



City of
VANCOUVER
WASHINGTON

Employment Policy
Manual

Prepared by City Human Resources

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Preface & Introduction

In order to be successful, it is important for employees to know the City's objectives and expectations. Therefore, the City of Vancouver has created a mission statement, a vision statement for the organization, a strategic plan, operating principles and employment policies. These employment policies were established to communicate information; to create a uniform system for personnel management; and to assure that personnel actions and decisions are fair, equitable and in compliance with state and federal employment laws as well as the City ordinance. The policies have the unqualified approval and support of management.

Operating principles are ground rules, not options. They reflect what we stand for and what we will not tolerate. They are a fundamental part of the way we do business. The operating principles are based on these uncompromising values: stewardship; fiscal accountability; customer service; integrity; respect; responsibility; cooperation; leadership; and reputation. They speak of how we expect to act today and every day. We will measure every decision, every action and ourselves against these operating principles.

The policies and guidelines contained in this manual are based on and an extension of the operating principles. They provide the details on how each one of us can meet the objectives established by the operating principles. Just as each employee will be held accountable for compliance with the operating principles, each employee will be held accountable for compliance with the policies and guidelines. Violation of operating principles, policies and/or guidelines may result in corrective or disciplinary action up to and including termination of employment.

As the City grows and transforms, the expectations of each department and employee may also change. Similarly, the laws which govern the working relationship between the City and its employees are constantly changing. Therefore, the City may modify, eliminate or add to any policies, procedures, and guidelines. The City will comply with all state and federal collective bargaining requirements prior to implementing any changes. Employees will be notified of the change and as changes occur, the master policy manual on CityNet will be updated and employees will be responsible for complying with new or updated policies and guidelines.

These employment policies apply to all regular employees and members of management at all levels of supervisory responsibility. These policies are not a contract between the City and any of its employees. If an employee has a specific written employment agreement with the City or is subject to a collective bargaining agreement and the terms of that agreement differ from the information in these policies, the agreement shall prevail. No employee of the City has the authority to grant or offer to any employee any job security or protection which is not provided for under a City policy, collective bargaining agreement or written employment agreement.

Please note that some of these policies may be superseded or governed by the rules of the Civil Service Commission or public safety policy. Further, certain situations may have more than one policy that applies. To ensure that you are following all applicable policies in your situation, please contact your immediate supervisor, Department Director or the City's Human Resources Department.

The employment policies contain information that is important to each employee's job and to successful employment with the City of Vancouver. Therefore, each employee is expected to become familiar with the contents of the policies. Any questions about the policies and procedures may be directed to an immediate supervisor, Department Director, or the City's Human Resources Department.

Source: For additional employment-related information, see the VMC, Section 2.45



City Vision & Operating Principles

Vision Statement:

Vancouver is recognized for its civic excellence. Employees are proud to work in an open, supportive environment where we are empowered to create solutions and outcomes, which exceed the expectations of the citizens we serve.

Our Operating Principles:

In every way, our business is the center of people's lives. Our work includes the roads people drive on, the buildings they live and work in, the parks they play in and the water they drink. No one in the City of Vancouver, whether a resident, a tourist, or a shopper, is untouched by our work. We are in the business of creating and protecting community. Few businesses are involved in work so closely tied to life and living.

We are proud of what we do. We take it seriously. As a government, our city organization is guided by elected officials. And while politics play an important role in choosing our leaders and charting our priorities, politics will play no role in choosing how we treat people.

This document is about our operating principles as a city organization. It speaks of how we expect to act today and everyday. Against these operating principles, we will measure our decisions, our actions, and ourselves.

No doubt some of what is important is not mentioned here. We can add to these operating principles. We will not subtract from them, though. These values are ground rules, not options. They reflect what we stand for – and what we won't stand for. They are a fundamental part of the way we do business. Our commitment to them means that all of our actions and relationships – whether involving citizens or ourselves – are based on these uncompromising values:

Stewardship

The community of Vancouver entrusts us to care for its assets: its roads, its funds, its buildings, its parks, its equipment, its land, its water, its trees and its reputation. We are stewards even of its future. We must never gamble with it. We must conserve and enhance it, or we will have failed in our fundamental responsibility.

We will plan imaginatively and pursue opportunities for tomorrow's citizens and their needs, recognizing that tomorrow comes too quickly. Still, we will not let these plans and pursuits take precedence over, nor get in the way of, our commitment to today's community and its needs.

Fiscal Accountability

The community entrusts us to manage their tax dollars wisely. We will be fiscally-accountable in every action we take – from major expenditures to small transactions. It is our duty and our responsibility to the citizens of Vancouver.

We must make certain that resources are collected, invested, safeguarded and spent in accordance with legal requirements and sound financial management practices. Before any dollar is spent we will ask ourselves, "Is this necessary?", "Is this the best way to conduct the public's business?", "Is there a less expensive, equally effective alternative?"

We will look for more cost-effective ways to provide services. We will partner, seek opportunities to leverage other available funds and work to balance resources with community priorities. Ours is a public trust. Accountability and stewardship begins and ends with every employee.

Customer Service

The City of Vancouver is committed to providing great customer service during every interaction. Great customer service is at the heart of all that we do as a City. Our commitment to making the customer the focus and reason for all that we do is what makes us a great City.

We will be known and recognized for our customer service ethic. We know that every contact with a customer represents a “Defining Moment” - the point when a customer forms an impression of us and our organization either positive or negative. We are committed to providing services that benefit our customers both internal and external. We treat others as we would like to be treated: responsively, timely, respectfully, fairly and pleasantly.

