Employees who become ill on the job or suffer any work-connected injury, no matter how minor, must report immediately to their immediate supervisor. In an emergency the immediate supervisor must render first-aid assistance, call for paramedic treatment (911) or refer for further examination and/or treatment, as necessary, and record the incident. Time spent by an employee waiting for and receiving this medical attention will be considered hours worked for pay purposes.
- (9) An injured employee's immediate supervisor, any member of management, the Safety Coordinator, or medical personnel are authorized to have the employee transferred to an outside medical facility for treatment. The Public Works Director is responsible for developing and administering programs concerning employee health and safety.
- (10) The City also may require job applicants and if based upon reasonable suspicion, current employees to take a test to determine the presence of drugs, narcotics, or alcohol, unless prohibited by law. In the event a represented employee is directed to take a test, he or she is entitled to the presence of a union representative at the time of testing.

Policy:

It is the policy of the City that employees with infections, long-term, life-threatening, or other serious diseases may work as long as they are able to perform the duties of their job without undue risk to their own health or that of other employees, or members of the public.

Comment:

- (1) Serious diseases for the purposes of this policy include, but are not limited to: cancer, heart disease, major depression, multiple sclerosis, hepatitis, tuberculosis, human immunodeficiency virus (HIV), and acquired immune deficiency syndrome (AIDS).
- (2) The City will support, where feasible and practical, educational programs to enhance employee awareness and understanding of serious diseases.
- (3) Employees afflicted with a serious disease are to be treated no differently than any other employee. Therefore, if the serious disease affects their ability to perform assigned duties, those employees will be treated like other employees who have disabilities, which limit their job performance.
- (4) Employees who are diagnosed as having a serious disease and who want an accommodation shall inform their Department Head or the City Clerk of their condition as soon as possible. The Department Head and the City Clerk shall review with the employee, City policy on issues such as employee assistance, leaves and disability, infection control, requesting and granting accommodations, the City's continuing expectation regarding the employee's performance and attendance, and available benefits.
- (5) Employees who have a serious disease and who want an accommodation shall provide the City Clerk with any pertinent medical information needed to make decisions regarding job assignments, ability to continue working, or ability to return to work. The City may also require a doctor's certification of an employee's ability to perform job duties. Additionally, the City may request that an employee undergo a medical examination.
- (6) The City will maintain the confidentiality of the diagnosis and medical records of employees with serious diseases, unless otherwise required by law. Information relating to an employee's serious disease will be treated as confidential and ordinarily will not be disclosed to other employees.
- (7) The City will comply with applicable occupational safety regulations concerning employees exposed to blood or other potentially infectious materials. Universal precautions, engineering and work practice controls, and personal protective equipment

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will be used where appropriate to limit the spread of diseases in the workplace.

- (8) Employees concerned about being infected with a serious disease by a coworker, customer, or other person shall convey this concern to their Department Head or the City Clerk. Employees who refuse to work with or perform services for a person known or suspected to have a serious disease, without first discussing their concern with a Department Head, will be subject to discipline, up to and including termination. In addition, where there is little or no evidence of risk of infection to the concerned employee, the employee's continued refusal, may result in discipline, up to and including termination.

Policy:

It is the policy of the City that all new employees and all present employees transferred, promoted or demoted to a new job shall be carefully monitored and evaluated for an initial trial period. After satisfactory completion of the trial period, those employees will be evaluated as provided for in the performance appraisals policy.

Comment:

- (1) The length of the trial period for each position is six months unless otherwise defined in a collective bargaining agreement. During this period a Department Head or his or her designee will determine the trial employee's capability to do the work, and will observe the trial employee's behavior and adjustment to the department. Department Heads shall be reviewed by the Mayor and the City Council.
- (2) Each trial employee will be evaluated by his or her immediate supervisor at the end of the third month, and prior to or at the end of six (6) months of employment. The evaluation shall include a recommendation of whether the trial employee shall continue in the position. Original copies of the evaluation shall be forwarded to the City Clerk for inclusion in the trial employee's personnel file.
- (3) Trial employees generally will be allowed to continue in their new positions if they are given both a satisfactory evaluation at the end of their initial six-month employment period and their supervisor's endorsement to continue in the job. Trial Employees who do not receive a satisfactory evaluation and endorsement may have the trial period extended for up to an additional six (6) months by the Department Head with the concurrence of the Mayor.

Any new trial employee, or employee returning to employment after any severance in City service except layoff, may be terminated without prior notice during the trial period and without recourse to the grievance procedure. A recommendation for termination must be documented and include actions taken to assist the trial employee. Actions to terminate must have the prior approval of the Mayor. Trial employees terminated during or at the conclusion of the trial period have no rights of appeal. During this time period also, a trial employee may resign without prior notice. It is important, therefore, that trial employees and Department Heads discuss performance expectations early in this period.

- (5) Trial employees generally are not eligible for any employee benefits, except health insurance, until they have received a satisfactory initial evaluation and have been recommended for continued employment. Transferred or promoted employees, although evaluated according to this policy, remain eligible for all benefits while demonstrating their ability to perform their new jobs. The trial period will be extended

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by the number of workdays missed because of an excused leave of absence.

- (6) At the discretion of management, transferred or promoted employees who are unable to perform satisfactorily in their new jobs may be returned to their previous position, if a vacancy exists, or may be terminated. Transferred or promoted employees may voluntarily return to their previous position within the first thirty (30) of their trial period.
- (7) At all times, including after successful completion of the trial period, employment with the City is considered to be “at-will”, and the employment relationship may be terminated at any time for any lawful reason by either party, unless otherwise provided by a collective bargaining agreement. Trial employees may be terminated during their trial period for any reason.

Policy:

It is the policy of the City that it may, at its discretion, initiate or approve employee job transfers from one job to another or reclassify jobs as a job's content changes.

Comment:

- (1) The Mayor may require employees to make either a temporary or long-term job transfer in order to accommodate the organization's business needs. The Mayor will try to limit the number and duration of temporary transfers that it requests of individual employees in a twelve-month period.
- (2) A regular employee may request and receive a transfer to another position in the same or a similar class, or to another department, upon approval of the receiving Department Head, and notification of the current Department Head involved. To be eligible for a voluntary transfer, employees must meet the requirements of the new position, have held their current position for at least six months, have a satisfactory performance record, and have no adverse disciplinary actions during the same period.
- (3) Job openings for which the City solicits candidates from its current workforce will be posted on the employee bulletin board in City Hall and announced in employee publications.
- (4) Eligible employees who request a transfer generally will be considered in the following order:
 - (a) Employees in the same department as the job opening;
 - (b) Employees at the same location but in departments other than the one where the opening occurs;
 - (c) Employees who are being considered for layoff because of a reduction in force or because of the elimination of their job,
 - (d) All other employees.
- (5) Requests for transfer normally shall be handled as follows:
 - (a) The employee shall submit a written request to the City Clerk. The request shall include the reason for the transfer and the department and specific job that the employee wants. Requests based on posted job openings must comply with the procedures described in PROMOTION, Chapter 206, and shall be initiated within five business days of the posting.

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- (b) The City Clerk, in collaboration with the receiving Department Head shall determine if the requested job or a suitable job opening exists and whether the employee is eligible. If a job opening exists and the employee is eligible, the City Clerk will notify the employee's Department Head.
 - (c) If the employee is eligible for a job opening, the City Clerk shall arrange an interview between the candidate and the Department Head who has the job opening. The candidate will be allowed time off with pay for job interviews related to the transfer.
 - (d) The Department Head with the job opening will make the final transfer decision, subject to the approval of the Mayor.
 - (e) Supervisors and Department Heads may initiate the procedure and propose employees for a position.
- (6) Employees who want to initiate a transfer to another City facility will be handled in the same manner as described in Comment (5), above. Time off with pay will be limited to the time of the interview, unless the Department Head considering the transfer requests additional time for interviews.
- (7) Transferred employees will undergo a trial period as described in the trial period policy. An employee may be transferred from one position to another position in the same or a different class with the same or a lower pay range without a break in service. Transferred employees may be required to undergo a medical examination if the examination is job-related and consistent with business necessity. If a transferred employee fails to complete satisfactorily this transferal trial period, he or she may be transferred back to his or her pre-transfer position, provided a vacancy exists. If a vacancy does not exist in the pre-transfer position, the employee may be separated from employment and shall retain the right to be re-employed in the next available opening in the pre-transfer position occurring during the six (6) months following his or her separation from employment.
- (8) Transferred employees will retain their existing job seniority until satisfactorily completing their trial introductory period on the job. That seniority will be transferred to the employee's new job at the successful completion of the trial period.
- (9) Pay for transferred employees generally will be handled as follows:
- (a) Employees transferred to a job within the same salary range will continue to receive their existing rate of pay;
 - (b) Employees transferred to a job in a higher salary range shall be paid at the higher rate;

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- (c) Employees transferred, for management's convenience, to a job in a lower salary range will usually continue to receive their existing rate of pay. The salary will be frozen until the salary scale catches up with the current salary.
 - (d) Employees who are transferred for disciplinary reasons, lack of work, budgetary reasons, reorganization, or at their own request to a job in a lower salary range will be paid in the same step at a lower range without making more than the current salary.
- (10) Transfers involving employees moving into, out of, or within any unit covered by a labor contract must conform to the provisions of the contract.
- (11) Reclassification: Changing service demands, requirements, and job responsibilities may require periodic review and adjustment of City jobs. Reclassification is the result of an increase or decrease in the level of responsibilities, tasks, and duties of a position, which changes areas of emphasis and the level of skill required in the current position. These changes must be reflected in the qualification requirements. A reclassification is not to be used to justify a merit raise; neither is it to be used to reflect an increased volume of work at the same level of responsibility currently required of the incumbent(s).

Whenever a new position is created or the duties of an existing position materially change, the appropriate Department Head shall provide to the City Clerk a written, comprehensive job description, describing in detail the duties, responsibilities and qualifications of the affected position. The Department Head is not authorized to change the current duties of any position without prior approval of the Mayor.

Employees who consider their positions improperly classified may also submit a request for consideration for reclassification, in writing, to their immediate supervisor. The immediate supervisor shall review the request with the Department Head.

If the Department Head finds that the duties, responsibilities or qualifications of the position have changed materially, they shall submit a revised job description to the City Clerk. If the Department Head finds reclassification is not appropriate, they shall inform the employee in writing for the reasons for this decision.

In those cases where the Department Head has recommended reclassification, the Mayor shall review this recommendation and make the final decision regarding granting or denying the reclassification request.

As a result of reclassification salary range established for the position may increase/decrease. The reclassification of a job requires the analysis of the critical elements of the position against a predetermined formula for measuring the relative worth of the job. Whenever reclassification or substantial change in a job take place,

the job evaluation committee will re-evaluate the job and determine the appropriate classification and pay scale.

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Any reclassification is subject to budgetary approval by the City Council. Position reclassification upgrades are considered only at fiscal year budget approval.

Position Reclassification Downgrade: A position may be reclassified and assigned to a lower salary grade if certain responsibilities are removed from the job or determined to be of less value than originally indicated.

If an incumbent employee continues in a job, which has been downgraded, he/she shall not be paid less than his/her present salary. However, that salary will not be increased until the maximum of the new salary range exceeds their present salary. Continued employment in a downgraded position shall not be considered a demotion.

Policy:

It is the policy of the City to give preference to current employees for promotions to higher level positions when appropriate, but reserves the right to demote when job requirements exceed an employee's ability to perform.

Comment:

- (1) All employees are encouraged to prepare for advancement opportunities and to seek promotion and career guidance from their Department Head.
- (2) To be eligible for promotion, employees must meet the requirements of the new position, must have held their current position for at least six months, have a satisfactory performance record, and have no disciplinary actions during the same period.
- (3) Job openings and promotions for which the City solicits candidates from within the City will be posted on the City's bulletin boards. When job openings or promotion opportunities are posted:
 - (a) Interested employees must initiate a written request to the City Clerk within five (5) business days of the posting;
 - (b) Department Heads may initiate the procedure within the same time period and propose employees for the position; and
 - (c) The City Clerk may solicit outside candidates during or after the posting period.
- (4) Employees who are candidates for job openings and promotions will be considered for the position as outlined in the transfer policy.
- (5) Current employee candidates for promotion will normally be evaluated and selected on the basis of their job-related qualifications, attendance and work records, performance appraisals, and in some instances, pre-employment tests. Seniority will be considered if required by a labor contract or if two or more candidates are judged to be equally qualified based on merit, work record, and other qualifications. In addition, employees seeking promotion may be required to have a drug test or medical examination if the examination is job-related and consistent with business necessity. The decision as to whom to promote will be made by the Department Head who has the opening, in consultation with the Mayor. Promotions from within do not require approval of an applicant's current supervisor. No offer of promotion may be made to any employee prior to completion of the recruitment and selection process.
- (6) All promoted employees will be subject to the provisions of the trial period policy in

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their new positions. The at-will employee remains an at-will employee at all times and the employment-at-will relationship is not altered by a promotion or completion of the subsequent trial period.

- (7) Seniority and pay for promoted employees will be handled as outlined in the transfer policy.
- (8) Temporary assignments may be made by the Department Head, with approval of the Mayor and coordination with the City Clerk, for a specified time as necessary. Such assignments are made on an "acting" basis. Upon completion of the assignment, the "acting" employee will be returned to their former position. Employees assigned to a higher paying position in an acting capacity will be paid according to the pay range of the higher rated position. The actual salary will be set by policy in consultation with the City Clerk. However, developmental (in-training) assignments will not be paid at the higher pay rate.
- (9) Voluntary Demotion: Regular employees may request demotion to a position in a lower classification. Department Heads are encouraged to explore ways to accommodate the employee if it is possible to do so without jeopardizing the efficiency of the work unit, or placing an unfair burden on the other employees. If a vacancy occurs for which the employee is qualified, and the Department Heads involved agree, the employee may be interviewed and considered for the position on the same basis as other applicants.
- (10) Involuntary Demotion: A Department Head, after review with the Mayor, may demote an employee whose ability to perform falls below minimum performance requirements, as established by the immediate supervisor, or for disciplinary reasons. No employee shall be demoted to a position for which he or she does not possess the minimum qualifications.

Policy:

It is the policy of the City to establish working hours as required by work load and production flow, the needs of the public, the efficient management of human resources, and any applicable law.

Comment:

- (1) City Hall offices shall be continually staffed between the hours of 8:00 am and 5:00 pm, Monday through Friday with the exception of lunch hour from 12:00 p.m. – 1:00 p.m. and holidays. Accordingly, the workday for most employees shall be 8:00 am to 5:00 pm with sixty (60) minutes for lunch, Monday through Friday. These hours may be changed by the City Council. Due to the nature of their work, some divisions and departments will have different schedules; those schedules shall be determined by Department Heads, and approved by City Council. The normal workweek is Monday through Sunday, beginning and ending at midnight on Sunday, and consisting of forty hours. The workweek shall be based on forty (40) hours of work per week.
- (2) There are many issues surrounding the question of what constitutes time that must be compensated. The following items clarify some issue of compensable time:
 - (a) Non-exempt employees are not permitted to sign in or begin work before their normal starting time or to sign out or stop work after their normal quitting time without prior approval of their supervisor;
 - (b) Employees are required to take scheduled lunch or meal breaks. Employees working more than five (5) consecutive hours in a workday are required to take an unpaid meal period of not less than thirty (30) minutes nor more than sixty (60) minutes. This meal period may be scheduled by the employee's supervisor and in any event will occur no earlier than two (2) hours nor no later than five (5) hours into the employee's regular work day. Employee's who work more than three (3) hours longer than their normal work day will receive an additional thirty (30) minute unpaid meal period before or during their overtime period;
 - (c) Non-exempt employees (those covered by the minimum wage and overtime requirements of the Fair Labor Standards Act) shall receive, unless job conditions do not permit, a rest break of fifteen minutes at approximately the middle of every four hours of work not interrupted by a meal period. Breaks shall be arranged so as not to interfere with City business;

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- (d) Unapproved absences shall not be considered as hours worked for pay purposes. Supervisors shall inform employees if they will not be paid for certain hours of absence;
 - (e) Employee attendance at lectures, meetings, and training programs will be considered hours of work, and will be compensated time if attendance is required by management.
- (3) Overtime/Compensatory Time: Non-exempt employees who work over forty (40) hours of work per week will be paid, or accrued as compensatory time, at time and one-half. An eligible employee may request compensatory time off in lieu of overtime payment. Compensatory time off must be requested by the employee and authorized by the appropriate supervisor. Accrued compensatory time not used within the calendar year it was earned and authorized, shall be paid. Any accrued compensatory time not used prior to an employee's termination will be paid with the last paycheck.
- (4) Scheduling: Work schedules shall be established by the Mayor or his/her designee. Employees are expected to work all the hours and days scheduled. The Department Head will inform employees of their daily schedule of hours of work, including meal periods and rest or coffee breaks, and of any changes that are considered necessary or desirable by the City. Due to the essential public services provided by the City, some positions may be required to be on standby or on-call, or to work different work schedules or a different workweek. The Mayor shall have the discretion to determine which positions will be required to perform such duties and how such duties will be rotated among the affected positions.
- (5) Time Sheets: All non-exempt employees are required to complete an individual time record showing the daily hours worked. Time sheets cover a period of one month and must be completed by the close of each workday. Careful records of overtime and compensatory time must be maintained by each Department Head or designee. The following points shall be considered in completing time sheets:
- (a) Time sheets shall show the date, regular and overtime hours worked, the total number of hours worked, any compensatory time to be accrued in lieu of overtime payment wages; and any compensatory time taken.
 - (b) Employees are not permitted to work overtime without the prior approval of their supervisor or Department Head. For the purposes of overtime compensation, only hours worked in excess of forty during a workweek will be counted.
 - (c) Time sheets shall be verified and signed by the employee's immediate supervisor involved. Time not worked for which an employee is entitled to be paid (paid absences, paid holidays, or paid vacation time) shall be entered by the employee on the time sheet.

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- (d) Maintaining accurate time sheets is essential in computing employee pay, ensuring compliance with laws and regulations, and providing accurate cost information for the City. Each employee is responsible for completing his or her time sheet daily. Department Heads are responsible for ensuring that the time sheets are maintained. Falsification of time sheets or filling out another employee's time sheet will be grounds for disciplinary action, up to and including termination.