We know the needs and goals of our customers. We offer solutions and outcomes which exceed their expectations. We are responsive and proactive in finding solutions. We effectively communicate with our customers by both actively listening and talking directly with them. We use good judgment and make sound decisions. Our employees are empowered and have the tools and the authority to provide great customer service.

Great customer service is our most important job. The needs of our customers are our number one priority. Always.

Integrity

Integrity in the broadest sense must lead our actions in all relationships, including those with citizens and each other. On a daily basis, every one of us makes choices about how to behave—whether to do the right thing or simply the easy thing.

We are a government. Often, people look at government with suspicion. We cannot simply be right in our decisions; we have to look right, too. Taking advantage of loopholes, quick fixes, and taking shortcuts can compromise public trust in us. We won't allow it. We must do the right thing, even when it is painful or difficult.

We must never base our decisions or actions on what we think we can get away with. If it involves going below the belt, behind the back, or under the table, we won't do it. We will rethink the situation and take a different path. A moment of choice is a moment of truth. It's the testing point of our character and competence.

Respect

We will treat every person with respect and dignity. Always. Our workplace is to be a shelter from violence, threats, harassment of any sort, discrimination, retribution, bullying, and abuses of all kinds. It is to be a place where respect is built by showing respect.

Every person who comes in contact with a City of Vancouver employee, including other employees, can expect honesty, fair dealing, and courtesy. No amount of authority, status, or power can excuse anyone in our organization from treating another with rudeness, humiliation, or disrespect. Ever.

Responsibility

Personal accountability is a basis of our commitment to each other and to the community. We honor our commitments and obligations to each other and to citizens. We keep our word, and if circumstances prevent us from doing so, we don't pass the buck or make up excuses.

Our commitment to accepting responsibility comes before our personal moods. We alone are responsible for how we act, and we can choose to act responsibly.

We are honest with each other. We know that we carry a burden for helping others around us to succeed. We can watch silently as others act against these operating principles or we can step up and say what we see. Personal responsibility means doing the right thing when others aren't.

Cooperation

Together we can create solutions and outcomes that are far more creative, more fitting, more workable, more rewarding than any solution or outcome we could ever come up with on our own. In almost all situations, cooperation is far more productive than competition.

Either-or, we-they, and win-lose thinking has no place in our organization; we must go beyond it. We acknowledge our contribution to problems and work for solutions. Though we may work in different departments and different buildings, and though we may build doors and walls between us, we must cooperate as if we have no separations or barriers. We are one City.

We mean to involve our employees in workplace governance, relying on employees for input, guidance, and advice. The counsel of all employees, from part-time workers to executive managers, is weighed with the same scale: to be considered, it must be consistent with our stated values. We support decisions even if they are not ours.

We encourage and recognize both individual and group achievements. We freely join with colleagues across organizational and city boundaries to advance the interests of the community. We communicate frequently and honestly.

We strive to treat citizens as partners with us. We not only listen to them, we seek their input.

Leadership

We recognize the difference managers can make in the lives of workers and the results of work. Therefore, we recruit, select, and retain managers based on their ability to make a positive difference and demonstrate these values in their decisions and actions.

We require leadership marked by directness, openness to ideas and willingness to be influenced, commitment to the success of others, and trust. Not only must we model these behaviors, we must coach others to adopt them.

We require leadership that increases the authority and responsibility of those closest to the task and encourages employees to stretch their abilities to solve problems at their level.

Reputation

It is not enough to act consistent with our operating principles. We must be seen as being consistent if we hope to earn the confidence of the whole community.

We will strive to become known for our successful commitments to a safe, friendly, challenging, inspiring, productive, rewarding, value-driven, and fun workplace.

We will strive to be known as the best city government based on what the community says about its city and what our employees say about their workplace.

In the end, our success will be measured by our reputation both for what we do and how we do it. That reputation is built by the small, daily acts of each employee in how we treat citizens and how we treat each other. We are our reputation.



Definitions & Key Terms

The City of Vancouver maintains standard definitions of employment status and classifies employees for the purposes of human resource, benefits administration and related payroll transactions. The following definitions are currently in use:

1040 Workers: Employees who are hired by the City to work in seasonal or limited duration positions for a maximum of 1040 hours in a rolling twelve-month period (excluding an ongoing 20 hour per week schedule). Employees in this category do not receive any City benefits.

2080 Workers: Employees who are hired by the City to work in a variety of areas, normally for a maximum of 2080 hours in a rolling twelve-month period. Based upon their assignment, employees in this category may receive City benefits. This group includes: Tennis Center Pros, On-the-Job Training (OJT), Grant-Funded, Special Project and Supported Employees.

Agency Temporary Worker: A contingent worker hired by Human Resources through a temporary staffing agency to fill a seasonal or shorter-term staffing need. Agency temporary workers may work any schedule for a maximum of 1040 hours in a rolling twelve-month period. Agency temporary workers are not employees of the City and as such are not eligible for any City provided benefits.

At-Will Employment: Under the at-will relationship, both the employer and employee may choose to terminate an employment relationship at any time, for any reason, with or without cause for any lawful reason.

FLSA Exempt: An employee who is exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and is normally paid an established salary. Exemption has no relation to union membership status.

FLSA Non-Exempt: An employee who is eligible to receive overtime or compensatory time for work as mandated by the Fair Labor Standards Act (FLSA). Non-exempt employees are normally paid an hourly rate of pay. Non-exempt designation is not related to union membership status.

Limited Term Employee: Employees who have specified term of employment.

May: "May" is interpreted as "permissive".

Notices: For the purpose of determining the length of time periods for action in any of these policies, days shall be counted beginning with the calendar day following mailing or delivery of a notice and concluding at 5:00 p.m. on the last day to be counted. If the last day to be counted falls on a weekend or holiday, the period will end at 5:00 p.m. on the first City business day following the last counted day.

Public Safety Policy: A policy, general order, inter-local agreement or administrative guideline officially adopted by the Vancouver Police or Fire department.

Regular Full-time Employee: Employees who hold a budgeted/Council approved position and who are normally scheduled to work at least 37.5 hours per week.

Regular Part-time Employee: Employees who hold a part-time position are in a budgeted/Council approved position and are normally scheduled to work a minimum of 20 hours and less than 37.5 hours per week

Service Date: An employee whose first date of employment is between the first and the fifteenth day of a month will have a service date of the first of that month. An employee whose first date of employment is between the sixteenth and the last day of a month will have a service date of the first of the following month.

Shall & Will: “Shall and will” are interpreted as “mandatory”.

101. EQUAL EMPLOYMENT OPPORTUNITY (EEO)

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City of Vancouver is committed to providing equal employment opportunities to all individuals. Therefore, the City will not discriminate in any employment practice on the basis of age, sex, race, creed, political or religious affiliation or opinion, color, national origin, marital status, military status, pregnancy, disability, sexual orientation or any other protected status under applicable law.

GUIDELINES:

1. What are equal employment opportunities?

An equal opportunity employer is one that complies with the various antidiscrimination laws by making employment decisions based on job related qualifications rather than an individual's membership in a protected class. Equal employment opportunity does not require an employer to give preferential treatment to protected groups. Instead, the various federal and state laws designed to protect certain classes of individuals from discrimination generally require employers to provide similar treatment to similarly situated individuals.

2. What is an employment practice?

The term employment practice includes all terms, conditions and privileges of employment. For example, the term includes but is not limited to recruitment, hiring, compensation, benefits, promotion, layoff, performance evaluation, discipline, and termination of employment.

3. Does the City encourage diversity in employment?

Yes. The City conducts recruitment and selection efforts which encourage qualified, diverse candidates to apply for employment with the City. In addition the City has developed a committee to address issues of diversity in areas such as recruitment, selection, career development, training, and promotion.

102. RECRUITMENT AND SELECTION

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City hires employees who are the best qualified to meet the requirements of the job and the organization's overall goals. The City's hiring practices are intended to comply with all applicable state and federal laws and to protect the rights of employment applicants and current employees to be free from discrimination.

GUIDELINES:

1. What is the City's General Recruitment Philosophy?

The City of Vancouver hires candidates who best demonstrate the skills to meet the requirements of the position and the goals of the organization. As a result, the person selected may not always be the candidate with the most years of experience or highest degree of education. The person selected may be the applicant who can demonstrate not only technical or professional competence, but also other important skills or qualities, as determined by the City.

2. When is Appointment (versus Recruitment) an option?

Individuals may be appointed to positions within the Management Compensation Series (M Series) upon approval of the City Manager and following a review by Human Resources. Managers may also appoint individuals following a review by Human Resources in the following instances:

- There has been an identified succession planning process in place for the specific position; or
- There is a need for consistency in the workgroup or department to assure effective service delivery and a productive working environment. In this case, the manager must document how the selected appointee uniquely provides the City with this benefit; or
- In lieu of a layoff as provided by City policy or a collective bargaining contract; or
- Other situations as required by law, policy, a collective bargaining agreement or organizational needs.

3. How does an individual apply for a job opening?

The requirements and time frames for applying for job openings will be set forth in the posted job announcement.

4. Must all applicants be 18 year of age or older?

As a general rule, the City does not hire persons who are under 18 years of age into regular positions. However, the City may hire students or youth between 14 and 18 years of age into some temporary or seasonal positions or under educational internships or youth learning programs. The City will follow applicable state and federal regulations for the employment of minors.

5. Who is eligible to apply for internal only postings?

Current regular full-time, regular part-time, and/or limited term City employees who have already completed their initial probationary period are eligible to apply. Exceptions to this guideline must be approved in advance by the Department Director and Human Resources Director.

6. Can a probationary employee apply for external postings?

Yes.

7. What selection process is used to make the hiring decision?

The Human Resources staff, the department's personnel administrator (if applicable) and the hiring supervisor work together to outline the selection process, determine the hiring criteria and design selection materials and tools that are job-related.

8. Are reference and/or background checks required before a final offer of employment is extended?

Yes. A reference and/or background check will be performed for the final job candidate(s).

9. Will the City conduct references on current employees for purposes such as promotions, transfers, career development, and appointments?

Yes. In most cases information will be requested regarding a current employee's performance prior to making a selection or hiring decision.

10. What types of reference checks may be conducted?

For both internal and external candidates, Human Resources may obtain job-related, pre or post-employment references and/or evaluations including, but not limited to a criminal background check, a credit check, a physical/psychological evaluation, motor vehicle driving records and any other job-related assessment or information.

11. How are official offers of employment extended to successful candidates?

Successful applicants will receive a written job offer.

12. Does this policy apply to all positions?

No. Recruitment and selection processes for temporary, limited term, project, seasonal positions, etc., may vary from the process as outlined above.

103. EMPLOYMENT REFERENCES

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: To encourage exchange of useful information among employers, the City will provide job related information in response to a request for a job reference about a current or former employee.

GUIDELINES:

1. What information will be provided?

Generally, the City will limit information to the employee's position and duties, salary, job location, and dates of employment with the City. However, the City will release factual information related to job performance after receiving an acceptable written release from the employee, directing the City to release information to a specific source.

2. Who will provide the information?

Requests for job references may be directed to Human Resources or a department manager or supervisor may provide the information if:

- The City has received a written release signed by the employee authorizing disclosure of information.
- The manager or supervisor has received authorization from Human Resources to disclose information.
- The manager or supervisor has reviewed and agreed to follow the City's checklist for providing employment references.