- (6) Personnel employed in executive, administrative, and professional or certain computer-related capacities generally are exempt from the provisions of the Fair Labor Standards Act. These employees are not required to fill out hourly time sheets but must account for daily attendance. In addition, exempt employees will not receive overtime compensation.

Policy:

The City does not encourage employees to hold second jobs, or have an active interest in outside enterprises, though it does not object to employees doing so provided certain conditions are met.

Comment:

- (1) The City requires that employees' activities and conduct away from the job must not compete or conflict with or compromise its interests, or adversely affect job performance and the ability to fulfill all responsibilities to the City. This requirement, for example, prohibits employees from performing any services for the public on non-working time that are normally performed by City personnel. This prohibition also extends to the unauthorized use of any City tools, equipment or resources and the unauthorized use or application of any confidential trade information or techniques. In addition, employees are not to solicit or conduct any outside business during paid working time.
- (2) All employees must provide written notice to the Mayor if they wish or have undertaken any outside employment or other work activity. Failure to do so may result in disciplinary action.
- (3) Full-time employees are not encouraged to engage in outside employment but may be permitted to do so if granted permission by the Mayor. (See Comment (5) below.) Department Heads, professionals, and technical experts are expected to devote all of their working energies to the performance of their duties at the City and, therefore, may not accept paid outside positions.
- (4) Employees are cautioned to consider carefully the demands that additional work activity will create before requesting permission to seek or accept outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If outside work activity causes or contributes to job-related problems, it must be discontinued; and, if necessary, normal disciplinary procedures will be followed to deal with the specific problems.
- (5) Employee requests for permission to accept outside employment, including self-employment, shall be submitted in writing to the employee's Department Head. The request shall include any pertinent information about the outside employer, the nature of the job, the hours of employment, and potential conflicts with the primary job. The Department Head shall then forward the request to the City Clerk, recommending either approval or disapproval. The Mayor will make the final decision.

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- (6) In evaluating requests for outside work, Department Heads and the Mayor will consider whether the proposed employment:
 - (a) may reduce the employee's efficiency in working for the City;
 - (b) involves working for an organization that is a competitor of the City or that does a significant amount of business with the City, such as major contractors, suppliers, and the public;
 - (c) may adversely affect the City's image;
 - (d) presents no conflict of interest with City affairs;
 - (e) does not take preference over extra duty required by City employment.
- (7) Employees who have accepted outside employment may not use paid sick leave to work on the outside job. Fraudulent use of paid sick leave will result in disciplinary action.
- (8) Any outside employment that could potentially interfere with emergency call-out situations must be reported to the Department Head.

Policy:

It is the policy of the City to supplement the regular workforce as needed with temporary or other forms of flexible staffing.

Comment:

- (1) A temporary employee generally is an individual who is hired either part-time or full-time for a specified, limited period. Other flexible staffing classifications or arrangements may be added as needed.
- (2) Temporary positions generally will be filled as follows:
 - (a) The Department Head with need for additional staffing will attempt to fill the position by transfers from within the department.
 - (b) If the position cannot be filled from within the department, the Department Head will submit a request to the City Clerk. The City Clerk will try to fill the request by transferring employees from other departments.
 - (c) If it is necessary to hire temporary employees, the procedures contained in **HIRING**, Chapter 202, shall be used. Filling a temporary position requires the approval of the Mayor.
- (3) Regular employees transferred to temporary assignments are not considered temporary employees unless their job has been eliminated and only temporary employment is available.
- (4) The City may use students and other similar applicants for flexible staffing purposes, as allowed by law. Minor applicants will be required to provide a certificate of age.
- (5) Eligibility of temporary employees for paid absences, vacations, and holidays is governed by policies contained in **SHORT-TERM ABSENCES**, Chapter 702; **VACATIONS**, Chapter 502; and **HOLIDAYS**, Chapter 503. An employee whose status changes from regular to temporary status may use any days of paid absence or vacation earned as a regular employee. An employee whose status changes from temporary to regular will have a hire date of the change of status for purposes of eligibility for employee benefits.

Policy:

It is the policy of the City that, if it must temporarily reduce employment because of adverse economic or other conditions, layoffs and recall from layoffs generally will be conducted consistent with City requirements and in accordance with the procedures described below.

Comment:

- (1) The City may lay off employees when there are changes in duties or a reorganization of positions, a position or service is curtailed, there is lack of work or shortage of funds, or other appropriate reasons. Efforts will be made to integrate affected employees into other available positions. The following considerations shall be made for layoff and recall:
 - (a) Whenever a layoff is anticipated, employees whose jobs may be affected will be notified of the situation, and what options may be made available to them;
 - (b) Temporary employees performing similar work in the same department or division will be laid off before regular employees are affected;
 - (c) Options such as part-time work schedules, job sharing and voluntary time and/or pay reductions may also be explored, if, in the opinion of the Department Head, such options are feasible;
 - (d) Regular employees will be retained on the basis of seniority when job performance and qualifications are equal. Relative job performance will be determined by the Department Head on the basis of relevant qualifications, experience, past job performance evaluations and current job evaluations. Qualifications will be determined by the knowledge, abilities and skills required for an affected position as stated in the job description, and the employee's ability to perform the remaining work without further training.
- (2) For a period of twelve (12) months from the date of layoff, regular employees who were laid off will be offered the first opportunity to fill comparable vacant positions, which become available. These employees, if qualified, will be placed on the City's job announcement mailing list to assist them in applying for other job vacancies with the City for which they may be qualified.
- (3) All layoffs will be handled according to the provisions of this policy. Layoffs that exceed twelve months will be processed according to policies outlined in TERMINATION OF EMPLOYMENT, Chapter 211; and SEVERANCE PAY, Chapter 303.

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- (4) A special Reduction in Force (RIF) Committee will be formed, if time and circumstances permit, to review and oversee any layoff based on the above criteria. The RIF Committee shall evaluate all available facts relevant to the layoff procedure. In addition, it shall take any steps it determines are necessary to assure that workers chosen for layoff have been picked in as fair and nondiscriminatory a manner as possible.
- (5) Employees selected for layoff will be given as much notice as is required by law or as much as is reasonable under the circumstances. Employees will be informed of the reason for the layoff, the estimated length of the layoff, and any rights they have to appeal their selection for layoff to the RIF Committee or the City Clerk.
- (6) Employees who are laid off will be maintained on a recall list for twelve months. Removal from the recall list terminates all job rights an employee may have. While on the recall list, employees shall report to the City Clerk if they become unavailable for recall. Employees who do not keep a current home address on record with the City Clerk will lose their recall rights.
- (7) An employee will be recalled according to the City's needs the employee's classification, and their ability to perform the job. Notice of recall will be sent by registered mail, return receipt requested, to the home address on record with the City Clerk. Unless an employee responds in writing to the recall notice within seven days following receipt of the notice, or its attempted delivery, the employee's name will be removed from the recall list and the employee will no longer have any job rights with the City.
- (8) Credit for retirement benefits and seniority will continue to accumulate during any layoff of 30 days or less. Employees laid off for more than 30 days and subsequently recalled within six months from the date of layoff will be credited with the years of service accumulated at the time of layoff.
- (9) If the layoff is expected to exceed 30 days, vacation pay equal to the number of unused vacation days accrued during the vacation year will be paid at the time of layoff. Employees laid off will not accrue vacation or days of paid absence during layoff.
- (10) An employee's length of service is measured from their original date of employment with the City as long as there has not been a break in service greater than 30 days. During a layoff, employees with breaks in service greater than 30 days, but less than one year per break, are credited only for their time actually worked, unless otherwise provided by a collective bargaining agreement or required by law. Employees with a break in service, due to layoff, greater than one year, receive no credit for past service with the City.

TERMINATION OF EMPLOYMENT

211

Policy:

It is the policy of the City to terminate employment because of an employee's resignation, discharge, or a layoff in excess of twelve months. Discharge can be for any reason not prohibited by law. In the absence of a specific written agreement, employees are free to resign at any time and for any reason with notice, the City reserves the right to terminate employment at any time and for any reason.

Comment:

- (1) Employees are requested to give written notice to their Department Head of their intent to resign as far in advance as possible. Failure to give written notice may result in forfeiture of non-vested City benefits (such as accrued, unused vacation time unless prohibited by state law) and ineligibility for re-employment. An employee's resignation without the notice required by these rules may be grounds for denying re-employment with the City.

All employees shall give at least two weeks notice. Supervisory and management employees are expected to give three (3) and four (4) weeks respectively.

Upon approval of the Mayor, and employee may withdraw his or her resignation at any time prior to its effective date, provided the position has not already been filled.

- (2) Employees who are absent from work for a period of three (3) consecutive days without notifying their immediate supervisor will be considered by the City to have abandoned their position, and have voluntarily quit their employment with the City.
- (3) Supervisors shall send notices of resignation or recommendations for termination to the City Clerk for review. This information shall be accompanied by any needed supporting documents, such as performance appraisals or disciplinary reports. All terminations shall be approved by the Mayor before any final action is taken.
- (4) Notice of involuntary terminations shall be handled carefully and discretely, preferably in a private meeting including the employee to be terminated, the Department Head and the Mayor. The Mayor will conduct the discharge meeting and notify the City Clerk of the employee's separation date for payroll purposes. At its discretion, management may give two weeks' notice of a termination decision or two weeks' pay in lieu of notice. The City Clerk may attempt to obtain a general release of any legal claims from terminating employees.
- (5) The City Clerk or Mayor will attempt to conduct an exit interview not later than the employee's last working day, or earlier if a special effort is being made to persuade a voluntarily resigning employee to remain with the City.

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- (6) The City Clerk shall maintain written reports of the termination notice meeting (when applicable) and exit interview. Pertinent issues raised in the exit interview that merit managerial review and recommended policy changes, shall be brought to the attention of the City Council.
- (7) The City Clerk will attempt to have the final pay for terminating employees available on the regular pay period. The City Clerk will conduct the exit interview and secure the return of funds advanced and all City property in their possession, such as, City keys, City car, ID card, City tools, equipment, uniforms and printed material belonging to the City from terminated employees. The City Clerk will also facilitate resolving any issues involving credit union savings and/or loans, retirement contributions, insurance conversions, and deferred compensation. If the employee owes the City any money or is responsible for any lost or damaged property, those accounts are to be settled as originally agreed or, if authorized by the departing employee by deduction from final pay.
- (8) The City Clerk is responsible for notifying the appropriate agent regarding terminating employees, who are covered by the City's group health plan, of their right to continue coverage under that plan. (COBRA)
- (9) Terminating employees may be eligible for future employment if recommended by their supervisor and approved by the Mayor. Terminating employees who wish to be considered for future employment shall inform the City Clerk.
- (10) Generally, the City Clerk will not release reference information without the employee's authorization, or will limit the information to verification of the employee's position, salary, job location, and dates of employment with the City.
- (11) Termination and discharge procedures are only guidelines and do not create a legal contract between the City and its employees. The City reserves the right to implement its policies and procedures as it sees fit. In addition, specified grounds for termination are not all-inclusive since the City reserves the right to terminate employment for any reason.
- (12) Regular employees shall receive full pay for unused accrued vacation, and all discharged employees shall receive full pay for authorized and accrued but unused compensatory time. Employees shall not be paid for any unused sick leave benefits upon termination of employment.

Policy:

It is the policy of the City that employees are eligible for normal retirement on the first day of the month following the month in which they reach age sixty-five. With limited exceptions, employees who want to continue working past age sixty-five may do so provided their job performance is satisfactory.

Comment:

- (1) Employees covered by the Public Employees Retirement System (PERS) who are eligible to retire shall obtain a "Request for Estimate of Benefits" from the Washington State Board of Retirement System, with the assistance of the City Clerk, if necessary, and send it to the Department of Retirement Systems in Olympia at least ninety (90) days in advance of the anticipated date of retirement. An employee will provide written notice of retirement to his or her Department Head thirty (30) days prior to retirement date. The employee's Department Head is responsible for sending the notice of retirement letter to the City Clerk for processing; the City Clerk is responsible for sending documentation of the employee's separation and authorization for pension payments to the Department of Retirement Systems.
- (2) Employees covered by the Law Enforcement Officers and Fire Fighters Retirement System (LEOFF) shall contact the Department of Retirement systems in Olympia, notify it of their intent to retire and receive an estimate of benefits. The employee must also notify his or her Department Head, in writing, at least 30 days prior to the intended retirement date. The City Clerk shall forward the employee's letter of intent to retire to: the Mayor, LEOFF Board, Civil Service Commission, and City Clerk for processing.
- (3) The City may at its discretion set a mandatory retirement age for certain jobs where age is a bona fide occupational qualification and where that qualification is reasonably necessary to the normal operation of City business.
- (4) Employees who qualify for retirement may be eligible to receive health and various other benefits in accordance with the provisions of the City's employee benefit plans. Retiring employees are eligible to receive pay for accrued but unused vacation and compensatory time. All employee benefit plans and programs are subject to amendment or termination, even after retirement, at the City's sole discretion.
- (5) The City Clerk is responsible for distributing to all employees literature concerning retirement benefits and for posting any notices required by law on the City's bulletin boards.

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- (6) The City Clerk may arrange pre-retirement counseling programs on a periodic basis, which will be open to all employees. Employees are encouraged to enroll in such programs as far in advance of retirement as possible.

- (7) Retiring employees may be re-eligible for employment. Those interested in future temporary or part-time employment with the City should make their interest known at their exit interview.

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Policy:

It is policy of the City to maintain a compensation system that is nondiscriminatory and competitive within constraints of the city's financial ability to pay.

Comment:

- (1) The City Council shall develop a compensation plan establishing pay ranges to include all positions on the city payroll. The Plan and any subsequent changes to the Plan shall be approved by the City Council.
- (2) The pay ranges shall reflect the relative value of all positions based upon the requisite duties, responsibilities and entry level qualifications.
- (3) The City Clerk is responsible for coordinating the continuing internal review of all compensation and for assuring each job is evaluated and assigned evaluation points, a job grade and salary range.
- (4) The City Clerk will, when considered appropriate, participate in and or conduct compensation surveys of other employers with similar jobs. This and other available information shall be used to establish compensation levels and to determine the relative competitive position of the City's pay structure.
- (5) New employees generally will be hired at the starting rate, Step A, of the salary grade for the position. Should the new employee possess more than the minimum skills, knowledge and abilities required for the position, the employee may be recommended for Step B or Step C of the salary grade for the position. Such a recommendation must be reviewed and approved, before implementation, by the appropriate Department Head and the City Clerk. No new employee will be hired into a job classification at a rate higher than the highest paid bargaining unit employee in that job class. At the time of hire, each employee shall be advised of his or her position title and initial rate of pay, and will be given a copy of their job description.
- (6) All job descriptions must be approved by the Mayor. Job descriptions for Department Heads must also be approved by the City Council.
- (7) Employees temporarily assigned to positions with a higher pay range for a period of thirty (30) days or more and who perform all the job duties of such a position, shall be paid at the first step of the higher pay range or one step above their current rate, whichever is higher, for the full period worked in the temporary assignment, with approval from the Mayor.

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- (8) Supervisors are responsible for conducting a performance evaluation with each employee at least annually. Salary increases shall be dependent on a satisfactory performance evaluation.
- (9) Employees who are not satisfied with the results of their compensation or performance evaluation, or who have questions about the City's salary administration and benefits program, shall direct their concern to their Department Head, and then to the City Clerk.
- (10) Nothing contained in these personnel policies, the pay plan or the City's past practices or customs shall prevent the City from reducing its workforce, laying off, promoting, demoting, reclassifying or removing employees, modifying the pay plan or fringe benefits or otherwise managing and directing the operation of the City government and its workforce as deemed necessary and proper.

Policy:

It is the policy of the City that the job performance of each employee shall be evaluated regularly by the employee's immediate supervisor.

Comment:

(1) Supervisors shall complete performance evaluations upon the following occasions:

- (a) By the end of the first three (3) months' employment and again at the end of six (6) months.
- (b) In conjunction with the annual salary review on the employee's anniversary date of employment.

Between scheduled appraisals, supervisors shall review with employees and document progress on any performance issues that require attention and shall keep records of any significant incidents. Normally, no unsatisfactory ratings will be issued in the absence of prior documentation or counseling during the course of the 12 months prior to the evaluation.

- (2) In evaluating employees, supervisors shall consider factors such as the experience and training of the employee, the job description, and the employee's attainment of previously set objectives and goals. Other factors that normally shall be considered include knowledge of the job, quantity and quality of work, promptness in completing assignments, cooperation, initiative, reliability, attendance, judgment, conduct, and acceptance of responsibility.
- (3) Supervisors shall prepare a written evaluation of each employee's job performance. The appraisal shall include the supervisor's comments and recommendations, an action plan for both the employee and supervisor, and performance goals for the next evaluation period. Employees will be provided a copy of the proposed evaluation at least 30 days prior to the performance evaluation date.
- (4) Department Heads shall review each supervisor's written evaluation to help assure that the evaluation function has been properly completed in as fair and objective a manner as possible.
- (5) After the written evaluation has been reviewed by the Department Head, the supervisor and employee shall meet and discuss the evaluation, assess the employee's strengths and weaknesses in a constructive manner, and set objectives and goals for the period ahead. The employee shall be given the opportunity to examine the evaluation and make written comments about any aspect of it. The employee and supervisor shall then sign and date the evaluation and forward it to the City Clerk for inclusion in the

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employee's personnel file.

- (6) In addition to adding written comments to their performance evaluation, employees may request a review by their Department Head or the Mayor.
- (7) Information derived from the performance appraisal may be considered when making decisions affecting training, pay, promotion, transfer, or continued employment. Step increases may not be delayed for more than 90 calendar days due to unsatisfactory performance.
- (8) The comments discussed in this policy are only guidelines. The City may, in its sole discretion, modify or revoke them in whole or in part at any time. Therefore, these procedures are not a promise or contract, express or implied, and the City retains the right to determine whether and how they will be applied, depending on the circumstances.

Policy:

It is the policy of the City to evaluate all jobs to consistently measure and rank the relative worth of each job.

Comment:

- (1) The City Clerk is responsible for developing and administering the job evaluation program and coordinating the activity of the Job Evaluation Committee.
- (2) Written job descriptions shall be prepared for each position in the City. Each job shall then be evaluated using a standardized rating system that measures job content and the skills and abilities required for satisfactory performance.
- (3) All existing jobs shall be assigned a salary grade based on their relative value as determined by the evaluation.
- (4) Each salary grade has a salary range with minimum and maximum pay rates. Employee compensation within any salary grade is based on factors such as merit, experience, individual productivity, length of service, and external market factors.
- (5) The Job Evaluation Committee shall evaluate all new positions and any revised job descriptions submitted for evaluation.
- (6) All job descriptions that have been revised will be submitted to the Mayor for approval. New or revised job descriptions for Department Heads shall be submitted by the Mayor to the City Council for approval.
- (7) The position classification system shall be reviewed no less than every five (5) years.

Policy:

It is the policy of the City to pay employees by check or direct deposit on a regular basis and in a manner so that the amount, method, and timing of wage payments comply with any applicable laws or regulations.

Comment:

- (1) Employees will be paid on the last working day of each month. If the last working day of the month occurs on a Saturday, Sunday, or a holiday, employees will be paid on the last working day before the regular payday.
- (2) Employees will receive, in addition to their check or deposit advice, a statement showing gross pay, deductions, and net pay. Federal withholding and Social Security taxes will be deducted automatically. No other deductions will be made unless required or allowed by law or union contract. Employees may elect to have additional voluntary deductions taken from their pay only if they authorize the deductions in writing.
- (3) Employees who discover a mistake in their paycheck, lose their paycheck, or have it stolen shall notify the City Clerk immediately. In the case of a mistake, the error will be remedied promptly. In the case of loss or theft, the City Clerk will attempt to stop payment on the check and reissue a new one to the employee. However, the employee is solely responsible for any monetary loss. The City will not be responsible for the loss or theft of a check if it cannot stop payment on the check.
- (4) Employees placed on "on-call/standby" status by the Department Head shall be compensated at the rate established for each "on-call/standby" period. The "on-call/standby" period is the 7-day period beginning at the completion of the regularly scheduled work day Tuesday and ending at the end of the regularly scheduled workday the following Tuesday. Standby duty shall not be counted as hours worked for purposes of computing overtime or eligibility to receive fringe benefits. Paging devices shall be provided to all on-call employees when available. If an employee on "on-call/standby" status fails to respond to a call to return to work, the employee shall forfeit standby pay compensation for the entire on-call/standby term involved, and may be subject to disciplinary action up to and including termination.
- (5) Call-back or call-in pay (other than a continuation of a regular shift) shall be for a guaranteed minimum period of one (1) hour's pay for employees on "on-call/standby" or two (2) hours' pay for other employees.
- (6) Employees shall discuss any questions or concerns regarding their rate of pay and other compensation issues with their Department Head, and then with the City Clerk.

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REIMBURSEMENT OF EMPLOYEE EXPENSES 400

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Policy:

It is the policy of the City that travel and expense reimbursements must be approved in advance and shall be engaged in and reimbursed according to the guidelines below. Travel exceeding \$50.00 must be approved by the Mayor or Mayor Pro-Tempore.

Comment:

- (1) The City of Colville has adopted Resolution 16-95, a comprehensive policy and set of regulations for travel and expense reimbursements. Refer to Resolution 16-95 for the complete procedure for expense reimbursement, including a per diem rate schedule for lodging and meals.
- (2) Employees holding jobs that require extensive travel are expected to travel as a condition of employment. For all other jobs, travel is considered only an incidental function of the position, but may be required.
- (3) City employees will be reimbursed for expenses incurred in connection with the business of the City, including food, lodging and travel expenses while away, but excluding any expenses for alcoholic beverages according to the approved per diem rate schedule.
- (4) A receipt shall be obtained for each purchase made and shall be submitted with a fully itemized Travel Expense Voucher signed by the supervisor, to the City Clerk's office as soon as possible after the charge has been made. Any charges which are not documented on the Travel Expense Voucher, or which are disallowed by the Mayor or Council Audit Committee, shall be immediately reimbursed by the user in the form of cash or salary deduction.
- (5) Expenses incurred that exceed the approved per diem rates must be approved in advance of payment by the Mayor, and regulations governing any exceptions are outlined in Resolution 16-95.
- (6) Time spent by non-exempt employees (those covered by the minimum wage and overtime requirements of the Fair Labor Standards Act) in traveling away from home on City business during normal working hours is considered hours worked for pay purposes.
- (7) Employees, whether traveling on City business or whether they are off the job, are representatives of the City and are expected to maintain a high level of professionalism and to follow all of the City's policies and rules.

Policy:

It is the policy of the City to provide vehicles for business use, to allow employees to drive on City business, and to reimburse employees for business use of personal vehicles according to the guidelines below.

Comment:

- (1) Employees may not drive vehicles for City business without the prior approval of their supervisor. Before approving a driver, the supervisor must check the employee's driving record, verify the existence of a valid driver's license, and make certain that the employee is eligible for coverage under any applicable City insurance.
- (2) Employees whose jobs require regular driving for business as a condition of employment must be able to meet the driver approval standards and have the necessary licenses required of this policy at all times. In addition, employees holding those jobs must inform their supervisors of any changes that may affect their ability to meet the standards of this policy. For example, employees who lose their licenses must report this to their supervisors.
- (3) City vehicles will be assigned to those departments which have demonstrated a continuing need for them, with approval from the Mayor. Employees who receive prior approval from their supervisors may rent a car when traveling out of town on City business.
- (4) Employees who need transportation in the course of their normal work may be assigned a City vehicle for their use. All vehicles belonging to the City will be stationed at the employee's workstation unless assigned to respond to emergency situations. All other employees needing transportation for City business may use vehicles assigned to their department or those drawn from the motor pool. As a last alternative, when no City vehicles are available, employees may use their own vehicles for business purposes, but only with the prior approval of their supervisor.
- (5) Employees who drive a vehicle on City business must, in addition to meeting the approval requirements above, exercise due diligence to drive safely and to maintain the security of the vehicle and its contents. Drivers also must make sure that the vehicle meets City standards for maintenance and safety. Employees are responsible for any traffic infractions or fines that result from their driving and must report them to their supervisors.
- (6) Employees are not permitted, under any circumstances, to operate a City vehicle, or a personal vehicle for City business, when any physical or mental impairment causes the employee to be unable to drive safely. This prohibition includes circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because

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of illness, medication, or intoxication.

- (7) Employees may not use City vehicles for non-business purposes.
- (8) Employees driving on City business may claim reimbursement for parking fees and tolls actually incurred. In addition, employees driving City vehicles may claim reimbursement for gasoline and other expenses directly incurred for business purposes. Employees using a City supplied car phone or cellular phone must keep a log to substantiate its business usage. All requests for reimbursement must be approved by the employee's supervisor. The purchase of City owned cellular phones and their use are authorized only by the Mayor.
- (9) Employees who use their personal vehicle for approved business purposes will receive a mileage allowance equal to the Internal Revenue Service optional mileage allowance for the use. This allowance is to compensate for the cost of gasoline, oil, depreciation, and insurance.
- (10) Employees must report any accident, theft, or damage involving a City vehicle or a personal vehicle used on City business to their supervisor, regardless of the extent of damage or lack of injuries. These reports must be made as soon as possible but no later than forty-eight hours after the incident. Employees are expected to cooperate fully with authorities in the event of an accident. However, they shall not make any statements other than in reply to questions of investigating officers.
- (11) Time spent by non-exempt employees (those covered by the minimum wage and overtime provisions of the Fair Labor Standards Act) in driving a City or personal vehicle on City business during normal working hours is considered hours worked for pay purposes. Commuting time before the start and after the end of the workday is not treated as work time for pay purposes.

**PARTICIPATION IN TRADE AND
PROFESSIONAL ASSOCIATIONS**

Policy:

It is the policy of the City to encourage employees to participate in certain trade and professional associations.

Comment:

- (1) Employees are encouraged to participate in trade and professional associations that promote City goals, individual skills development, and professional recognition. However, employee participation in those associations must not conflict with the City's interests.
- (2) The City may identify certain trade and professional associations in which representation is desirable and then designate the employees that it will sponsor for membership in them. Employees who are designated for membership act as City representatives in the association and are expected to promote its interests and to participate actively.
- (3) Employee participation in trade and professional association activities will not be considered as hours worked for pay purposes for employees classified as non-exempt under the Fair Labor Standards Act, unless their participation is at the City's request or under its direction and control.
- (4) The City Clerk in collaboration with Mayor, is responsible for coordinating representation in trade and professional associations. Department Heads shall recommend interested employees for sponsored membership. The following factors normally will be considered in selecting associations for representation and in designating employees to be sponsored for membership:
 - (a) The nature and purpose of the association;
 - (b) The potential benefit to the City, including enhancement of the City's reputation and the development of the employee's leadership and organizational skills;
 - (c) The cost to the City;
 - (d) The extent to which the City is already represented in the association;
 - (e) The employee's job responsibilities, length of service, and overall qualifications for membership.

The City Clerk will review periodically the City's representation in and support of trade

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and professional associations and its sponsorship of employees for membership and will make changes as it considers appropriate.

- (5) Department Heads are responsible for planning, budgeting, and approving the expense of their employees' participation in association activities. The City will pay or reimburse the approved and reasonable expenses of employees sponsored for membership in trade and professional associations. Employees not sponsored for association membership may be eligible for reimbursement for the expenses of similar activities if participation in the activity is approved in advance. The Mayor has final approval on all such memberships.
- (6) Employees must have their supervisor's advance approval before soliciting or accepting any official position in a trade or professional association. If the employee receives approval, the supervisor also shall determine the extent of compensation that the employee will receive for association activities conducted during working time. Additionally, the supervisor shall decide the extent that the employee will be reimbursed for expenses incurred in performing official duties.
- (7) Employees are encouraged to contribute articles, present papers, and give talks to trade and professional associations. However, employees must obtain the prior approval for any communication that might represent the City's position on any subject or involve any information that is confidential.

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Policy:

It is the policy of the City to provide its employees with medical and retirement benefits. Information and summaries intended to explain these benefit plans will be furnished to all plan participants and beneficiaries on a timely and continuing basis. The City reserves the right to modify, amend, or terminate its medical and retirement benefits as they apply to all current and former employees.

Comment:

- (1) The City offers certain benefits to eligible employees, including health, disability insurance, pension, retirement plans and in some cases, life insurance. Eligibility will depend upon the specific requirements of each benefit plan. The City also provides a number of other benefits such as leaves of absences and paid vacation, holidays, and sick days.
- (2) All benefits provided by the City are described in official documents which are kept on file with the City Clerk. These documents are available for examination by any plan participant or beneficiary. In addition, these documents are the only official and binding materials concerning the City's retirement benefits. All summaries and communications, both written and verbal, must refer to them as binding in cases of questions or disputes.
- (3) The City Clerk serves as Administrator of the City's retirement plans. The City Clerk is responsible for all communications and disclosures concerning City benefits and for compliance with all applicable laws and regulations. In addition, the City Clerk is available to answer questions concerning the benefit plans.
- (4) If the plan participants or beneficiaries make a written request for information concerning the City's benefit plans, the City Clerk will provide them the following information:
 - (a) Complete copies of the latest updated summary plan description; the latest annual report and any bargaining agreement, contract, or other document under which the plan is established or operated. The City Clerk may make a reasonable charge to cover the cost of providing the copies.
 - (b) A statement indicating the total benefits accrued under the City's retirement plans. In order to control administrative expenses, the City will supply only one such report per person during any twelve-month period.
- (5) Under some of the City's insurance and retirement plans, each employee must designate a beneficiary for the employee's death benefits. The designation must be made in writing and in a form acceptable to the City Clerk. It is the employee's responsibility to maintain the proper beneficiary designations and to alert the City

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Clerk to any changes in status affecting eligibility or designations.

- (6) Participant contributions to benefit plans normally will be deducted from the employee's paycheck if the employee has authorized the deduction in writing. Contributions to retirement and deferred compensation benefit plans are not included in the employee's gross wages for income tax purposes.
- (7) The designated administrator will provide written notice to any participant or beneficiary whose claim for benefits under an employee benefit plan has been wholly or partially denied, within a reasonable period of time of the denial. The notice shall contain the reason for the denial, specific reference to plan provisions on which the denial is based, and appropriate information as to the steps to be taken if the participant or beneficiary wishes to submit the claim for review. Any review shall be completed promptly and a decision provided to the claimant.
- (8) Employees eligible to participate in the City's health insurance and dental plan, include the following:
 - (a) regular, full-time employees;
 - (b) regular part-time employees who regularly work more than 20 hours per week;
 - (c) temporary employees who have 24 months of accumulated service time.
- (9) Medical programs vary according to whether an employee is under Civil Service, is a member of a bargaining unit, or is a regular City employee. The programs and criteria for eligibility will be explained at the time the employee becomes eligible to join. The City reserves the right to make changes in the carriers and provisions of these programs when deemed necessary or advisable.
- (10) City employees are required to participate in either the State of Washington's Public Employees' Retirement System (PERS) or the Law Enforcement Officers' and Fire Fighters' Retirement System (LEOFF) as long as their compensated hours continue to qualify them for service credit under the appropriate plan.

Participating employees shall pay any required amounts toward the contribution costs. The employee's contribution shall be made by means of a payroll deduction. The City shall also make appropriate contributions required by state law. No service credits will be granted during a month when compensable service drops below the minimums established for these two plans. For further details or possible changes, consult the state statutes and other materials summarizing the Retirement System.

- (11) Employees, covered by the City's health benefit plan will be notified, when appropriate, that they have the opportunity to continue their health care coverage, at their own expense, in certain specified situations including layoff, termination and reduction in hours of employment. The City Clerk will notify the AWC of any changes in employment status.

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- (12) The City makes contributions on behalf of each employee to the Social Security Administration, in addition to those contributions each employee makes through the FICA payroll deductions. The City also pays a tax based upon the employee's wages to a City Trust Fund. The city pays an unemployment tax to maintain an account of funds from which to pay unemployment compensation. Unemployment compensation benefits are generally available after termination of employees who become unemployed through no fault of their own.

POLICY:

It is the policy of the city to provide its employees with adequate medical insurance to pay for work related injuries and any associated lost wages.

COMMENT:

- (1) All employees of the City are insured in a state insurance program which is designed to protect them against medical costs from on-the-job accidents and injuries and for work time lost as a result of such accidents for injuries. The City pays a substantial portion of the premium costs for this coverage. Worker's compensation insurance also provides vocational rehabilitation services when required and cash settlement awards for permanent or partial disability.

All accidents and on-the-job injuries must be reported immediately to the immediate supervisor. The immediate supervisor or an employee present will take appropriate action and administer first aid. The immediate supervisor shall direct the injured employee to seek immediate medical treatment if necessary, and be responsible for reporting the injury to the City Clerk. The supervisor shall also be responsible for ensuring, as soon as physically possible, that the injured employee completes the Washington State Labor and Industries form for reporting the accident and that a thorough investigation is conducted.

Policy:

It is the policy of the City to grant annual vacations with pay to full-time and part-time employees to provide the employee with a period of relaxation from work.

Comment:

- (1) Annual paid vacations shall be granted to all full-time employees and on a pro-rata basis, to part-time employees working twenty (20) hours or more per week. Part-time employees regularly scheduled to work less than 20 hours per week and temporary employees do not receive paid vacation.
- (2) Paid vacation will be granted to full time employees according to the following schedule:

YEARS OF COMPLETED SERVICE	PAID VACATION
0 - 4 years	8 hours/month
5 - 9 years	9 hours/month
10 - 14 years	11 hours/month
15 - 19 years	13 hours/month
20 + years	15 hours/month

- (3) Vacation accrual for eligible part-time employees will be prorated based on the employee's actual number of hours worked each month during the vacation accrual year.
- (4) Employees may not take paid vacation until they have actually earned the vacation. New employees accrue paid vacation upon initial employment but may not take any vacation until they have completed the trial period. The maximum number of vacation hours which may be carried over from December 31st of one year to January 1st of the next year is two hundred forty (240) hours.
- (5) Employees who feel that there is a discrepancy in the calculation of their vacation pay or eligibility may request a review of that calculation by the City Clerk.
- (6) Vacation pay for full-time and part-time employees, working 20 or more hours per week, will consist of the employee's regular rate of pay for the vacation period and generally will be paid on the regularly scheduled pay day.

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- (7) Annual vacation shall be requested not less than two full workdays prior to the dates requested. All annual vacation requests must be approved by the Department Head, and insofar as consistent with the efficient operation of the department. A vacation schedule shall be posted on the first working day in January, and the Department head shall endeavor to schedule vacations according to the employee's request. Generally, employees should submit vacation plans to their supervisor at least four weeks in advance of the requested vacation date. Management reserves the right to designate when some or all vacations must be taken. Vacation time is scheduled by the supervisor or Department Head at the convenience of the City, but every effort will be made to accommodate employee's requests. Any conflict among employee requests will be resolved on the basis of the request date. The minimum increment in which vacation may be taken is one-half hour.
- (8) Employees on a leave of absence, other than a military leave of absence, are required to use all accrued paid vacation time as part of the leave. In addition, employees on a leave of absence will not accrue vacation time during the leave.
- (9) When employment is terminated, employees will receive vacation pay for any unused vacation in their last paycheck.

Policy:

It is the policy of the City to designate and observe certain days each year as holidays. Eligible employees will be given a day off with pay for each holiday observed.

Comments:

- (1) The City observes the following holidays: New year's Day, Martin Luther King Jr's Birthday, President's Day (3rd Monday in February), Memorial Day (last Monday in May), Independence Day, Labor Day (first Monday in September), Veterans' Day, Thanksgiving Day, Day after Thanksgiving, Christmas Day, and One (1) floating holiday. The schedule of holidays the City will observe during each calendar year will be published by the City Clerk before the beginning of the year.
- (2) Floating Holiday: An employee may select one floating or personal holiday during each calendar year provided that the employee has been continuously employed by the City for at least one year, (12 calendar months) and the number of employees selecting a particular day off does not prevent the City from providing continued public service. An employee shall make a written request for a floating holiday to his or her supervisor a minimum of 48 hours in advance of the selected date. When the number of requests for a particular day would impair department operations if granted, the following criteria shall be used to determine which requests are allowed:
 - (a) A holiday shall be granted to employees in the order in which the requests for a holiday date are submitted, with the earliest request receiving first priority;
 - (b) In the event several requests are submitted on the same day requests shall be granted based on seniority.
 - (c) Final authority for approving or disapproving holiday requests shall rest with the Department Head, based on operational needs. Any disapproval shall be communicated as soon as possible to the employee involved by so indicating on the leave request form.
 - (d) All floating holidays must be taken during the calendar year and may not be carried forward from one year to the next.
- (3) Full-time employees are eligible to receive their regular rate of pay for each observed holiday. Part-time (20-39) employees are eligible to receive holiday pay only for holidays on which they would normally be scheduled to work, and only for their regularly scheduled number of hours. Part-time (<20) employees, trial period employees, temporary employees, and employees on leaves of absence or on layoff are not eligible to receive holiday pay.