3. Can employees obtain a formal letter of recommendation from another City employee?

Managers and supervisors may provide letters of recommendation only if the City has received a written release signed by the employee authorizing disclosure of information and Human Resources has reviewed and authorized the letter. This does not prevent anyone from providing personal references in which they do not represent the City in their official capacity.

105. HOURS OF WORK

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: Scheduling and recording work hours is necessary to provide an accurate basis for preparing paychecks, to ensure compliance with state and federal law, and to maintain an effective and efficient cost accounting system.

GUIDELINES:

1. What hours are employees expected to work?
Each employee's schedule will be determined by each Department Director or appropriate designee, as required by work load and production flow, customer service needs, the efficient management of human resources and as required by law. Employees will be informed of their daily schedule, to include hours of work, meal and break periods. Employees will be expected to work their scheduled shift unless otherwise authorized by their supervisor.
2. Are FLSA non-exempt employees entitled to break periods?
Yes. Non-exempt employees should receive a break period of 20 minutes for each four hour segment of work time. Non-exempt employees cannot work more than three consecutive hours without a rest break. Department Directors or the appropriate designees are responsible for scheduling the time for employee rest breaks and should take into consideration the work load and the nature of the job performed. Employees are required to take the rest periods as scheduled.
3. Are FLSA non-exempt employees entitled to meal breaks?
Yes. Non-exempt employees scheduled to work more than five consecutive hours during any workday are required to take at least a 30 minute meal break not less than two hours, or more than five hours after the beginning of their shift. Department Directors or designees are responsible for scheduling the time for employee meal breaks and should take into consideration the work load and the nature of the job performed. Employees are required to take meal breaks as scheduled. Employees are not compensated for meal breaks unless they are required to remain on duty at the work site in the interest of the City during the meal period. An employee working three or more hours of overtime must be allowed a meal period of at least 30 minutes prior to or during the overtime period.
4. Can an employee combine their meal and break periods, or take them at the beginning or end of a shift?
No.
5. How should employees record and report hours worked?
It is each employee's responsibility to accurately record and report hours worked. The requirements for recording and reporting vary according to job position. All FLSA non-exempt employees must record all hours worked and all leave hours taken on a timesheet.
6. What are "hours worked"?
For the purpose of this policy and FLSA requirements, hours worked may include:
 - Hours spent performing job duties during or outside of the regularly scheduled work shift.
 - Rest periods of 20 minutes or less.
 - Time spent traveling or attending training as required by law.
 - Volunteer work performed by non-exempt workers, if it is performed with the authorization and at the direction of the City.

106. ALTERNATIVE WORK ARRANGEMENTS

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City of Vancouver recognizes the importance of providing quality service and of assisting employees in accommodating personal and family lives. Therefore, the City supports the use of alternative work arrangements, provided employees maintain good job performance and remain flexible to the changing needs of the work unit.

GUIDELINES:

1. What is an “alternative work arrangement”?

Generally, an alternative work arrangement involves allowing flexibility in or changing an employee’s regular work schedule. By way of illustration, an alternative work arrangement may include the following:

- *Flextime.* Flextime allows employees to vary their starting and ending hours while requiring them to be present during some core hours. For example, 6:30am to 3:30pm or 9:00am to 6:00pm.
- *Compressed Work Week.* In a compressed work week, an employee would work 40 hours in fewer than five work days. For example, an employee may work four 10-hour days.
- *Job Sharing.* In job sharing, two people share the responsibilities of one full-time job. The duties, hours worked and benefits are split between the two employees.
- *Part-time.* Part time work would involve working fewer hours on a regular or on-call basis.
- *Telecommuting.* Working a portion of time from a home workstation or another remote location.

2. Are all employees eligible for alternative work arrangements?

No. Eligibility for an alternative work arrangement will depend on a variety of factors, including but not limited to the nature of the job and the job responsibilities.

3. Does an alternative work arrangement change an employee’s job duties or expectations?

No. The alternative work arrangement only changes a work schedule or, in cases of job sharing or part time arrangements, the required work hours. All other job duties and expectations remain the same.

4. Do alternative work arrangements need to be pre-approved?

Yes. Any type of alternative work arrangement, including changes in work schedule, must be pre-approved. Requests for changes should be forwarded to the immediate supervisor or Department Director.

5. Is there an appeal procedure available if the request is denied?

No. However, an employee may request that a Human Resources representative meet with the supervisor or Department Director to discuss the request and options available. The decision of the Department Director or supervisor is final.

6. Once approved, will an employee be able to work the alternative work arrangement indefinitely?

No. The City may require the employee to return to a traditional work schedule or the employee may request that he/she return to a traditional work schedule at any time.

7. If the alternative work arrangement is approved, will the change affect an employee’s rate of pay or benefits?

If the alternative work arrangement does not involve changing the total number of hours worked, pay and benefits will not change.

8. Will an alternative work arrangement affect the accrual and/or use of sick leave or vacation leave or holiday pay?

An alternative work arrangement may affect the accrual and/or use of leave or holiday pay depending on the particular circumstances.

107. RESIDENCY AND RELOCATION

SCOPE: This policy applies only to the positions outlined below.

POLICY: To reinforce our commitment to our community, the City of Vancouver encourages employees to reside within the City's urban growth boundary and residency may be required for some positions.