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- (4) To receive holiday pay, an eligible employee must be at work or taking an approved absence on the work days immediately preceding and immediately following the day on which the holiday is observed. An approved absence is a day of paid vacation or paid short-term absence. If an employee is absent on one or both of these days because of an illness or injury, the City may require verification of the reason for the absence before approving holiday pay.
- (5) Observance of holidays: The City will post a notice on the bulletin board or hand out individual notices of the exact day each holiday will be observed. When a holiday occurs on Monday through Friday, the City observes the date of the occurrence as the holiday. If a holiday falls on a Sunday, the following Monday shall be observed as a holiday. If a holiday falls on a Saturday, the preceding Friday shall be observed as a holiday. For employees whose regular days off are other than Saturday or Sunday, their first regular day off shall be considered a "Saturday" and their second regular day off shall be considered a "Sunday" for purposes of determining when their holiday shall be observed if a holiday falls on their regular day.
- (6) If a holiday occurs during an employee's vacation period, the employee will be paid for the holiday and the holiday observed will not be charged against the employees accrued vacation benefits.
- (7) The City recognizes that some employees may wish to observe, as periods of worship or commemoration, certain days that are not included in the City's regular holiday schedule. Accordingly, employees who would like to take a day off for those reasons may do so if it will not unduly disrupt the City's business and if the employee's supervisor approves. Employees may use accumulated days of paid absence or "floating" holidays for these occasions, or they may take time off as an unpaid, excused absence.
- (8) Scheduled Holiday Work: Whenever the City's operational needs require employees to work on a holiday, insofar as practical, holiday work shall be divided equally among the eligible employees. Full-time employees who are scheduled or required to work on the day a holiday is observed, will receive eight hours regular pay at the straight time rate and will also be paid for all hours actually worked on the holiday at time and one-half times the straight time rate, provided that the total hourly rate shall not exceed two and one-half times the straight time rate.

Policy:

It is the City's policy to encourage employees to obtain additional training and education, which will facilitate their advancement in City employment and will be consistent with the best interests of the City. The City may provide an education assistance plan for regular full-time employees to improve their current and future job-related skills, knowledge and abilities. The Mayor shall have the discretion to determine whether the training or course work for which the employee requests educational assistance is related to the employee's present position or a position to which an employee may reasonably be promoted. The Mayor shall have final approval for class attendance during work hours.

Comment:

- (1) To be eligible for educational assistance, employees must have regular, full-time status.
- (2) Eligible employees may be reimbursed by the City only for courses of study that the Mayor determines are directly related to the employee's present job or that relates to a position that the employee may reasonably be promoted. Only courses that are offered by pre-approved institutions of learning will be eligible for reimbursement.
- (3) Employees who want educational assistance must submit a written request to their Department Head two weeks prior to enrolling for any class or seminar. This approval will not be granted without a positive recommendation by the employee's supervisor and approval by the Mayor.
- (4) The Mayor and supervisors normally shall consider the following factors in evaluating requests for educational assistance:
 - (a) The nature and purpose of the course of study;
 - (b) The benefits to be derived by the employee and the City;
 - (c) The employee's level of responsibility and length of service;
 - (d) The estimated cost;
 - (e) Any potential lost time or productivity while the employee participates in the program.
- (5) Employee reimbursement for eligible educational assistance will normally be based upon the grade received for the course, as follows:
 - (a) For a grade of A, 100% of reimbursable costs;
 - (b) For a grade of B, 80% of reimbursable costs; or

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- (c) For a grade of C, 50% of reimbursable costs.
- (d) For a grade of "D," or "F," or incomplete or withdrawal, no payment.

No reimbursement will be made for a grade lower than "C," and 75% of reimbursable costs will be paid for passing a "pass-fail" course. Employees receiving reimbursement from any outside sources, such as the Department of Veterans Affairs or scholarships, may use the above formula but the City's portion may not make the total exceed 100% of the reimbursable cost.

- (6) If the request is approved by the Mayor, the tuition, books and other required course materials shall be reimbursed to the employee after the employee provides proof of satisfactory completion of the course. Employees seeking reimbursement for educational expenses must submit to the City Clerk a certified transcript of their grades and receipts for the expenses incurred. The City will then reimburse to the employee the applicable percentage of the cost of tuition, textbooks, registration, and laboratory and library fees. However, employees who take courses at the specific request or direction of management may be reimbursed for all costs in advance.
- (7) Employees who are terminated during enrollment because of a reduction in force or job elimination, or who are unable to complete an approved course because of transfer within the City, will be reimbursed for the full amount of the costs incurred up to the date of termination or transfer. Employees will not be reimbursed for the expenses associated with the course if they voluntarily leave the City employ or are terminated for reasons other than those listed above.
- (8) Employees seeking reimbursement for educational expenses must agree in writing to repay the City in full if they leave the City voluntarily or are terminated within one year from the date of reimbursement.
- (9) New employees who are sent to the Police Academy are hired with the expectation that they will remain employed with the City for a minimum of 24 months. In the event such an employee voluntarily resigns prior to the expiration of 24 months from their initial date of hire, they shall reimburse the City in an amount not to exceed Three Thousand Dollars (\$3,000.00). Said employee shall, by written authorization, agree to allow the City to adjust their final wage or salary payment accordingly:

- 1 - 6 months = 75% of City's Costs
- 6 - 12 months = 50% of City's Costs
- 12 - 24 months = 25% of City's Costs

The above scheduled shall apply unless it is mutually agreed that the adjustment be made in a different manner.

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- (10) Employees are expected under normal circumstances to schedule class attendance and the completion of study assignments outside of their regular working hours. It is expected that educational activities will not interfere with the employee's work, and unsatisfactory job performance during enrollment may result in forfeiture of educational assistance and/or termination of employment.
- (11) Employees shall not be compensated for any time spent at training sessions held outside of the employee's regular working hours unless attendance at the training session was mandatory, the employee was required to perform productive work, or the training session was directly related to the employee's current position. However, the Mayor has the discretion to compensate employees for time spent in City-sponsored training sessions held outside regular working hours when the training session relates to the employee's reasonably anticipated future duties or position(s).
- (12) Training opportunities for employees may be provided. The Mayor, in collaboration with the City Clerk or Department Head, may develop training programs to meet City-wide needs or prepare employees for promotions, when it is determined such programs will improve the efficiency or effectiveness of the services rendered by City employees. Training sessions may be held during regular working hours at the discretion of the Department Head. Employees shall be compensated for any time spent in such training sessions during regular working hours.
- (13) Records of all education programs completed by each employee will be maintained by the City Clerk.

Policy:

It is the policy of the City to assist employees with counseling and referral services through an Employee Assistance Program that will help in solving personal problems, both on and off the job.

Comment:

- (1) The City recognizes that a wide range of personal problems, such as emotional or mental stress, marital or financial difficulties, or drug or alcohol dependency, can affect an employee's performance. These problems may or may not be caused by or related to the individual's responsibilities as an employee, but nevertheless they have an effect on work performance, safety or overall welfare of that employee, coworkers and the City.
- (2) The purpose of the City Employee Assistance Program is to establish a program of professional and confidential counseling and assistance to employees whose job performance, health, or well being are adversely affected by personal problems. The program is designed to allow the employee and his or her family to voluntarily and confidentially seek professional assistance from an independent counseling service. The EAP agency provides these services by contract with the City at no cost to the employee.
- (3) Supervisors, where appropriate, will consult with employees who seem to be experiencing problems. Many times the employee is able to overcome these problems independently, once the fact that work performance is being affected is brought to his or her attention. However, in other instances, professional assistance may be needed to aid the employee in recognizing and overcoming personal difficulties. Depending on the circumstances, the supervisor shall proceed as follows:
 - (a) If an employee's problem seems to require professional counseling, or cannot be corrected by the Supervisor, the supervisor shall suggest to the employee the use of the EAP.
 - (b) If the employee's problem is an unresolved complaint or grievance, the supervisor shall advise the employee of the appropriate steps to be taken in compliance with the Grievance Procedure.
- (4) The employee and his or her family may choose to use the agency's services independently without the suggestion of a supervisor. In most instances, the self-initiated contact between the employee, his or her family and the agency will be confidential and records are not accessible to either the supervisor or the City. The EAP agency will provide one diagnostic session and, if necessary, a referral to three potential service agencies for specific treatment. Coordination of medical benefits for the additional counseling/referral assistance by the EAP agency is determined by the medical plan covering the individual employee. Questions concerning insurance

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coverage can be referred to the City Clerk.

- (5) Utilization of the EAP agency during normal working hours will be subject to the use of sick leave. Employees needing extended treatment may request a leave of absence in accordance with the City's leave policy.
- (6) Employees are expected to meet satisfactory standards of job performance. Performance appraisals are to be based on factors related to job performance, regardless of whether an employee seeks counseling. In certain circumstances, however, the City may require an employee to participate in counseling as a condition of continued employment.
- (7) Participation in the EAP will in no way jeopardize an employee's professional status, job security or promotional status.
- (8) Communications between employees, supervisors, the City Clerk, and professional counselors or agencies as a result of this policy are to be confidential, except to the degree necessary to protect the safety of the employee or others or to protect the security of City property.
- (9) Alcoholism and Substance Abuse: The City recognizes alcoholism and substance abuse as treatable illnesses and encourages employees, who suspect they may have an alcoholism/substance abuse problem, to take advantage of diagnostic, counseling and other treatment services. Supervisors, coworkers, or the employee concerned may confidentially request initial assistance from the EAP in finding appropriate agencies to deal with the problems of alcohol/substance abuse. Employees having an alcoholism or substance abuse problem are expected to seek appropriate treatment for their illness. In many instances, insurance benefits are available for treatment programs. Accrued sick leave may be used by an employee who needs time off to obtain professional treatment for alcohol or substance abuse.

Policy:

It is the policy of the City to recognize extended service to the organization by presenting service awards to eligible employees according to the guidelines that appear below.

Comment:

- (1) All full-time and part-time (20-39 hrs) employees are eligible to receive a service award upon completion of five years of service and at the end of every additional five years of service.
- (2) Service does not have to be continuous to count toward service credit for the award. In addition, service with any department of the city counts toward service credit.
- (3) The service award generally will be presented to the individual during the month in which the employee becomes eligible for the award.
- (4) The City Clerk is responsible for identifying the employees who will be honored, notifying the presenter, ordering the awards, and arranging for appropriate announcements and publication of awards, both internally and externally.

Policy:

It is the policy of the City to assist employees in the VOLUNTARY adoption and maintenance of healthy life-style choices.

Comment:

- (1) The City Clerk is responsible for coordinating and administering the wellness program.
- (2) The goals of the program are to:
 - (a) Improve the quality of life through knowledge about health and life-style.
 - (b) Improve morale and well being at work.
 - (c) Reduce long-term costs related to treatment of illness and accident.
- (3) Employees, after six (6) months of employment with the City, may choose to convert a portion of their sick leave hours as follows:
 - (a) For a monthly membership at an established year-round fitness facility (or such alternative program as approved by the Wellness Committee) of their choice at the rate of three (3) hours being equivalent to a maximum of \$35.00 per month.
 - (b) An employee may also convert accrued sick leave hours annually in exchange for an individual or family swimming pool pass at the Colville Pool per the following schedule:

<u>Within City Limits:</u>	<u>Outside City Limits:</u>
Individual = 2 hours	Individual = 2.5 hours
Family = 3.5 hours	Family = 4 hours

- (c) An employee may also convert three (3) hours of sick leave annually in exchange for a family library card to the City of Colville Library.
- (4) The employee is under no obligation to participate in any of the above benefits or may terminate their participation at any time.
- (5) The extent of City financial support for this program will be determined on a case-by-case basis. The City retains the right to change all aspects of the wellness program and to discontinue the program if deemed necessary.

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Policy:

It is the policy of the City to comply with all applicable federal, state, City and local health and safety regulations. It is the City's policy to prevent accidents and to ensure that employees are provided safe and healthful working conditions free from recognized hazards.

Comment:

- (1) The City has appointed a Safety Coordinator (Public Works Director) to oversee the City's safety policies and procedures. The Safety Coordinator's responsibilities include:
 - (a) Monitoring compliance with City safety rules and regulations and the applicable safety and health standards established as a result of the Occupational Safety and Health Act and any other applicable federal, state, or local employee safety laws or regulations;
 - (b) Developing and implementing written safety plans or programs including safety regulations and discipline controls;
 - (c) Investigating, correcting, and reducing recognized unsafe and unhealthful working conditions or potential hazards;
 - (d) Conducting periodic safety and health inspections of all work areas, machinery, equipment, and any recognized potentially hazardous City facilities;
 - (e) Representing the City during investigations conducted by the Occupational Safety and Health Administration ("OSHA"), by any other federal, state, or local safety and health personnel, or by insurance underwriting representatives;
 - (f) Organizing the safety training and retraining of employees;
 - (g) Monitoring compliance with the various requirements established by any law or by the City's insurance carrier relating to record keeping and the retention of records;
 - (h) Establishing fire prevention and fire fighting programs, conducting fire drills, testing fire fighting equipment, and enforcing no smoking policies where appropriate;
 - (i) Developing contingency disaster preparedness plans;
 - (j) Investigating all accidents, hazardous incidents, and fires involving City employees, or which occur on City premises, and preparing the required reports;
 - (k) Posting notices required by law or by the organization's insurance carrier; and

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- (1) Evaluating the effectiveness of the City's safety program.
- (2) Supervisors are responsible for ensuring that employees under their supervision have safe working conditions and understand and comply with all City safety rules, regulations, and procedures. Supervisors' safety responsibilities include:
 - (a) Being familiar with all safety and health procedures relevant to the operations under their supervision;
 - (b) Inspecting their work areas periodically;
 - (c) Training their employees in safety matters or arranging for such training where appropriate;
 - (d) Identifying and eliminating conditions that are generally recognized as being unsafe and providing personal protective equipment and;
 - (e) Immediately reporting accidents and injuries to the Safety Coordinator and assisting any injured employee with any first-aid needs and refers the employee to appropriate medical care.
- (3) Employees shall report to the Safety Coordinator or their supervisor all observed safety and health violations, potentially unsafe conditions, and any accidents resulting in injuries to employees or the public within 24 hours. It is the employee's responsibility to learn the safety regulations applicable to his or her job. Employees shall observe all safety practices governing their work.
- (4) Employees are encouraged to submit suggestions to the Safety Coordinator concerning safety and health matters. Appropriate awards will be made by management to employees whose suggestions both are adopted and significantly enhance safety, reduce costs, or increase productivity.
- (5) The City will provide special clothing or equipment, or reimburse for it, when such clothing or equipment is required by law or by City policy. Employees are responsible for the proper use and maintenance of such clothing and equipment.
- (6) Supervisors must not discharge or discriminate in any manner against an employee because the employee has instituted a safety-related proceeding, has testified in such a proceeding, or has otherwise exercised any right provided by law. Employees may accompany government safety compliance officers during so-called "walk around inspections," but they will not be compensated for that time unless specifically assigned the task by management.
- (6) Supervisors shall provide information about the availability of employee exposure or medical records to employees who are exposed to known toxic substances and recognized harmful physical agents at the time they are first hired and at least annually

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after that. These employees also shall be notified that they may be required to submit to medical examinations and tests at intervals determined by the length of their time on the job and whenever there is reason to believe that they were unduly exposed to toxic substances or harmful physical agents. Copies of the OSHA regulation requiring access to employee exposure and medical records are available in the office of the Safety Coordinator for examination.

- (8) Failure to comply with the responsibilities set forth below shall be grounds for disciplinary action up to and including termination.
- (9) When operating a City vehicle, employees must use the seat belt / safety restraint device and require any passengers to do the same. Any employee who does not use safety restraints/seat belts shall be subject to disciplinary action.
- (10) Any employee whose job description requires he or she drive City vehicles must hold a valid Washington State driver's license, and in some cases, a Commercial Driver's License (CDL). Some job descriptions may require other technical licenses such as those required to operate heavy equipment. Any employee who does not hold required licensure will not be allowed to operate a City vehicle until such time as they obtains the required licenses. Any employee whose work requires specific licenses and whose licenses have expired, been suspended, or were revoked, is subject to disciplinary action including demotion or termination, unless that employee is able to obtain the required permit. Should the employee fail to immediately report such a revocation or suspension of his or her license to the appropriate supervisor and instead continue to operate a City vehicle or other equipment under such circumstances, that employee may be subject to termination. A new employee whose work will require the operation of a City vehicle will be required to submit to a Department of Motor Vehicles driving records check as a condition of employment. Information indicating a suspended or revoked license status may result in denial of employment.
- (11) It is the City's intent to provide safe working conditions for its employees. However, occasional on-the-job injuries or other incidents may occur requiring specific actions to be taken:
 - (a) Employees are to make a prompt report to their immediate supervisor of each injury or illness regardless of the degree of severity. As soon as possible after an accident or occupational illness is discovered, the employee and the supervisor must complete an accident report form and submit it to the City Clerk.
 - (b) Employees who experience an on-the-job injury requiring medical attention should seek treatment.
 - (c) If a work-related injury requires attention beyond first aid, the employee's treating physician is to complete the State Industrial Medical Claim Form. All injured employees are to promptly seek a second medical opinion regarding their condition when requested to do so by the City.
 - (d) Any injured employee who is absent from work for more than seven days shall

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contact the City once a week to keep the City informed of their condition and progress.