GUIDELINES:

1. Is residency within Vancouver a requirement for all job positions?
No. It is the City's policy to attract and retain the best employees possible. To that end, all individuals who seek employment with the City will be considered based on their qualifications. In most cases, place of residence will not displace merit as the key consideration in employment decisions. However, where appropriate, knowledge of the local community will be considered as an important component of job qualifications.
2. Are there job positions which do require residency?
Yes. Residency is a condition of employment for the following job positions:
 - City Manager
 - Assistant City Manager
 - City Attorney
 - Chief of Police
 - Fire Chief
 - Public Works Director
 - Economic Development Director
 - Chief Financial Officer
 - Other positions identified by the City Manager
3. How will job candidates know if residency is required for a particular position?
Residency requirements will be listed on classification specifications and on recruitment announcements for those positions for which residency is required.
4. If an employee does not live in Vancouver, will he/she be required to move?
If residency is a condition of employment, the employee will be required to move to a residence within the City's urban growth boundary. Normally, residency must be established within six months of appointment or as negotiated by the City Manager.
5. If an employee is required to move, will the City pay relocation expenses?
Employees who are required to move may be reimbursed for relocation expenses. The actual amount of the assistance and the type of assistance will be based on the individual circumstances of the employee, including but not limited to distance of relocation, necessary timeframes, and position. Relocation assistance authorization must be obtained from the City Manager or his/her designee before an offer of employment is extended.
6. What relocation expenses will be reimbursed?
Eligible reimbursement expenses are limited to actual and reasonable moving expenses and do not include trips to search for housing, closing costs of home sales and purchases, rental deposits, etc. They do include moving company fees and employee and family travel expenses.
7. Who is responsible for payment of relocation expenses?
Departments will be responsible for relocation expenses and should budget accordingly, if possible.

109. VOLUNTEER ACTIVITIES OF EMPLOYEES

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: Employees may engage in volunteer activities for the City on behalf of, on work time, or as a representative of the City. Volunteer activity is any work performed at the employee's own initiative, outside of normal working hours, that is not consistent with the employee's normal job duties with the City.

GUIDELINES:

1. Can an employee 'volunteer' to perform the same type of services for the City?

No. An employee would be entitled to compensation when the work is performed for the City of Vancouver and the work involves performance of the same type of duties that the employee normally performs in his/her regular job position with the City.

The City reserves the right to determine the work performed and the compensation for such work.

2. Will the fact that an employee chooses to perform volunteer work or to refrain from performing volunteer work affect employment with the City?

No. An employee's choice to perform volunteer work or not to perform such work will have no effect on employment with the City.

3. Is it necessary to obtain authorization to do volunteer work for the City?

Yes. Employees must obtain authorization from their immediate supervisor prior to performing volunteer work.

4. Can an employee perform volunteer work for an external organization during normal work hours?

Yes. However, employees must have prior approval from their supervisor and FLSA non-exempt employees must document the leave as vacation, comp time or, with supervisory approval, may flex their hours.

113. EDUCATIONAL INTERNSHIPS AND YOUTH LEARNING PROGRAMS

SCOPE: This policy applies to all City of Vancouver departments, unless otherwise addressed under a current collective bargaining agreement or public safety policy.

POLICY: To support colleges and universities and to develop and foster positive partnerships with local schools and community youth programs, the City encourages all departments to develop and offer meaningful internship and youth learning opportunities.

GUIDELINES:

1. What is the definition of an intern under this policy?
An intern is an individual who is currently enrolled as a student in a college or university whose school requires or permits an internship with a public sector organization in an area applicable to the student's area of study. Internship students should earn credit hours or complete a defined goal based on their school's internship requirements. Applicable college and/or university internship guidelines, evaluation forms, and other materials will be required prior to the final placement with the City.
2. What is a youth work-based learning opportunity?
A youth work-based learning opportunity is available to youth who are currently enrolled in local high schools or alternative education programs or who are actively involved in community agencies or programs that support the growth, development, and employability of youth.
3. What are the roles and responsibilities when recruiting and selecting an intern or youth participant for the City?
Managers and/or supervisors should submit a request for an intern or youth participant to Human Resources for both paid and non-paid opportunities. Human Resources will assist with clarifying the job assignment as well as with the recruitment and selection process. Managers and supervisors are responsible for providing relevant training and support, supervision, and evaluations on the youth's performance and progress.
4. Is a regular budgeted position required for an internship or youth assignment?
No. Typically, an intern or youth participant is retained by the City for a limited duration to assist in the implementation of programs or services. Therefore, no regular budgeted position is required and the work typically does not fall under a collective bargaining agreement.
5. Do participants receive pay and/or benefits from the City?
The City does not normally provide pay or benefits for interns or youth participants. However, if possible, the City may provide hourly wages or other similar stipend.
6. How long can an intern or youth participant work for the City?
The duration of the assignment will be based on the school or community agency's requirements and arrangement with the hiring department. The maximum duration of an assignment is 1040 hours. Contact Human Resources if additional time is needed to discuss the assignment and staffing options.
7. Are interns and youth participants required to adhere to the City's Operating Principles, policies, and procedures?
Yes. The City provides an initial orientation on policies and an overview of applicable department guidelines and procedures.
8. Do interns and youth participants have any rights to continued employment with the City?
No. Interns and youth participants are not regular benefited employees of the City and have no right to continued or regular employment with the City. They are not eligible to apply for in-house job postings nor are they normally appointed to regular positions. Interns and youth participants can be discharged from their work-based learning assignment at any time for any lawful reason or for no reason, with or without cause. Interns and youth participants may apply and be considered for any

external job opening.

9. Do interns and youth participants receive performance evaluations?

Yes. The intern or youth participant's manager or supervisor will provide an evaluation based on the City's and the college, university, school, or community agency's guidelines.

10. Will the City provide employment references for interns and youth participants?

The City will follow the same guidelines for providing references to potential employers as it follows for regular City employees.