- (e) Employees shall report any accidents causing damage to public or private property or equipment occurring before, during or after working hours and involving City employees, equipment or property, to their immediate supervisor. Such report shall be made as soon as possible, but in no case later than twenty-four (24) hours following such accident.
 - (f) Employees shall complete any accident reports requested by their supervisor. In case of a motor vehicle accident, the Police Department shall also be notified immediately. The Mayor shall be notified of all accidents involving City employees and City equipment as soon as possible and not later than the next work day after the accident occurred.
- (12) Employees shall abide by all laws and regulations which govern the performance of their duties and shall perform their duties as reasonable, prudent persons. Defense of legal claims against an employee relating to an official status within the City shall be the responsibility of the City. However, shall an employee be grossly and willfully negligent in the performance of their duties and such negligence causes injury or damages to another, and if a court of law finds the employee to be grossly and willfully negligent, the City will refuse all claims made against the employee.

Policy:

It is the policy of the City that work areas must be kept clean, safe and neat at all times.

Comment:

- (1) Employees are responsible for maintaining their work areas in a clean, safe and neat manner. To fulfill this responsibility, each employee shall, at a minimum, do the following:
 - (a) Place coats, boots, umbrellas, and other items of clothing in designated areas so that work stations are not unnecessarily cluttered;
 - (B) Prior to the end of the workday, clean and store all tools and equipment and properly secure any items, papers, or information of value.
- (2) Supervisors are responsible for having their employees maintain their work areas according to the requirements of this policy. Each supervisor shall:
 - (a) Make sure that aisles, floors, and walls are free of debris and other unnecessary items and that all end-of-the-shift tasks have been performed;
 - (b) Monitor the facilities and equipment and issue maintenance requests where appropriate;
 - (c) Arrange for the removal of any items from the workplace that are not needed for the flow of business or the enhancement of employee comfort;
 - (d) Report to the Safety Coordinator any existing or potential workplace hazards and safety violations; and
 - (e) Ensure the proper disposal of all trash, waste, and scrap.
- (3) The City will attempt to maintain the temperature, lighting, and noise level of its facilities at a level that is comfortable for employees and also appropriate for the nature of its operations. Employees shall inform their supervisor of any concerns about working conditions.
- (4) Employees must abide by the smoking restrictions established by state or local law and may smoke only in the areas where it is specifically permitted by City policy.

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- (5) Each department has an employee bulletin board to keep employees informed of various items of interest. Job openings and other information pertaining to personnel policies and procedures and department work rules typically will be posted, as will announcements required by law and official postings such as safety information and other notices. Employees are urged to check the bulletin boards frequently as they are required to be aware of its posted contents. Any employee wishing to post an item on the bulletin board must first have it be approved by the Department Head.

Policy:

It is the policy of the City to maintain security, protect the City and its employees against theft, and ask employees to refrain from bringing unnecessary or inappropriate personal property to work

Comment:

- (1) The City recognizes that employees may need to bring certain personal items to work. However, personal property that is not related to the employee's job performance may disrupt work or pose a safety risk to other employees.
- (2) Employees are expected to exercise reasonable care to safeguard personal items brought to work. The City is not responsible for the loss, damage, or theft of personal belongings not necessary for an employee to perform their job duties. Employees are advised not to carry unnecessary amounts of cash or other valuables with them when they come to work.
- (3) The City may assign lockers or storage areas for safekeeping small personal effects during working hours. In addition, closets in designated areas are available for the storage of outdoor clothing. Employees are responsible for maintaining their lockers or storage areas in a clean and sanitary manner, and shall keep them locked at all times. The City will supply locks and keys and will retain a pass key to all locks. In addition, the City will provide and retain keys for file cabinets, desks, and other workstations. Employees may not place their own locks on any storage facility.
- (4) Where there is a concern for risk of loss of City property, safety considerations or other lawful purpose, the City reserves the right to inspect all personal property brought or stored on the City's property. In addition, the City may inspect the contents of lockers, storage areas, file cabinets, desks, and work stations at any time and may remove all City property and other items that violate City rules and policies. In the event a supervisor believes that disciplinary action may result from an inspection, the employee shall be advised of his right to have a union representative present at the inspection.
- (5) Personal items, necessary for the performance of an employee's duties, and not provided by the City, will be paid for by the City at their fair market value if lost or damaged in the line of duty. The City reserves the right to decline any requests for payment for luxury items lost or damaged in the line of duty, however, it may, at the City's sole discretion, compensate the employee an amount the City deems equitable. The City's determination on these matters shall be final and binding, and not subject to grievance.

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- (6) Employees (except law enforcement personnel), the public, suppliers and guests are prohibited from possession of firearms or other weapons on City property and at events sponsored by the City. Employees are further prohibited from carrying weapons in city provided vehicles or in personal vehicles while on City business.
- (7) Articles of personal property found on the premises shall be returned to the owner, if known, or turned in to the Treasurer's Office. Inquires regarding lost property shall be directed to the Treasurer's Office.
- (8) Certain job assignments require that employees furnish personal equipment. If an employee is required to furnish any items, his/her supervisor will provide a list of the items needed. The City cannot be responsible for lost or stolen personal property, so employees must be careful to secure such equipment, as well as money and/or valuables they have in the work place.
- (9) Employees may enter or remain on the city's premises outside their normal working hours only when they have been authorized to do so by their supervisor.
- (10) City personnel on duty shall make every effort to be aware of strangers in the non-public areas of their facility. Anyone who notices unfamiliar or unauthorized people in the facility shall contact the supervisor in charge. Employees are not to be in the non-public areas of City facilities except for official City business.
- (11) Employees are expected to exercise reasonable care for their own protection and for that of their personal property while on the City premises and while away from the premises on business. The City assumes no responsibility for loss, damage, or theft of personal property.
- (12) Employees are expected to know and comply with the City's security procedures and are expected to report any violations or potential problems to their Department Head. Violations of City security rules or procedures will result in disciplinary action, up to and including termination. Illegal acts committed by employees shall be reported to law enforcement authorities.

Policy:

It is the policy of the City to prohibit solicitation and distribution on its premises by non-employees and to permit solicitation and distribution by employees only as outlined below.

Comment:

- (1) The City limits solicitation and distribution on its premises because, those activities can interfere with its normal operations, reduce employee efficiency, annoy the public, and pose a threat to security.
- (2) The affected supervisors or Department Heads are responsible for administering this policy and enforcing its provisions. Employees will be subject to disciplinary action for violating this policy.
- (3) Individuals not employed by the City are prohibited from soliciting funds or signatures, conducting membership drives, distributing literature or gifts, offering to sell merchandise or services, or engaging in any other solicitation, distribution, or similar activity on City premises, except for bona fide City purposes.
- (4) The City may authorize a limited number of fund drives by employees on behalf of charitable organizations or for employee gifts. Employees are encouraged to volunteer to assist in these drives but their participation is entirely voluntary.
- (5) The following restrictions apply when employees engage in permitted solicitation or distribution of literature for any group or organization, including charitable organizations:
 - (a) Employees may not solicit or distribute literature for any purpose other than city-related business during working time. "Working time" does not include an employee's authorized lunch or rest periods or other time when the employee is not required to be working. The sale of merchandise or services is prohibited on City premises.
 - (b) Working time includes both the soliciting and solicited employees' working time
 - (c) Distribution of literature is prohibited in work areas at all times.
 - (d) The distribution of literature in a way that causes litter on City property is prohibited.

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- (6) The City maintains various communication systems to communicate City information to employees and to disseminate or post notices required by law. These communication systems (including bulletin boards, electronic mail, voice mail, facsimile machine and personal computer) are for business use only and may not be used for employee solicitation or distribution of literature. In particular, bulletin boards are for the posting of City information and notices only, and only persons designated by the City Clerk may place notices on or take down material from the bulletin boards. The unauthorized use of communication systems or the distribution or posting of notices, photographs, or other materials on any other City property is prohibited.

- (7) Solicitation of City employees for payment to any partisan, political organization for any partisan, political purpose, or any compulsory assessment or involuntary contribution is prohibited, provided, however, that officers of employee associations shall not be prohibited from solicitation of dues or contributions from members of their associations. No person, elected official or employee thereof, shall solicit on City property for any contribution to be used for partisan political purposes. The following comments further define this policy:
 - (a) Employees shall have the right to vote and to express their opinions on all political subjects and candidates and to hold any political office or participate in the management of a partisan or nonpartisan political campaign, or participate fully in campaigns relating to Constitutional amendments, referendums, initiatives, and issues of a similar character.
 - (b) An employee shall not hold a part-time public office for the City when the holding of such office is incompatible with or substantially interferes with the discharge of official duties of the employee's current job.
 - (c) For persons employed by the City in positions, which are financed primarily by federal grant-in-aid funds, political activity will be regulated by the rules and regulations of the United States Office of Personnel Management.
 - (d) No City employee who, as part of his/her daily assigned duties, meets with and represents the City to the public shall wear or display any button, badge or sticker relating to any candidate or ballot issue during working hours, nor shall such employee use a uniform or vehicle provided by the City during any campaign activities. The display of stickers or other campaign material on City owned vehicles, and the use of any City facility or equipment such as copy machines, stamps, envelopes or other resources funded with public tax monies to promote or oppose any political issue or candidate, is prohibited.

Policy:

It is the policy of the City to provide parking facilities, when practical, for the benefit and convenience of its employees, the public, and visitors.

Comment:

- (1) The City will provide parking for as many employees as practical in designated city parking lots.
- (2) The City supports car-pooling, and ride sharing or other alternate modes of transportation as a community service and as a convenience and financial benefit for employees. The City Clerk shall determine the level of employee interest in these programs and organize the appropriate response, if any.
- (3) Employees who qualify for parking privileges at the City facilities must obtain a permit from the city clerk's office. Each employee vehicle must display the permit issued by the City Clerk's office. Employees who do not have the appropriate permit will not be allowed to use the City parking facilities. General parking for employees in these parking spaces is on a first-come, first-served basis. When parking in these parking lots, employees shall take care not to occupy more than one parking space per vehicle. Employees are requested to be courteous, watch vehicle doors, and drive safely in City parking lots.
- (4) Employees are expected to observe the parking rules. The parking lots are considered part of the City premises; therefore, all City policies and rules apply to employees and their vehicles while on the lot. The City reserves the right to search vehicles parked in the City parking lot.
- (5) Employees who use the City parking lot do so at their own risk. The City assumes no responsibility for any damage to, or theft of, any vehicle or personal property left in the vehicle while on the parking lot.
- (6) Parking permits may be issued by the City Clerk's office to visitors doing business in City Hall.

Policy:

It is the policy of the City to comply with all applicable federal, state, and local regulations regarding smoking in the workplace and to provide a work environment that promotes productivity and the well being of its employees.

Comment:

- (1) The City recognizes that smoking in the workplace can adversely affect employees. Accordingly, smoking is restricted at all of its facilities.
- (2) Smoking is prohibited inside all City buildings and City vehicles. The City Clerk is responsible for implementing and monitoring smoking regulations, and supervisors are expected to enforce the regulations. The smoking policy applies to employees during working time and to the public and visitors while on the City's premises.
- (3) Employees are expected to exercise common courtesy and to respect the needs and sensitivities of coworkers with regard to the smoking policy. Smokers have a special obligation to keep smoking areas litter-free and not to abuse break and work rules. Complaints about smoking issues shall be resolved at the lowest level possible, but may be processed through the City's grievance procedure. Employees who violate the policy will be subject to disciplinary action.
- (4) The City does not discriminate against individuals who smoke legal products, such as tobacco, during non-working time and off of the City's premises.

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Policy:

It is the policy of the City to require employees to report for work punctually and to work all scheduled hours and any required overtime. Excessive tardiness and poor attendance disrupt workflow and customer service and will not be tolerated.

Comment:

- (1) Supervisors shall notify employees of their starting, ending, and break times. Employees are expected to be engaged in carrying out their duties during all scheduled work time and shall be ready to begin working at their scheduled starting time. Supervisors shall record all absences and, for non-exempt employees (those subject to the minimum wage and overtime requirements of the Fair Labor Standards Act), any tardiness or early departure for any amount of time. The workweek shall begin Monday and end the following Sunday. Any time paid over forty (40) regular hours worked per week will be paid at time and one half. Rest breaks are considered as time worked.
- (2) If an employee knows that he or she will be late for work or absent because of illness or other reasons, it is the employee's responsibility to contact his or her supervisor as soon as possible. Employees who are unable to report for work on time are to notify an appropriate supervisor as soon as they know they will be absent or tardy, but in no case later than thirty (30) minutes before the start of the employee's regular work day to enable the employee's supervisor to make necessary arrangements to continue the employee's function while he or she is absent. If an employee is scheduled to begin work before any other employee, he or she may report absences or tardiness as soon as someone else is available to receive the call. If an appropriate supervisor is unavailable, employees may leave a message with the City Clerk, stating their reason for being late or for not being able to report to work. If the absence continues beyond the first day, the employee shall notify the supervisor on a daily basis.
- (3) Non-exempt employees will not receive compensation for time missed because of tardiness or early departure. Failure to properly notify the City of any absence may result in loss of compensation during the absence and may be grounds for disciplinary action.
- (4) Employees who report for work without proper equipment or in improper attire may not be permitted to work. Employees who report for work in a condition considered not fit for work, whether for illness or any other reason will not be allowed to work.
- (5) Employees generally are expected to report for work during inclement weather conditions if the City does not declare an emergency closing. Non-exempt employees who are unable to report because of weather conditions will be granted an authorized unpaid absence. Non-exempt employees who are late because of weather conditions

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will be given a chance to make up their missed time if work schedules and conditions permit.

- (6) Non-exempt employees will not be required or permitted to work any period of time before or after scheduled starting or quitting times for the purpose of making up time lost because of tardiness, unauthorized absence, authorized absence, or any other reason if that work will result in the employee being paid for more than forty hours during the work week.
- (7) Employees must report to their supervisor after being late or absent, give an explanation of the circumstances surrounding their tardiness or absence, and, when applicable, certify that they are fit to return to work. The supervisor shall record the information for the employee's file and forward it to the City Clerk. When appropriate, the supervisor shall counsel the employee on the importance of good attendance and warn that excessive tardiness or absences will lead to discipline, up to and including termination.
- (8) Employees must obtain permission from their supervisor in order to leave their work site during working hours. Employees who are frequently away from the City for business reasons shall inform their supervisors of their whereabouts during working hours.
- (9) Unauthorized or excessive absences or tardiness may result in disciplinary action, up to and including termination. An absence is considered to be unauthorized if the employee has not followed proper notification procedures or the absence has not been properly approved.
- (10) Employees who are absent from work for a period of three (3) consecutive days without notifying their immediate supervisor will be considered by the City to have abandoned their position, and have voluntarily quit their employment with the City.

It is the policy of the City that all City offices and activities shall be open and in operation during established working hours. Because many City services are of primary importance during emergency conditions, all employees shall make every effort to report for work on a timely basis. Should such conditions prevail which would prevent City employees from reporting to work, it will be the responsibility of the employee to contact his or her supervisor or Department Head by telephone to indicate anticipated absence from work or late arrival to work and the reason for such absence or lateness.

Any employee unable to report to work will be given the option of having pay deducted for the time lost or for applying vacation credits or compensatory time, if such has been accrued, to offset any loss of pay, subject to the approval of the employee's Department Head. Should conditions prevail that require the Mayor to announce curtailment of City operations for the safety of and welfare of City employees, he or she may determine that no pay shall be deducted for time lost and that no vacation or compensatory time shall be affected.

Policy:

It is the policy of the City to permit employees to be absent from work on an authorized short-term basis for a variety of reasons. Short-term leaves are generally unpaid except as stated below.

Comment:

- (1) A short-term leave generally is any absence of 15 calendar days or less. Absences that are longer than 15 calendar days or granted under the terms of the Family and Medical Leave Act must be converted to a Leave of Absence if employment rights are to be maintained.
- (2) An authorized short-term absence may include any of the following:
 - (a) Sickness or injury resulting in the temporary disability of the employee, the employee's spouse or dependent child;
 - (b) Death, funeral, or estate settlement of a member of the employee's immediate family;
 - (c) Jury duty or testifying as a subpoenaed witness in a judicial proceeding;
 - (d) Military service up to fifteen days per year;
 - (e) Urgent personal business that cannot be conducted outside of normal working hours;
 - (f) Voting in local, state, or national elections;
 - (g) Religious observance required by the employee's religion;
 - (h) Emergency closing of the City's operations;
 - (i) Approved voluntary participation in community activities,
 - (j) Use of compensatory time.
- (3) Employees must obtain approval for a short-term absence from their supervisor using the Absence Report form. Employees shall give their supervisor thirty days advance notice of an anticipated absence or as much advance notice as is practicable under the circumstances. Unauthorized absences and absences in excess of what is allowed under this policy, except for an approved leave of absence, will be considered abuses of this policy and are grounds for disciplinary action.

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- (4) Sick Leave: All full-time employees shall accrue sick leave benefits at the rate of eight (8) hours for each calendar month of continuous employment. Part-time employees working twenty (20) or more hours per week shall accrue sick leave benefits on a pro-rata basis according to hours worked. Part-time employees working less than twenty (20) hours per week shall not earn sick leave. Sick leave is administered as follows:
- (a) Sick leave benefits are earned from the date of employment, however employees may not use their sick leave benefits until they have completed their trial period. Employees do not earn sick leave benefits during a leave without pay. Employees do not earn sick leave benefits, and may not use any earned but unused sick leave benefits, during a suspension without pay.
 - (b) Sick leave benefits not used during the calendar year in which they are earned may be carried over and used during succeeding calendar years, so long as the employee remains employed by the City. Employees who transfer to another department retain any accumulated sick leave benefits after transfer to their new position. Eligible employees may accumulate up to 800 hours of sick leave benefits.
 - (c) Employees shall not be paid for any unused sick leave benefits upon cessation of employment.
 - (d) Sick leave benefits shall be paid at the employee's regular rate of pay and in the amount the employee would have earned had he or she worked the regularly scheduled workday. at the time the benefits are used.
 - (e) Sick leave benefits may be used by eligible employees for any absence due to personal injury, illness or temporary disability including, actual periods of temporary disability associated with pregnancy or childbirth, which keeps the employee from performing the employee's regular duties, personal medical and dental appointments. Sick leave benefits may also be used for absences occasioned by the illness or injury of an immediate family member, and the need to accompany that family member to a medical appointment or for adoption of a child. For purposes of this policy, an employee's "immediate family" is defined as: the employee's parent, spouse (or spouse equivalent in a cohabitation relationship), child, sister, brother, grandparent, grandchild, mother-in-law, father-in-law, step-child, step-brother, step-sister, step-parent, step-parent-in-law, brother-in-law, sister-in-law and great-grandchild.
 - (f) Sick leave benefits may not be used for any absences when the employee is entitled to receive compensation benefits under the Workers' Compensation Act or LEOFF I except that sick leave may be used in making up the difference between the workers' compensation payment and the employee's monthly salary.
 - (g) Payment of sick leave benefits is further conditioned upon the employee notifying the Department Head of the employee's absence(s). Failure to give the required notice may result in no payment of sick leave benefits for such absence(s).