114. SEPARATION OF EMPLOYMENT

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: In the absence of a specific written contract, employees may resign at any time and for any reason and the City reserves the right to terminate employment at any time and for any reason that is for the good of the City service.

GUIDELINES:

1. When may a separation of employment occur?
Employment with the City may terminate because of an employee's resignation or retirement, an involuntary discharge, the expiration of an employment contract, or a layoff.
2. What procedure should be followed if an employee wishes to resign or retire?
Employees are requested to give written notice of their intent to resign or retire. Written notice should be sent to the immediate supervisor as early as possible, but no later than two weeks prior to the last day of employment.
3. What is an "involuntary discharge"?
An involuntary discharge occurs when the City decides to terminate the employment of a City employee without the consent or agreement of the employee.
4. When will the City involuntarily discharge an employee?
During the probationary period for a new employee, the employee may be discharged at any time for any lawful reason or for no reason, with or without cause as documented in the Probationary/Introductory Employment Period policy.

Following successful completion of a probationary period, the standard required for termination of employment differs depending on an employee's job position:

- a. The City Manager and the employees who report directly to the City Manager, the City Attorney, Assistant City Attorneys, Department Directors, independent contractors, volunteers, and temporary workers are employed at will and may be discharged for any lawful reason or for no reason, with or without cause, except as may be specifically provided for by contract.
 - b. All regular employees who are not included in paragraph 4a may be discharged for engaging in conduct that would or could have the effect of bringing discredit to the City, that would interfere with an employee's ability to perform his/her job responsibilities satisfactorily, or that is contrary to the good of the City service. Nothing shall limit the authority of the City Manager or his/her designee to remove from employment any City officer or employee.
5. What procedure will the City follow prior to discharging an employee?
Every situation is different and the procedure prior to discharge will vary depending on the circumstances. However, in most situations, the City will offer to meet with the employee to discuss the reasons for discharge and to obtain the employee's point of view. Additional procedures are discussed in the Discipline and Corrective Action and Performance Evaluation Process policies, and in collective bargaining agreements.
 6. Is an exit interview required?
No. However, the City will attempt to conduct an exit interview with any regular employee leaving employment with the City who has completed a probationary period. A typical exit interview will include:
 - An opportunity for an employee to provide feedback regarding his/her employment experience with the City.
 - An explanation of the opportunity to continue any health insurance or other benefits.
 - A confirmation of the employee's current address for mailing required tax and other notices.
 - An explanation of the Employment References policy.

- A discussion of any wages due.
- Return of City property, and removal of personal belongings.

7. Are employees entitled to receive accrued benefits at termination of employment?

Employees may be entitled to payment of accrued but unused benefits as outlined in the Vacation, Overtime, Holiday, and Sick Leave policies.

115. LAYOFF

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City of Vancouver may layoff employees because of budgetary reductions, organizational restructuring, operational changes, or other reasons which are for the good of the City.

GUIDELINES:

1. What is a "layoff"?
A layoff occurs when the City eliminates a regular budgeted position that is currently filled. A position may be eliminated because of, but not limited to, the following reasons: lack of work, reduction or elimination of funds, material changes in duties or organization, reduction in force or workload, or in the interest of economy efficiency.
2. How will the City decide who to layoff?
Based on business needs, the City will determine which positions have been designated for layoff. Generally, the order of layoff within a department or division will be as follows: 1) temporary employees, 2) newly hired employees serving a probationary period, 3) all other employees. However, the order in which employees will be laid off shall be determined by the City, in its sole discretion, based on objective criteria such as employee job performance and disciplinary records, job knowledge, skills and abilities, safety record, attendance history, the existing and anticipated needs of the department, seniority and the good of the City.
3. How will the City notify employees of layoffs?
Every effort will be made to provide employees with a minimum of 30 calendar day's written notice prior to any layoff or reduction in force.
4. Will employees be placed in new positions instead of being laid off?
In cases where a vacancy exists within a department, and a potential layoff candidate possesses the direct skills and abilities to perform the duties of the vacant job, the Department Director may appoint the candidate to that position. In all other cases, the affected employees may apply for available vacant positions, and the positions will be filled using the criteria identified for the specific recruitment. During a layoff situation, the City will attempt to first fill vacant positions with qualified employees through an internal recruitment process. However, if an internal recruitment does not yield a qualified candidate, the City may seek to fill the position externally. Employees may be required to serve a new probationary period of up to 12 months whether they are appointed or selected through an application process.
5. How will an employee's pay be affected if he/she is appointed to a new position instead of being laid off?
Employees who are appointed to a new position within the same or higher salary range than the position from which they are being laid off will be paid according to the City's salary administration guidelines. If an employee accepts a position in a lower classification he/she will be paid at the top of that pay range if it is below their current salary.
6. What happens if an employee identified for layoff declines alternative placement options?
The employee's name will be placed on a reinstatement list as described below.
7. Will employees have any "bumping rights"?
No.
8. Will employees laid off receive the balance of vacation or any other banked accruals?
In general, yes. Employees who have a bank of compensatory time or holiday time will be paid those hours on their final paycheck. Employees may choose to receive a full, partial or no payout of their vacation accrual at the time of layoff. If a vacation balance remains after the layoff date, an employee may request payouts from the balance up to two times during the remainder of the

reinstatement period. If at the end of the reinstatement period a balance still exists, the vacation will be paid out.

9. How long will employee benefits continue after layoff?

All benefits with the City will discontinue the last working day of the month in which the layoff occurs. Employees will have the option of purchasing COBRA (extended medical/dental) benefits as defined by law.

10. Are employees eligible to apply for unemployment benefits upon layoff?

Any employee laid off from the City is eligible to apply for unemployment benefits through the state of Washington.