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- (h) The employee shall be required to provide certification of illness and a written release to return to work from a qualified health care provider whenever requested by the employee's immediate supervisor or Department Head. The City may require any employee returning after an absence to be examined by a qualified health care provider of the City's choice at the Mayor's request.
 - (i) Any employee found to have abused sick leave privileges by falsification or misrepresentation shall be subject to disciplinary action, including but not limited to reduction or elimination of sick leave benefits, repayment to the City of any amounts paid to such employees for such periods of absence, or discharge.
- (5) Bereavement: When a death occurs in a regular employee's immediate family, the employee may take up to three (3) working days of paid bereavement leave. The three (3) days off must be consecutive working days and include the day of the funeral of the deceased. A Bereavement leave may be granted prior to completion of a regular employee's trial period. Scheduling of bereavement leave will be by mutual agreement between the employee and the Department Head. An employee is not paid for any consecutive days off if the employee would not otherwise have been entitled to compensation for that day. Bereavement leave pay shall be that amount the regular employee would have earned had the employee worked his or her regular work schedule during the leave. For purposes of this policy, an employee's "immediate family" is defined as: the employee's parent, spouse (or spouse equivalent in a cohabitation relationship), child, sister, brother, grandparent, grandchild, mother-in-law, father-in-law, step-child, step-brother, step-sister, step-parent, step-parent-in-law, brother-in-law, sister-in-law and great-grandchild.
- (6) Jury Duty Leave: Employees who are called to serve on a jury or appear as a subpoenaed witness in any established court will be released from work to do so. During the period of such absence, regular employees will receive their regular wages, minus the amount received as jury duty or witness fees (excluding any court paid amount over mileage reimbursement). Employees who are absent from work because of jury duty will retain seniority and all benefits. The time away will not affect vacation or sick leave accruals, except employees who appear in court as the plaintiff or defendant in any action shall not be paid for time away from work unless that time is taken as accrued vacation leave. On any day that an employee is released from jury duty or as a witness by the court and four (4) or more hours of the employee's scheduled work day remain, the employee is to immediately inform an appropriate supervisor and report to work if requested to do so.
- (7) Military Leave: Any employee who is a member of the Washington National Guard or a Federal Military unit is entitled to leave from his or her duties for up to fifteen (15) calendar days each calendar year for official military duty in accordance with RCW 38.40.060. "Day" for purposes of this section shall be defined as a twenty-four (24) hour period. Such leaves are in addition to any other leave or vacation benefits. During the period of military leave, the employee shall continue to receive his/her normal rate of pay.

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- (8) Employees returning from a short-term leave must report to their supervisor, and, when requested, provide physician's certification that they are fit to return to work. The supervisor shall make a record of the employee's absence and return to work and forward a copy to the City Clerk.

*NOTE: When necessary, the supervisor shall counsel the employee on the importance of good attendance and warn that excessive absences, will lead to discipline, up to and including termination.

Policy:

It is the policy of the City to grant employees extended leaves of absence under certain circumstances. Except as stated below, employees will not receive compensation during a leave of absence.

Comment:

- (1) A leave of absence is a privilege the City may extend to eligible employees for specific periods of time under certain circumstances. The City reserves the right to grant or deny any leave of absence requested, at the discretion of the City Council and Mayor. It allows an employee to take time off from work for medical or personal reasons, or to fulfill a military obligation in excess of fifteen (15) calendar days per year. Sick leave accrued shall not be used for non-medical leaves of absence, with the exception of a female taking parental leave.

Employees generally are eligible for leaves of absence if they have completed at least one year of service, unless otherwise specified by law. The granting and duration of each leave of absence will be determined by the City in compliance with applicable federal and state law.

- (2) Medical Leave of Absence: Medical leaves of absence may be granted to employees who are unable to work because of injury, illness or actual disability associated with pregnancy or childbirth, and must meet the eligibility requirements of the FMLA in Chapter 703A. The following stipulations apply to employees who wish to take medical leave of absence:
 - (a) A written request for a medical leave of absence must be submitted to the employee's immediate supervisor or Department Head along with a doctor's certification indicating the nature of the medical problem and the anticipated length of absence. Paternity Leave is a form of leave of absence that may be used by an employee who is not temporarily disabled, but who wants time off to care for a child upon birth or to adopt a child. Requests for paternity leave shall be in writing to the employee's Department Head. All time off will be charged against the employee's sick leave or vacation time. Employees returning from paternity leave shall return to the same job or a similar job of like pay and status. They shall retain all rights, seniority, and benefits commonly offered to those employees who are employed by the City.
 - (b) Medical leave of absence requires a doctor's certification and cannot exceed four months.

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- (c) A medical leave of absence may be extended, upon written request, when accompanied by an explanation from the employee's doctor of the need for an extension period. Even with an extension, however, a medical leave of absence cannot exceed six (6) months.
 - (d) An employee returning from a medical leave of absence must provide a doctor's written certification of his or her ability to return to work. Employees returning from medical leaves of absence are entitled to return to the same position or a similar position of like pay and status if the leave of absence is only for the actual period of disability and the leave of absence in no case exceeds six (6) months.
 - (e) During the medical leave of absence, the City will pay its portion of the employee's group insurance premiums for four (4) months. The City does not pay its share of any employee group insurance premiums during any medical leave of absence beyond four (4) months. The employee may continue his or her group insurance coverage by paying their portion to the AWC.
- (3) Parental Leave of Absence: Female employees, not disabled by pregnancy or childbirth and male employees may be granted a parental leave of absence to care for the employee's child upon birth or to care for a child upon the placement with the employee for adoption or foster care. Requests for parental leave shall be in writing and submitted to the employee's Department Head and must meet the eligibility requirements of the FMLA as described in Chapter 703A. All time off will be charged against the employee's sick leave or vacation time. If both parents are employed by the City, they are together entitled to up to a total of twelve (12) workweeks of unpaid leave and the leave will be granted to only one parent at a time. Employees returning from parental leave shall return to the same job or a similar job of like pay and status. They shall retain all rights, seniority, and benefits commonly offered to those employees who are employed by the City.
- (4) Family Care Leave of Absence: Employees may be granted a family care leave of absence for the purpose of caring for the employee's child, spouse, or parent who has a serious health condition. The City requires certification of the family member's serious health condition, both before the leave of absence begins and on a periodic basis thereafter, by the family member's health care provider.
- (6) Military Leave of Absence: A military leave of absence will be granted if an employee is absent in order to serve in the uniformed services of the United States for a period of up to five years (not including certain involuntary extensions of service). Employees who perform and return from service in the Armed Forces, the Military Reserves, the National Guard, or certain Public Health Service positions will retain certain rights with respect to reinstatement, seniority, layoffs, compensation, length of service promotions, and length of service pay increases as required by applicable federal or state law. Employees who fail to return to work on the date specified on the Leave of Absence Report without receiving an extension in advance are subject to disciplinary action up to and including termination. An employee promoted or hired to fill a vacancy created by a person on military leave of absence is appointed to the position

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subject to the return of the absent employee. Upon such return, a promoted employee is restored to his/her original position or an equivalent position subject to the provisions of RCW 73.16.033. A replacement employee is subject to layoff if no other position is available.

- (6) Personal Leave of Absence: Employees may be granted a leave of absence to attend to personal matters in cases in which the City determines that an extended period of time away from the job will be in the best interests of the employee and the City.
- (7) Family Medical (FMLA) Leave of Absence: The City will comply with the provisions of the federal Family and Medical Leave Act (FMLA). Chapter 703A, following this policy, outlines the FMLA's requirements, including the rights and obligations of employees, notification requirements, and the City's obligations.
- (8) Educational Leave of Absence: Employees who want to continue their education in preparation for added responsibilities with the City may be granted an educational leave of absence.
- (9) Special Personal Leave of Absence: Employees who are unable to report for work because of arrest and incarceration will be placed on a special personal leave of absence. If the employee is unable to secure bail, the leave of absence will continue until final disposition of the charges. If the employee is freed on bail, the employee's Department Head and Mayor will decide whether active employment is appropriate pending final disposition of the charges.
- (10) Requests for a leave of absence or any extension of a leave of absence must be submitted in writing to the employee's supervisor as soon as the need is known. When the need for leave of absence or an extension is not foreseeable, employees shall give as much notice as possible. The Department Head will forward the request to the City Clerk recommending approval or denial. The final decision concerning the request will be made by the City Clerk. All employees on approved leave of absence are expected to report to the City Clerk any change of status in their eligibility or their intention to return to work. The City reserves the right to grant, ~~or~~ deny and/or revoke for cause any leave of absence requested. All leaves of absence granted are without pay. Employees on leave of absence may return early if they notify their supervisor at least five work days in advance. Failure to return from leave of absence on or before the agreed upon date, however, will be considered to be a voluntary termination.
- (11) Employees who are on an approved leave of absence may not perform work for any other employer during that leave, except when the leave of absence is for personal leave, military or public service.
- (12) During a leave of absence of 30 days or more, an employee may keep life and dental insurance in effect by paying the premium amount to the City in advance.

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- (13) Benefits that accrue according to length of service, such as paid vacation, holiday, personal, and sick days, do not accrue during periods of unpaid leave or during periods in which the employee receives workers' compensation or disability benefits.
- (14) A leave of absence of more than thirty (30) days will affect an employee's performance and salary review as well as retirement dates. These dates will be adjusted forward until the employee has completed as many days of continuous employment as the length of the leave of absence.
- (15) An employee will normally be assured of returning to his or her position for a leave of absence of less than thirty (30) days duration. Because of staffing requirements, however, it may be necessary to fill the current position for a leave of absence in excess of thirty (30) days. In this event, efforts will be made to place the employee in an available, open, comparable position. An employee who is called to or volunteers for service with the armed forces of the United States or the Washington National Guard is entitled to reinstatement in his or her position upon completion of service, providing that the period of service is four years or less. Eligibility for and terms of reinstatement are administered in accordance with RCW 73.16.

The City will comply with all applicable requirements of the Family and Medical Leave Act of 1993 (FMLA) and its amendments.

The FMLA requires private employers with 50 or more employees and all public agencies, including state, local, and federal employers, and local education agencies (schools), to provide eligible employees up to 12 weeks of unpaid, job-protected leave in any 12-month period for certain family and medical reasons.

Employee Eligibility: The FMLA defines eligible employees as employees who:

- (1) have worked for the City for at least 12 months;
- (2) have worked for the City for at least 1250 hours in the previous 12 months; and
- (3) work at or report to a work site which has 50 or more employees or is within 75 miles of work sites that taken together have a total of 50 or more employees.

Leave Entitlement: Eligible employees may take FMLA leave for the following reasons:

- (1) to care for a child upon birth or upon placement for adoption or foster care;
- (2) to care for a parent, spouse, or child with a serious health condition; or
- (3) when an employee is unable to work because of the employee's own serious health condition.

According to the FMLA, a 'serious health condition' means an illness, injury, impairment, or physical or mental condition that involves:

- (1) inpatient care (i.e., an overnight stay), including any period of incapacity or any subsequent treatment in connection with the inpatient care; or
- (2) 'continuing treatment' by a health care provider. For further information on what is considered 'continuing treatment,' contact the City Clerk.

FMLA leave for birth or placement for adoption or foster care must conclude within 12 months of the birth or placement. In addition, spouses employed by the same employer are jointly entitled to a combined leave of 12 workweeks of FMLA leave for the birth or placement of a child for adoption or foster care, and to care for a parent who has a serious health condition.

Eligible employees may take FMLA leave intermittently (for example, in blocks of time) or by reducing a work schedule in certain circumstances. If FMLA leave is to care for a child after the birth or placement for adoption or foster care, employees may take their FMLA leave intermittently or on a reduced work schedule only with the City's permission. If the FMLA leave is because of the employee's serious health condition or to care for a child, spouse or

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parent with a serious health condition, the employee may take the leave intermittently or on a reduced work schedule if it is medically necessary.

Notice and Certification: Employees who want to take FMLA leave must provide the City at least 30 days notice of the need for leave, if the need for leave is foreseeable. If the employee's need is not foreseeable, the employee shall give as much notice as is practicable. When FMLA leave is needed to care for child, spouse or parent or for the employee's own serious health condition, and is for planned medical treatment, the employee must try to schedule treatment in order to prevent disruptions of the City's operations.

In addition, employees who need FMLA leave for their own or a family member's serious health condition must provide medical certification from a health care provider of the serious health condition. The City also may require a second or third opinion (at the City's expense), periodic re-certifications of the serious health condition and a fitness for duty report to return to work. The City may deny FMLA leave to employees who do not provide proper advance leave notice or medical certification.

Benefits During FMLA Leave: Employees taking leave under the FMLA are entitled to receive health benefits during the leave at the same level and terms of coverage as if they had been working throughout the leave. If applicable, arrangements will be made for employees to pay their share of health insurance premiums while on leave. In some instances, the City may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave.

The employee's use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the employee's leave. However, the employee must first use any accrued paid vacation, personal and sick days during an unpaid FMLA leave for the employee's own serious health condition or that of a child, spouse or parent. In addition, the employee must use any accrued paid vacation or personal days (but not sick days) during FMLA leave to care for a newborn or newly placed child

Job Restoration After FMLA Leave: The City will reinstate an employee returning from FMLA leave to the same or equivalent position with equivalent pay, benefits, and other employment terms and conditions. However, an employee on an FMLA leave does not have any greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

Certain highly compensated key employees also may be denied reinstatement when necessary to prevent a substantial and grievous economic injury to the City's operations. A "key" employee is a salaried eligible employee who is among the highest paid ten percent of employees within 75 miles of the work site. Employees will be notified of their status as a key employee, when applicable, after they request FMLA leave.

Other Provisions: The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

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Salaried executive, administrative, and professional employees of the City who meet the Fair Labor Standards Act (“FLSA”) criteria for exemption from minimum wage and overtime do not lose their FLSA-exempt status by using any unpaid FMLA leave. This special exemption to the “salary basis” requirements for the FLSA’s exemptions extends only to eligible employees’ use of leave required by the FMLA.

Further Information: For more information regarding specific circumstances, employees may contact the City Clerk.

Policy:

It is the policy of the City to provide rest breaks during the course of each workday.

Comment:

- (1) Non-exempt employees (those covered by the minimum wage and overtime requirements of the Fair Labor Standards Act) shall receive, unless job conditions do not permit, a rest break of fifteen minutes at approximately the middle of every four hours of work not interrupted by a meal period.
- (2) Supervisors are responsible for scheduling the time for non-exempt employee rest breaks and shall take into consideration the workload and the nature of the job performed. Whenever necessary, the frequency and time of rest periods may be changed.
- (3) Time spent on rest breaks will be compensated as working time, and non-exempt employees are not required to sign out and in on their time cards. However, employees are expected to be punctual in starting and ending their breaks and may be disciplined for failure to be prompt.
- (4) Employees are not allowed to work during rest breaks, and are not entitled to arrive later than the scheduled starting time or leave before the normal quitting time and will not receive extra pay for the time worked in lieu of taking rest breaks.
- (5) Employees on rest breaks may not interfere with other employees who are continuing to work.

Policy:

It is the policy of the City to provide meal breaks during the course of any work shift exceeding five hours in length.

Comment:

- (1) All employees are allowed a meal break as near the middle of the shift as possible. Meal breaks will be a minimum of thirty minutes and a maximum of sixty minutes.
- (2) Employees scheduled to work more than five consecutive hours during any workday must take at least a thirty-minute meal break.
- (3) Supervisors are responsible for balancing workloads and scheduling meal breaks and shall take into consideration the workload and the nature of the job performed. Whenever necessary, the duration and time of meal periods may be changed.
- (4) Employees required to work more than ten hours in any workday will be allowed a second meal break as scheduled by the supervisor.
- (5) Non-exempt employees (those not exempt from the minimum wage and overtime requirements of the Fair Labor Standards Act) will not be compensated for their meal breaks unless they are required to work during their breaks.
- (6) Employees may not leave early or extend meal breaks beyond their assigned period. Employees will be subject to discipline if tardy in returning from a break.
- (7) Employees on meal breaks are not permitted to interfere with other employees who are continuing to work.

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Policy:

It is the City's policy to place as few restraints on employees' personal conduct as possible. The City relies on each employee's good judgment and sense of responsibility as the principle source of guidance for conducting day-to-day duties and responsibilities. However, for the protection of the City's business interests and other employees, certain rules of conduct have been established. The rules are formalized for each employee's information and to minimize the likelihood of any employee, through misunderstanding or otherwise, being subject to disciplinary action.

Employees shall have the right to request and have a representative present during any investigatory interview for which the employee may be subject to discipline, disciplinary or corrective action meetings, conferences or discussions that the employee(s) reasonably believe may adversely affect their conditions of employment. This right to representation does not attach to informal non-disciplinary meetings, counseling or discussions concerning day-to-day work performance and expectations.

If, for any reason, the employer reasonably believes that it may take disciplinary action against an employee as a result of such meeting, conference or investigatory interview, the employee shall be apprised of his or her right to have a representative present.

Comment:

- (1) There are certain types of actions which shall not occur, but normally, it is the reoccurrence of the action rather than the first occurrence of the action which results in discharge. The occurrence of any of the following is deemed sufficient justification for imposing of lesser discipline such as a warning, suspension without pay or probation, although under appropriate circumstances, the City may immediately discharge an offender for the first offense:
 - (a) Ignoring safety rules or common safety practices.
 - (b) Engaging in disorderly conduct, horseplay, immoral conduct or insubordination; using uncivil, insulting, vile or obscene language.
 - (c) Failure to report occupational injuries or accidents, including motor vehicle accidents, promptly to the employee's supervisor.
 - (d) Engaging in activities other than assigned work during working hours and/or while operating City equipment, without approval in advance by an employee's supervisor.
 - (e) Acting in an insulting, rude, insolent or uncivil manner toward any customer or other person while working for the City, or while operating City equipment or on City premises.

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- (f) Failure to exercise the care and attention to one's work as required by the circumstances.
 - (g) Smoking in restricted or prohibited areas, whether on City property or otherwise.
 - (h) Acting in any manner inconsistent with common sense rules of conduct necessary to the welfare of the City or its employees.
 - (i) Unexcused or excessive absences or tardiness.
 - (j) Leaving work before the end of the shift or not being ready to begin work at the start of the shift or working overtime without permission of management.
 - (k) Loafing or spending unnecessary time away from the job.
 - (l) Unauthorized possession or use of any City property, equipment or materials.
 - (m) Carrying an unauthorized passenger in a City vehicle.
 - (n) Contributing to unsanitary conditions or poor housekeeping.
 - (o) Using City property or time for personal financial gain.
 - (p) Sexual or racial harassment or other unlawful discrimination toward another employee.
 - (q) Having wages or salary subject to a writ of garnishment for three or more separate indebtedness in a continuous 12-month period.
- (2) There are certain kinds of actions which cannot be permitted to occur because of their impact on other employees and the City. Such offenses may result in discharge on the first occurrence. The following section contains examples of such offenses. This list of examples is not all-inclusive. Before a final decision is made regarding a discharge, the City will convene a pre-discharge meeting as provided for in the-disciplinary procedure. The occurrence of any of the following is considered sufficient justification for immediate discharge:
- (a) Theft, misappropriation or removal of City property or the property of employees, clients or the public;
 - (b) Knowing, intentional or repeated falsification of any application for employment or any report, record, time sheet or City records;
 - (c) Soliciting and/or accepting payment, gifts or any item of value for services performed during the regular workday, whether or not the services are performed on behalf of the City and whether or not City vehicles or equipment are used;

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- (d) Willful alteration, destruction or waste of City property, facilities, records or equipment, wherever located, or the destruction of another employee's property;
- (e) Bringing alcohol, narcotics or other controlled substances onto City property or into City vehicles; the use of alcohol, narcotics or other controlled substances on City property or in City vehicles; reporting to work under the influence of alcohol, narcotics or other controlled substances while on working time, or while on City property or in City vehicles;
- (f) Giving or taking a bribe of any nature as inducement for obtaining or retaining a job or position;
- (g) Serious or repeated disorderly conduct, horseplay or insubordination. Insubordination includes, but is not limited to: neglect of duty, or refusal or failure to obey orders or instructions in the line of duty; public disrespect displayed toward a supervisor or the City while performing work for the City; and abusive language to any employee;
- (h) Threatening, intimidating, coercing or interfering with supervisors or other employees;
- (i) Deliberate attempts to injure another employee or fighting on City property;
- (j) Sleeping during working hours;
- (k) Unauthorized possession of fire arms, explosives or any dangerous weapons while performing City work;
- (l) Participating in an unauthorized work stoppage or slowdown;
- (m) Recklessness resulting in a serious accident while on duty, whether on City property or while driving a City vehicle;
- (n) Repeated, unwelcome racial or sexual harassment directed toward another employee, including but not limited to demands for sexual favors in exchange for employment, retention of job, promotion or other employment benefits.

Questions about this policy should be directed to a Department Head or the City Clerk.

Policy:

It is the policy of the City that each employee's dress, grooming, and personal hygiene shall be appropriate to the work situation for their position and department.

Comment:

- (1) Employees are expected at all times to present a professional, business-like image to the public. Acceptable personal appearance, like proper maintenance of work areas, is a requirement of employment with the City. Radical departure from conventional standards of dress, personal grooming and hygiene is not permitted.
- (2) Office workers and other employees who have regular contact with the public must comply with the following personal appearance standards:
 - (a) Employees are expected to dress in a manner that is normally acceptable in similar business establishments. Employees shall not wear jeans, athletic clothing, shorts, sandals, T-shirts, novelty buttons, baseball hats, and similar items of casual or suggestive attire that do not present a business-like appearance.
 - (b) Hair shall be clean, combed, and neatly trimmed or arranged. Shaggy, unkempt hair is not permissible regardless of length.
 - (c) Sideburns, mustaches, and beards shall be neatly trimmed.
- (3) All employees who do not regularly meet the public shall dress in a manner consistent with safety requirements and maintain personal appearance and hygiene at as high a standard as working conditions permit.
- (4) Certain employees may be required to meet special dress, grooming, and hygiene standards, such as wearing uniforms, depending on the nature of their job. Where uniforms are required, they will be provided at city expense. Uniforms should be kept clean and free of wrinkles and holes and otherwise appear in new or like-new condition.
- (5) Any employee who does not meet the standards of this policy will be required to take corrective action, which may include leaving the premises. Non-exempt employees (those employees subject to the minimum wage and overtime requirements of the Fair Labor Standards Act) will not be compensated for any work time missed because of failure to comply with this policy. Violations of this policy will result in disciplinary action.

Policy:

It is the policy of the City to require employees to meet their financial obligations in a timely manner.

Comment:

- (1) Employees shall manage their personal finances so that they do not adversely impact their job performance or the City's image in the community. The failure of employees to meet financial obligations may impose an administrative and financial burden on the City through extra bookkeeping and the need to respond to legal notices and court orders.
- (2) The City will not disclose employee financial information to outside parties without the express written permission from the employee, except as required by law. If an employee becomes financially obligated to the City, they will be required to enter into a written acknowledgment of the obligation at the time it is incurred.
- (3) The City may conduct credit checks on applicants for employment or current employees being considered for promotions or transfers to positions where the employee's financial situation may reflect on the employee's qualifications to perform the job.
- (4) The City Clerk is the only person authorized to receive a writ of garnishment or attachment, a notice of levy by any taxing authority, or any other similar order requiring payment of a portion of an employee's compensation to someone other than the employee. The City Clerk will notify the affected employee immediately and deduct the required amount from the employee's earnings, up to the limit permitted by law.
- (5) No employee will be terminated because their earnings have been garnished for one indebtedness. However, garnishments for three or more separate indebtedness may result in discipline, up to and including termination.
- (6) The City will not deny employment to, or terminate the employment of, any person solely because that person has filed a petition for bankruptcy.

Policy:

It is the policy of the City to serve the public and to require employees to treat the public in a courteous and respectful manner at all times.

Comment:

- (1) The public provides the primary source of the City's income and each employee's job security. To promote excellent relations with the public, all employees must represent the City in a positive manner and make the public feel appreciated when dealing with city employees.
- (2) Employees having contact with the public are expected to be familiar with the City's services and to learn how to respond to general questions about city services, as well as to questions pertinent to their jobs.
- (3) Employees are encouraged to report recurring problems to their supervisor and to make suggestions for changes in City policies or operating procedures to solve problems.
- (4) Employees shall be prepared to listen carefully to the public's complaints and deal with them in a helpful, professional manner. If a controversy arises, the employee shall explain City policy respectfully and clearly. Members of the public who become unreasonable, abusive, or harassing shall be referred to the employee's supervisor.
- (5) Employees shall be polite and thoughtful when using the telephone. A positive telephone contact with a customer can enhance goodwill, while a negative experience can destroy a valuable relationship. The following procedures shall be observed whenever possible:
 - (a) When answering the telephone, use a pleasant tone of voice, give the name of the department, and identify yourself;
 - (b) If the person with whom the caller wishes to speak is on another line, ask if the caller wants to be placed on hold;
 - (c) If a caller has been placed on hold, carefully monitor the time and offer to have the call returned if the person called is not available within a reasonable time;
 - (d) When a caller leaves a name, number, or message, make sure it is recorded correctly and given promptly to the appropriate individual;

Policy:

It is the policy of the City to provide or contract for the communications services and equipment necessary to promote the efficient conduct of its business.

Comment:

- (1) Supervisors are responsible for instructing employees on the proper use of the communications services and equipment used by the City for both internal and external business communications.
- (2) Most communications services and equipment have toll charges or other usage-related expenses. Employees shall be aware of these charges and shall consider cost and efficiency needs when choosing the proper vehicle for each business communication. Employees shall consult their supervisor if there is a question about the proper mode of communication.
- (3) All City communications services and equipment, including the messages transmitted or stored by them, are the sole property of the City. The City may access and monitor employee communications and files as it considers appropriate. Communications equipment and services include mail, electronic mail (e-mail), courier services, facsimiles, telephone systems, personal computers, computer networks, on-line services, Internet connections, computer files, telex systems, video equipment and tapes, tape recorders and recordings, pagers, cellular phones, and bulletin boards. Employees whose communications may be monitored will be asked to sign a consent form authorizing the monitoring.
- (4) On-line services and the Internet may be accessed only by employees specifically authorized by the City. Authorized employees must disclose all Internet passwords to the City and their supervisors, but must not share the passwords with other employees. Employees' on-line use shall be limited to work-related activities. In addition, employees shall not duplicate or download any software or materials that are copyrighted, patented, trademarked, or otherwise identified as intellectual property. When appropriate Internet material is downloaded, it shall be scanned using the City's anti-virus software.
- (5) Employees shall not use City communications services and equipment for personal purposes except in emergencies or when extenuating circumstances warrant it. When personal use is unavoidable, employees must properly log any user charges and reimburse the City for them. However, whenever possible, personal communications that incur user charges shall be placed on a collect basis or charged directly to the employee's personal credit card or account. City communications property or equipment may not be removed from the premises without written authorization from the employee's supervisor.

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- (6) Employees who do not have direct access to a City telephone shall make provision to have emergency or other necessary incoming calls routed to their supervisor or, if the supervisor is not accessible, to the City Clerk. Although the City will attempt to deliver personal messages to employees, it cannot and does not accept responsibility for the prompt or accurate relay of these messages.
- (7) Employees shall ensure that no personal correspondence appears to be an official communication of the City since employees may be perceived as representatives of the City and, therefore, can damage or create liability for the City. All outgoing messages, whether by mail, facsimile, e-mail, Internet transmission, or any other means, must be accurate, appropriate, and work-related. Employees may not use the City's address for receiving personal mail or use City stationery or postage for personal letters. In addition, personalized City stationery and business cards may be issued only by the City.
- (8) Improper use of the City communications services and equipment will result in discipline, up to and including termination. Improper use includes any misuse as described in this policy as well as any harassing, offensive, demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.

Policy:

It is the policy of the City to prohibit its employees from engaging in any activity, practice, or conduct which conflicts with, or appears to conflict with, the interests of the City, the public, or its suppliers. Since it is impossible to describe all of the situations which may cause or give the appearance of a conflict of interest, the prohibitions included in this policy are not intended to be exhaustive and only include some of the more clear-cut examples.

Comment:

- (1) Employees are expected to represent the City in a positive and ethical manner. Thus, employees have an obligation both to avoid conflicts of interest and to refer questions and concerns about potential conflicts to their supervisor. Department Heads and employees who have contact with the public and suppliers may be required to sign a special statement acknowledging their understanding of and adherence to this policy.
- (2) Employees may not engage, directly or indirectly, either on or off the job, in any conduct which is disloyal, disruptive, competitive, or damaging to the City.
- (3) Employees are not to accept any employment relationship with any organization that does business with the City. This prohibition on employment includes serving as an advisor or consultant to any such organization, unless that activity is conducted as a representative of the City.
- (4) Employees must disclose any financial interest they or their parent, spouse or child may have in any firm which does business with the City. The City may require divestiture of the interest if it considers the financial interest to be in conflict with its best interests.
- (5) Employees shall not accept, directly or indirectly, any gift, favor, loan retainer, entertainment or other thing of monetary value from any person, firm or corporation having dealings with the City when such acceptance would conflict, or create the appearance of a conflict, with the performance of the employee's duties. A conflict or appearance of a conflict shall be deemed to exist where a reasonable and prudent person would believe that such was given for the purpose of obtaining special consideration or influence.

If an employee is given or offered any gift, favor, loan, retainer, entertainment or other thing of monetary value under circumstances which could reasonably be construed to create a conflict of interest or the appearance of a conflict of interest, the employee shall immediately report such activity to his or her supervisor. The supervisor shall in turn inform the Department Head and the Mayor.

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In recognition of the public responsibility to provide for the maintenance of good relations between the City and its suppliers and others with whom the City may have business dealings, and to prevent gift-bearing businesses from interfering with and/or influencing employees, the City permits acceptance of an occasional lunch or its equivalent.

- (6) Employees are not to give, offer, or promise, directly or indirectly, anything of value to any individual businesses or to a financial institution in connection with any transaction or business that the City may have with that customer, potential customer, or financial institution. Employees shall not accept or seek for others, any service, information, or thing of value on more favorable terms than those granted to the public generally, from any person, firm or corporation having dealings with the City.
- (7) City employees shall not sell or barter anything to the City or to a contractor supplying the City, or make any contract with the City or purchase anything from the City other than those things which the City offers generally to the public, such as but not limited to, utility services, and then only on the same terms as are offered to the public, unless an invitation to submit sealed bids is published and the City accepts the sealed bid which is most advantageous to the City. Any violation of this section with the express or implied knowledge of the person or corporation contracting with the City shall render the contract voidable by the Mayor or the City Council.
- (8) Employees may not disclose inside information to anyone, either inside or outside the organization, who does not have a legitimate business need to know it.
- (9) Failure to disclose any conflict or potential conflict of interest will result in discipline, up to and including termination.

Policy:

It is the policy of the City that all employees are expected to comply with the City's standards of behavior and performance and that any noncompliance be corrected in a manner that is consistent with established Personnel Policies and that protects the dignity of all employees.

Comment:

- (1) Under normal circumstances, the City endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. It does, however, retain the right to administer discipline in any manner it sees fit. This policy does not modify the status of employees as employees-at-will or in any way restrict the City's right to bypass the disciplinary procedures suggested.
- (2) Disciplinary Procedure: The occurrence of any of the actions set forth in the general rules of conduct section is deemed a sufficient justification for the imposition of the disciplinary procedures set forth in this section. The City may skip steps in this sequence whenever, in its judgment, circumstances require an abbreviated disciplinary procedure.
 - (a) Oral Warning: Oral warnings may be given for minor offenses or to bring to the attention of an employee potential work performance problems. Oral warnings may include an explanation of the violation or problem and requests for corrective action on the part of the employee. A notation of each oral warning shall be placed in a file and maintained by the supervisor for future reference. In addition, the offending employee may be given a warning slip.
 - (b) Written Warning: A written warning may be given for a more serious offense or when the employee, who has been orally warned for a minor offense or problem in his or her work performance, repeats it or fails to take corrective action.

Written warnings shall contain: a statement of the facts; a statement of the discipline being given, if any; the employee's explanation and reason for the violation, if appropriate; the required corrective action on the part of the employee; if appropriate, a written and definite period of disciplinary probation (not to exceed six (6) months) during which the employee must clearly demonstrate improvement; and a statement indicating further disciplinary action may follow if correction is not achieved.

The warning shall be signed by the employee and any other person who may be present at the discussion. The warning shall be signed by the employee's direct supervisor and the Department Head involved. After review with the employee, a copy of the written warning is to be given to the employee and a copy is to be entered into the employee's personnel file. Copies of written warnings are to be forwarded to the Mayor and the City Clerk.

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- (c) Suspension/Final Warning: A suspension may be given for serious infractions of employee rules of conduct which are not deemed sufficient justification for immediate discharge, or for a repeated offense, or for failure to correct an action for which a written warning was previously given.

A suspension is time off without pay for disciplinary reasons, and will be for as long as the City determines is reasonable and necessary for a specific violation.

In each case of disciplinary suspension, a written memo shall be prepared indicating: the event or events which led to the suspension; the duration of suspension; a statement indicating required corrective action on the part of the employee; the employee's explanation or comment, if appropriate; and a statement indicating that it is a "final warning" and further indicating that the employee will be discharged upon the occurrence of another infraction or unless corrective action is taken within the stated time. The memo may be signed by the employee and any other person present at the discussion. The memo must be signed by the employee's direct supervisor and the Department Head involved.

After review with the employee, a copy of this memo is to be given to the employee and copy is to be entered into the employee's personnel file, with copies forwarded to the Mayor and the City Clerk.

- (d) Disciplinary Probation: Disciplinary probation may be used as a consequence in conjunction with a suspension or final warning after a serious or repeated violation, except for employees represented by a bargaining agreement. When an employee is placed on disciplinary probation, such an employee will be given a written statement of the action taken, the reasons for the action and the consequences of repeating or engaging in further or other unacceptable behavior. This written statement shall be given to the employee at the time the regular employee is placed on disciplinary probation or within two (2) days thereafter. A copy of this written statement shall be placed in the employee's personnel file.

During a period of disciplinary probation, an employee may not use any earned but unused vacation benefits, is ineligible for a leave without pay, may not take a floating holiday, and must provide a satisfactory explanation to his or her Department Head for using any earned but unused sick leave benefits. Disciplinary probation may be for any period not to exceed six (6) months.

During the disciplinary probationary period, the employee must show the required improvement necessary to remain in the job. If the employee fails to correct his or her performance or repeats the unacceptable conduct during the disciplinary probation period, the employee may be discharged. All discharges shall be in accordance with the City's policy on pre-discharge meetings.