11. Are employees who have been laid off eligible for reinstatement?

Employees who have been laid off, or demoted as an alternative to being laid off, are eligible for reinstatement for a period of 12 months following the date of layoff. The names of persons laid off will be placed on a reinstatement list. When a vacancy occurs in the same job classification for which there exists a reinstatement list, the City may fill the vacancy using that list if the former employee meets the minimum qualifications for the position. If there is more than one employee on the reinstatement list eligible for a vacancy in a particular job class, the City will select the best qualified candidate for the position. Reinstatement notices will be sent by certified mail to the last address reflected in the employee's official personnel file.

In addition, employees in a reinstatement status may also apply and be considered for job openings outside their job classification prior to or after layoff.

12. What will happen to employees who are reinstated to the position from which they were laid off?

When an employee is reinstated within 12 months to the job from which they were laid off, they will be placed into the range so as to maintain their relative position within the pay range occupied at the time of layoff; such employees will not serve an additional probationary period.

13. What will happen to the salary of an employee who is reinstated to a position in the City other than their previous position?

Employees will be placed into the salary range for the new position consistent with City of Vancouver salary administration guidelines.

14. How are benefits and service credit affected for employees who are reinstated?

Benefits and service credit, which are discontinued while on the reinstatement list, start again when an employee is reinstated. Therefore, an employee's original hire date is maintained; however the service date is adjusted by deducting all time spent in a layoff status. Health insurance will begin the first of the month after reinstatement.

15. When will an employee's name be removed from a reinstatement list following layoff?

Once an employee on the reinstatement list is offered a position, the employee must respond within 14 calendar days of the date on the notice. The employee shall be responsible for notifying Human Resources of any change in their address or telephone number.

Eligibility for reinstatement ends if:

- An employee refuses to accept an offer of reinstatement to a position in the same classification as that from which he/she was laid off.
- An employee fails to respond to an offer of reinstatement within 14 calendar days following the date on the notice.
- The employee requests in writing to be removed from the reinstatement list.
- The 12 month period for reinstatement has expired.

116. MANAGING DIVERSITY

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: At the City of Vancouver we *respect, support* and *value* diversity with our actions, not just our words.

The primary goal of the City's diversity strategy is for respect for diversity to become part of the fabric of the organization and provide meaning to, and recognition of, the value of individual differences.

DEFINITIONS:

Diversity: *At the City of Vancouver, we understand that everyone views the world differently. Diversity is the uniqueness each individual brings to our organization and community based upon their background and identification with various groups, cultures and perspectives.*

When people think about diversity, they usually think about race, ethnicity, gender, age, religion, sexual orientation—those groups that the discrimination laws have deemed protected classes. Those classes or differences are included in this definition. However, differences are not just based on color of skin or gender. This definition is intended to recognize individual differences, whether they are obvious or subtle—not to the point where it takes in every difference, but those differences that matter in the work environment.

Respect for diversity is:

- Seeing differences as an opportunity to learn about others, about the larger world and about ourselves.
- Having consideration and appreciation for others.
- Creating a positive atmosphere for an open exchange of ideas.

Support for diversity is:

- Integrating respect for diversity into the day-to-day business of the City and the programs that are developed.
- Enabling each employee to achieve his or her full potential.
- Creating a work environment that is inclusive, welcoming and comfortable—where employees feel that the ways in which they may be different are understood and accepted.
- Being a leader in addressing diversity issues that face our community.

Value for diversity is:

- Raising consciousness about and understanding of diversity issues within the community and within the workplace.
- Attaching importance to the diversity of ideas and styles within the working environment; and through collaboration, encouragement and assistance utilizing those ideas and styles to reach a common goal.
- Realizing that each individual's needs are different and unique; learning about and exploring the differences and similarities, and taking the differences into consideration in all business decisions and actions.

Harassment and Discrimination:

Harassment and discrimination issues arise when diversity is not managed well and employees respond in an active and extremely negative manner to their diverse coworkers because of their differences. This policy is about managing diversity before serious problems like harassment and discrimination arise. It focuses on integrating individual differences into the workplace and providing a work environment that values, supports and respects those differences. The City has separate policies that define harassment and discrimination and provide mechanisms for dealing with those issues.

PROCEDURES AND GUIDELINES:

1. What are the expectations for employees relating to diversity?

Employees are expected to show support, value and respect for diversity at the City of Vancouver as follows:

- Support City, department and workgroup efforts in the area of diversity.
- Contribute to a work environment that is respectful, supportive and productive.
- Provide quality service for all internal and external customers. Recognize that customer needs and styles may be different and use creative strategies for providing quality service when necessary.
- Hold themselves and others accountable for the guidelines outlined in this policy.

2. What are the expectations for managers and supervisors relating to diversity?

Managers are expected to show support, value and respect for diversity at the City of Vancouver as follows:

- Provide leadership for diversity efforts and the City's diversity strategy in the workplace.
- Use creative and innovative strategies to make diversity a high priority in the workplace.
- Hold themselves and subordinates accountable for the guidelines outlined in this policy by ensure that policies relating to diversity are implemented and responding appropriately to behaviors that may violate the expectations outlined in this policy. (See also number 5 of the Managing Diversity policy.)
- Integrate diversity issues into the strategic planning process, all aspects of day-to-day business and decision-making, and into customer service strategies.
- Create a working environment that is inclusive, welcoming and comfortable – where employees feel that the ways in which they may be different are understood and respected.

3. What should an employee do if he or she observes or experiences behavior that may be a violation of the expectations outlined in this policy?