- (e) Discharge: When the supervisor feels that the nature of a violation warrants discharge, or if the discharge is a result of the disciplinary procedure where the desired corrective action was not achieved by one or all of the steps above

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(written warning, suspension, etc.), such supervisor will prepare a written report to his or her Department Head, the City Clerk and the Mayor. The written report shall include the reason(s) for the discharge; information on any previous warnings or disciplinary actions which may be relevant; a brief summary of the regular employee's past work record and length of employment with the City; and any other relevant information. The Department Head and the employee's direct supervisor will process the case together and present their findings and recommendations to the Mayor and the City Clerk. Before the final decision is made regarding a discharge, a meeting shall be convened as follows:

- (f) Pre-Discharge Meeting: No regular employee shall be terminated without a pre-discharge meeting. The employee shall be provided with a written notice of the charge or grounds for termination and a summary of the City's evidence. The employee shall be given an opportunity to respond to these charges, either orally or in writing, and to explain why the City should not go ahead with the discharge. Although the Department Head's explanation of the City's evidence shall be sufficient to inform the employee of the basis for discharge, this procedure shall not be construed to limit the City at any subsequent hearing or proceeding from presenting a more detailed and complete case, including the presentation of witnesses and/or documents not introduced at the discharge meeting. Should the Mayor determine to proceed with the discharge, or some alternative disciplinary action, the City will give the employee written notice of discipline without undue delay.
- (3) The progressive disciplinary procedures described above may also be applied to an employee who is experiencing a series of unrelated problems involving job performance or behavior. Unrelated performance problems will normally be considered separate and progressively unless the effect of the unrelated performance deficiencies have a cumulative effect on the employee's overall performance.
- (4) At any investigatory interview conducted for the purpose of determining the facts involved in any suspected violation of City rules and regulations, the following procedures normally shall apply:
 - (a) Before the interview, the employee who is suspected of violating City rules and regulations shall be told in general terms what the interview is about.
 - (b) If the employee is represented by a union, the employee has the right to have a union representative present at the interview if employee requests such representation.
 - (c) If the employee is not represented by a union, the employee may, upon request, have a co-worker present at the interview if the interview covers issues affecting other employees.
- (5) Employees who believe that they have been disciplined too severely or who question the reason for discipline may use the grievance procedure.

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- (6) If a disciplined employee works a full year without further disciplinary action under this policy, the next failure to meet behavior or performance standards may be treated as a first occurrence under this policy. However, the City may still consider all past disciplinary actions in evaluating the employee.

Policy:

It is the policy of the City to maintain a workplace that is free from the effects of drug and alcohol abuse.

Comment:

- (1) The City will not knowingly hire, subject to state or local law restrictions, applicants whose current use of alcohol or drugs would prevent them from performing their jobs or who would constitute a direct threat to the property or safety of others. Whenever applicants for employment are to be tested for the presence of illegal drugs, they will be informed in advance and in writing.
- (2) Employees are prohibited from the illegal use, sale, dispensing, distribution, possession, or manufacture of illegal drugs, controlled substances, narcotics, or alcoholic beverages on City property, premises or work sites. The illegal use, sale or possession of narcotics drugs or controlled substances during working hours is prohibited. Being under the influence of any narcotic or non-prescribed drug while on City property and during working hours is also prohibited because this behavior reflects unfavorably upon the City and may adversely affect City operations, safety and job performance.
- (3) The City prohibits the off-premises abuse of alcohol and controlled substances when those activities adversely affect job performance, job safety, or the City's reputation as an employer in the community.
- (4) Alcohol consumption off City property during working hours by city employees is prohibited. Employees who appear to be under the influence of alcohol or drugs during working hours may be required to submit to appropriate tests to determine the presence of alcohol and drugs. Failure to submit to such tests may result in discipline. Tests that are paid for by the City are the property of the City, and the examination records will be treated as confidential and held in separate medical files. However, records of specific examinations, if required by law or regulation, will be made available to the employee, persons designated and authorized by the employee, public agencies, relevant insurance companies, or the employee's doctor.
- (5) Employees shall report immediately to their Department Head any action by another employee who demonstrates an unusual pattern of behavior. The Department Head will determine whether the employee shall be examined by a physician or clinic and/or tested for drugs and alcohol. Employees believed to be under the influence of drugs, narcotics, or alcohol will be required to leave the premises. The Department Head shall arrange safe transit.

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- (6) Employees must report their use of over-the-counter or prescribed medications to their Department Head if the use might impair their ability to perform their job safely and effectively. A determination will then be made as to whether the employee is able to perform the essential functions of the job safely and properly.
- (7) Employees who are experiencing work-related or personal problems resulting from drug, narcotic, or alcohol abuse or dependency may request, or be required to seek, counseling help. Participation in counseling, including City-sponsored or required counseling, is confidential and shall not have any influence on performance appraisals. Job performance, not the fact that an employee seeks counseling, is to be the basis of all performance appraisals.
- (8) The City is concerned with alcoholism and substance abuse because of its effect on an employee's performance on the job. The policy of treating alcoholism or substance abuse like other illnesses, however, does not relieve an affected employee from the employment conduct or job performance standards applicable to all other employees. Affected individuals will be held to the same standards and participation in or successful completion of a treatment program may be required as a condition of continuing employment.
- (9) Any employee who is abusing drugs or alcohol may be granted a leave of absence to undertake rehabilitation treatment. The employee will not be permitted to return to work until medical certification is presented to the City Clerk that the employee is capable of performing his job. Failure to cooperate with an agreed-upon treatment plan may result in discipline, up to and including termination. Participation in a treatment program does not insulate an employee from the imposition of discipline for violations of this or other City policies.
- (10) Employees will be subject to disciplinary action, up to and including termination, for violations of this policy. Violations include, but are not limited to, possessing illegal or non-prescribed drugs and narcotics or alcoholic beverages at work; being under the influence of those substances while working; using them while working; or dispensing, distributing, or illegally manufacturing or selling them on City premises and work sites. Employees, their possessions, and City-issued equipment and containers under their control are subject to search and surveillance at all times while on City premises or work sites or while conducting City business. Employees subject to the Drug-Free Workplace Act who are convicted of any criminal drug violation occurring in the workplace must report the conviction to the City Clerk within five days, and the City Clerk will take appropriate action as required by law.
- (11) The City will, to the extent feasible, providing continuing awareness programs about the harmful effects of drug and alcohol abuse.

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MISCELLANEOUS

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PERSONNEL RECORDS/EMPLOYEE PRIVACY/EMPLOYMENT REFERENCES 901

Policy:

It is the policy of the City to maintain personnel records for applicants, employees, and past employees in order to document employment-related decisions, evaluate and assess policies, and comply with government record keeping and reporting requirements.

Comment:

- (1) The City Clerk is responsible for overseeing record keeping for all personnel information and will specify what information shall be collected and how it shall be stored and secured.
- (2) Personnel records are maintained on all City employees and are the property of the City. The records include, among other things, an employee's application, I-9 verification, any examination materials, reports of the results of any employment reference checks, a list of positions held and pay rates received, performance evaluations, notes regarding any disciplinary action(s) or other counseling sessions, and records related to fringe benefits.
- (3) Employees have a responsibility to keep their personnel records up to date and shall notify the City Clerk in writing of any changes in the following:
 - (a) Name;
 - (b) Address;
 - (c) Telephone number;
 - (d) Marital status (for benefits and tax withholding purposes only);
 - (e) Number of dependents;
 - (f) Addresses and telephone numbers of dependents and spouse or former spouse (for insurance purposes only);
 - (g) Beneficiary designations for any of the City's insurance, disability or retirement plans;
 - (h) Persons to be notified in case of emergency.

In addition, employees who have a change in the number of dependents or marital status must complete a new For W-4 for income tax withholding purposes within ten days of the change, if it results in a decrease in the number of dependents.

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- (4) An employee's personnel records are confidential. Only the employee, the employee's immediate supervisor, Department Head, the Mayor, City Council or other appropriate personnel authorized by the Mayor may examine employee personnel records, unless otherwise required by a valid court order, the Public Disclosure Act, and/or the Freedom of Information Act. The examination must be approved by the City Clerk and be recorded in the file inspected. Employees may inspect their own personnel records and may copy, but not remove, documents in the file. Inspections requested will be scheduled at a mutually convenient time with the City Clerk. Records that are considered to contain sensitive or confidential corporate plans or information may be excluded from the inspection, and all inspections must be conducted in the presence of an authorized employee of the City Clerk's office. A reasonable charge, not to exceed the actual cost to the City, will be made for any copies of records made by the employee.
- (5) Employees are entitled to review their own personnel file whenever they request to do so.
- (6) Employees who believe that any file material is incomplete, inaccurate, or irrelevant may submit a written request for file revisions to the City Clerk. If the request is not granted, the employee may place a written statement of disagreement in the file and initiate the grievance procedure. Final determination of the retention of such material shall be made by the Mayor.
- (7) Confidential personnel records shall not be released to any other unauthorized individuals except with the written consent of the employee or in response to valid court orders or government requests directing the provision of information from personnel records.
- (8) Personnel records, which are not confidential, shall be maintained and destroyed in accordance with established policy regarding public records. Confidential personnel records and payroll records will be destroyed seven (7) years after the employee has ceased to work for the City. Seven (7) years after the date of termination, former employees' names, Social Security numbers, dates of employment and job classification will be listed on the City's employee history index and the contents of their personnel file destroyed. Some information, like name, address and salary, contained in a public record may be subject to disclosure under the State Public Disclosure Act.
- (9) Unless otherwise required by a valid court order, the Public Disclosure Act, and/or the Freedom of Information Act, the City will furnish only the following information about past or present City employees to person's outside City government:
 - (a) Dates of Employment
 - (b) Current job title or job title at date of termination
 - (c) Verification of salary information

All requests for any information regarding past or present City employees shall be directed

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immediately to the City Clerk. Because of the potential for liability to the City, supervisors and managers shall not respond directly to such requests for information. Any requests may be reviewed by the City Attorney.

Policy:

It is the policy of the City to encourage employees to make constructive suggestions for the improvement of operations and to give appropriate recognition and rewards for suggestions that are properly submitted and accepted.

Comment:

- (1) Employees of the City below the level of manager are eligible to participate in the Suggestion Program. However, employees assigned to quality circle programs or to joint employee-management improvement teams are not eligible to submit suggestions developed or adopted as a result of these activities. Employees who are expected to improve the City's operations as part of their normal responsibilities are not eligible.
- (2) An eligible suggestion for the purposes of this program is defined as a constructive idea that has as its design and purpose the resolution of a problem, the improvement of operations or procedures, or the improvement of the City's working environment. Examples of eligible suggestions include:
 - (a) More efficient ways to do a job or reduce costs;
 - (b) Improvements in customer service quality or vendor relationships;
 - (c) Better methods to produce services;
 - (d) Ways to reduce waste;
 - (e) More efficient ways to use plant or office space;
 - (f) New sources for obtaining parts, materials, or supplies;
 - (g) Ideas for improving attendance and punctuality;
 - (h) Methods of making work areas safer, cleaner, or more comfortable;
 - (i) Better ways to safeguard City and employee property;
 - (j) Revisions or improvements to City policies.

Topics not eligible for consideration include complaints and criticisms, contract and wage issues, and non-business concerns.

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- (3) To be considered for evaluation, all suggestions must be submitted in writing to the City Clerk. Suggestion forms for this purpose are available from the City Clerk and at convenient locations throughout the City's premises. Each suggestion form must be signed and dated and submitted to the City Clerk. The City Clerk shall notify the suggesting employee with an acknowledgment.
- (4) The Suggestion Committee shall evaluate all properly submitted suggestions, determine which will be accepted or rejected, and set the level of the award, where appropriate, for those accepted. All decisions are at the discretion of the Committee and are final.
- (5) Suggestions the Committee determines to be ineligible, have little or no merit, or which the City decides not to implement at the time, will be rejected. The Committee is responsible for sending an explanation for the rejection and a note of appreciation to the suggester.
- (6) Suggestions accepted by the Committee shall be referred to the appropriate Department Head or supervisor for implementation. The Committee shall notify the suggester and make any appropriate announcements.
- (7) Awards for suggestions may be made at the discretion of the Suggestion Committee. Awards may be based on gains or savings, actual or estimated, from the suggestions, up to a maximum of \$50.00 per suggestion. In addition, the Committee may make other awards for suggestions that do not result in easily measured gains or for those that have merit but are not adopted because of other policy considerations.
- (8) Time spent developing suggestions for submission to the Committee will not be considered hours worked for pay purposes. An employee assigned by management to work on the development or implementation of a suggestion, will not be eligible for the Suggestion Program awards since the work will be considered part of the employee's assigned job duties.
- (9) All suggestions, once submitted, become the property of the City. The City may modify, change, or eliminate the Suggestion Program at any time, at its discretion.

Policy:

It is the City's policy to provide appropriate avenues of communication to improve the overall quality of work and conditions of employment. It is also the desire of the City to resolve problems and pursue suggestions through an informal process where such a process is in the best interest of the City and its employees. Formal procedures are provided for those situations by this Policy and negotiated bargaining agreements when the informal process is not appropriate

Comment:

- (1) Employee Communications: (Informal Process) Any time an employee has a question, problem or complaint, the employee shall do the following:
 - (a) Consult with the employee's supervisor. Generally, the employee and supervisor will be able to resolve the problem. If the problem is not solved at this level;
 - (b) The employee may request a meeting with his or her Department Head to resolve the problem. If the employee receives no resolution at this level; and
 - (c) The employee may request a meeting with the Mayor to resolve the problem. The final determination will be made by the Mayor.
- (2) The formal grievance procedure is the exclusive remedy for employees with appropriate grievances. The formal grievance procedure has three steps, but grievances may be resolved at any step in the process. Grievances are to be fully processed until the employee is satisfied, does not file a timely appeal, or exhausts the right of appeal under the policy. A decision becomes binding on all parties whenever an employee does not file a timely appeal or when a decision is made in the final step and the right of appeal no longer exists.
- (3) Formal Grievance: A formal grievance is a complaint by a regular, employee or group of regular employees alleging a violation of a section(s) of the City's ordinances, personnel regulations or department rules and regulations which pertain to the terms and conditions of such employment by the City. PART TIME (<20 HOUR), temporary employees, contractors and employees who have not completed their trial period are not eligible to receive benefit of the formal grievance procedure. Examples of matters which may be considered appropriate grievances under this policy include:
 - (a) A belief that City policies, practices, rules, regulations, or procedures have been applied in a manner detrimental to an employee;
 - (b) Treatment considered unfair by an employee, such as coercion, reprisal, harassment, or intimidation;

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- (c) Alleged discrimination because of race, color, sex, age, religion, national origin, marital status, or disability;
- (d) Improper or unfair administration of employee benefits or conditions of employment such as scheduling, vacations, fringe benefits, promotions, retirement, holidays, performance review, salary, or seniority.

FORMAL GRIEVANCE PROCEDURE

- (4) A formal grievance shall be handled in the following manner:
 - (a) The aggrieved employee or group of employees shall present the grievance orally to the immediate supervisor within five working days of its occurrence, not including the day of the occurrence. The supervisor shall give an oral reply within five working days of the date of presentation of the grievance, not including the date of the presentation. If the grievance is resolved at Step 1, the supervisor shall prepare a memorandum to the grievant(s) setting forth the terms of the resolution. A copy of this memorandum shall be sent to the Mayor, Department Head and City Clerk at the time it is sent to the grievant(s).
 - (b) If the grievance is not settled at Step 1, it shall be prepared in detail, shall be documented in writing, shall be dated, shall be signed by the aggrieved employee or group of employees, and shall be presented to the Department Head within five (5) working days after the supervisor's oral reply is given, not including the day the answer is given. The Department Head shall reply in writing to the grievant(s) within five working days of the date of the presentation of the written grievance, not including the day of the presentation. If the grievance is resolved at Step 2, the Department Head shall prepare a memorandum to the grievant(s) setting forth the terms of this resolution. The Mayor and City Clerk shall be provided with a copy of this memorandum at the time it is sent to the grievant(s).
 - (c) If the grievance is not settled at Step 2, the written grievance shall be presented, along with all pertinent correspondence and information, to the Mayor within five (5) working days after the Department Head's response is given, with a copy going to the Department Head. The Mayor may meet with the aggrieved employee or group of employees, the immediate supervisory personnel and the Department Head. The Mayor shall reply to the grievant in writing within five (5) working days of the date of presentation of the written grievance, not including the day of presentation. The Mayor's decision is binding. The Mayor shall prepare a memorandum to the grievant(s) setting forth the terms of the resolution. A copy of this memorandum shall be sent to the City Clerk at the time it is sent to the grievant(s).
- (5) The City Clerk will provide training and support to supervisors and Department Heads in dealing with employee grievances. In addition, employees shall be encouraged to consult with the City Clerk, their supervisors, or other members of management, on an

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informal basis regarding employee complaints or disputes.

- (6) Final decisions on grievances will not be precedent-setting or binding on future grievances unless they are officially stated as City policy. When appropriate, the decisions will be retroactive to the date of the employee's original grievance.
- (7) Information concerning an employee grievance shall be confidential. Supervisors, Department Heads, and other members of management who investigate a grievance may discuss it only with those individuals who have a need to know about it or who are needed to supply necessary background information or advice.
- (8) Time spent by employees in grievance discussions with management during their normal working hours will be considered time worked for pay purposes.
- (9) Employees will not be penalized for proper use of the grievance procedure. However, it is not considered proper use if any employee raises grievances in bad faith or solely for the purposes of delay or harassment, or repeatedly raises merit less grievances. Implementation of the grievance procedure by an employee does not limit the right of the City to proceed with any disciplinary action that is not in retaliation for the use of the grievance procedure.
- (10) The City may, at its discretion, refuse to proceed with any complaint it determines is improper under this policy. Further, this policy does not alter the employment-at-will relationship in any way.

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APPENDIX A

Many chapters in this manual have an associated policy reference in one or more current labor contracts in effect for the City of Colville. Refer to current labor contract documents to reference related policies that may supercede information in the following chapters:

Chapter Name	Chapter
Functions of the Policy Manual	102
Employee Status	201B
Hours of Work	207
Termination of Employment	211
Salary Administration	301
Pay Procedures	304
Disclosure of Benefits	501
Vacations	502
Holidays	503
Attendance and Punctuality	701
Short-Term Leaves	702
Leaves of Absence	703
Progressive Discipline	808
Grievance Procedure	904

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APPENDIX B

The following are a list of commonly used forms discussed in this manual. The associated chapter references are provided. Samples of these forms are also provided for easy reference.

Form Name	Chapter
Job Requisition Form	202
Position Announcement Form	202
Performance Evaluation Form	302
Travel Request Form	401
Travel Expense Voucher	401
Absence Report	701 - 703A

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These forms are not currently being used. This list is for future consideration. The associated chapter references are provided.

Form Name	Chapter
Employee Orientation Checklist Form	202B
Release of Reference Information Form	211
Exit Interview Form	211
Termination Checklist Form	211
Severance Agreement	211
Notice of Retirement Form Educational Assistance Form or	212
Tuition Reimbursement Authorization	505
Reprimand Form	808
Problem Resolution Form	904