Employees should SPEAK UP about concerns or problems that arise relating to diversity issues and/or violation of the guidelines outlined in this policy in one or more of the following ways:

- Speaking directly to the individual(s) involved.
- Obtaining support and assistance from coworkers in any action that you choose to take.
- Speaking to a manager or supervisor about the concern or problem.
- Calling a human resources manager or representative. The human resources staff can act as a liaison between employees and managers to help resolve issues.
- Mediating the concern or problem through the use of City mediation services department or Shared Neutrals.
- Contacting a member of an employee network.
- Sending a message to the MANAGING DIVERSITY mailbox.
- Filing a complaint under the City's Complaint Resolution Policy.

4. What should an employee expect after speaking up about a possible violation of the expectations outlined in this policy?

Employees, supervisors and managers who learn of concerns or problems will take them seriously by:

- Listening to the concern or problem and honoring the employee's point of view.
- Providing answers to general requests for information, as appropriate.
- Exploring possible courses of action for resolving the concern or problem.
- Handling the concern or problem as discreetly as possible. However, the ability to respond depends on the amount of information that the employee is willing to provide.
- Making efforts to assure that there is no retaliation for speaking up about the concern or problem.

5. Does the City Have Any Programs to Promote its Diversity Strategies?

Yes, the City and all departments within the City have formal and informal programs to promote the diversity strategies. For example:

- The Human Resources Department incorporates diversity issues into recruitment and other strategies and assists managers and supervisors to recruit a workforce able to respond to the diverse needs of the community the City serves. However, the city does not have quotas, does not mandate hiring of any specific diverse candidate or applicant from any particular minority group, and does not use diversity as a deciding factor in making hiring decisions. The goal is to hire the candidate who is best qualified for the job.
- The City promotes the retention of all employees, recognizing the different needs and styles of employees.
- The City sponsors Employee Networks. Employee networks are made up of groups of people who share a common characteristic such as race, sexual orientation, religion or disability. The groups meet to discuss work related needs and interests, and provide members a communication channel to senior management.
- The City sponsors regular events or projects relating to diversity issues or designed to recognize different diverse populations.
- The Training and Development program coordinates training on diversity and cultural awareness issues.

6. How will the City assure that the programs outlined in this policy are implemented and remain effective?

The City will regularly review and update diversity projects, policies and guidelines to adapt to the changes within the community and within the workplace, and to assure that the program continues to be effective. This review will be done through:

- A diversity advisory council who will oversee, advise, and assist department diversity committees in the implementation of the City's diversity strategies. The advisory council will establish citywide performance expectations and objectives with annual reviews and updates.
- Individual departments will be responsible for implementation of the objectives established by the advisory council through strategies designed and tailored to fit the unique needs of each respective department.
- Audits will be conducted to assess success of diversity efforts and diversity issues in the workplace.

117. EMPLOYEE RECOGNITION

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City recognizes that retaining experienced employees and recognizing employees' efforts to continuously improve their performance is a direct benefit to the City and to the public it serves.

GUIDELINES:

1. What types of programs will be used to recognize employees?
The City will sponsor an Employee Recognition Program which will include a variety of activities for employees such as an awards ceremony and other activities as well as quarterly length of service award ceremonies.
2. Who is responsible for planning and conducting the programs?
Human Resources will plan and conduct the service award ceremonies while a City-wide committee will arrange the annual Employee Recognition Program. Departments may also organize their own recognition program.
3. Are all employees eligible to participate in the activities?
All regular employees are invited to participate in the activities, to attend the awards ceremonies, to nominate co-workers for awards, and are eligible to receive awards.
4. Will the City honor employees when they retire from the City?
Yes. The City will recognize and honor employees retiring into a Washington state public employment retirement system. Employees with 15 or more years of City service at the time of retirement will receive a gift.

The department from which an employee is leaving will be responsible for organizing any reception or similar occasion in honor of the employee.

201. COMPENSATION, CLASSIFICATION AND PAY ADMINISTRATION

SCOPE: This policy applies to all eligible employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City of Vancouver uses an organized and systematic method of classifying jobs, establishing pay ranges, and administering compensation to ensure that employees are compensated in accordance with federal and state regulations and that pay levels are competitive and internally equitable.

GUIDELINES:

1. Why does the City have a compensation, classification, and pay plan?

The purpose of the plan is to:

- Promote internal pay equity and consistency within and among the various departments by providing guidelines for decision-making;
- Provide managers and supervisors flexibility to recruit and retain quality employees by allowing for situational discretion;
- Support the City's operating principle of fiscal accountability by providing parameters to manage personnel costs; and
- Promote employee morale, motivation and excellence in job performance by offering appropriate and competitive compensation for their contributions and efforts to meet the City's goals.

2. What are the roles and responsibilities for establishing, maintaining, and administering the Compensation, Classification and Pay Plan?

Appointing authorities shall have a responsibility to exercise the discretion included in these guidelines in a manner that conforms to laws and regulations, meets public and employee trust in management and avoids inconsistent, arbitrary or discriminatory pay actions.

It is management's right and responsibility to determine how work will be distributed and performed. In doing this, managers and supervisors have the right and responsibility to assign work, limit or reassign job duties to avoid "classification creep" which results in positions "creeping" into a classification in a higher pay range.

City Council

The City Council provides overall policy direction for employee compensation; approves collective bargaining agreements, including provisions for wages and benefits; and approves the biennial budget and any supplemental budget modifications.

City Manager

The City Manager approves the classification and compensation plan for all employees not represented by a collective bargaining agreement; approves administrative policies and guidelines related to classification and compensation; and approves exceptions to established policies and guidelines.

Managers and Supervisors

Managers and supervisors manage their budgets; evaluate and prioritize staffing needs and distribution of work; develop working job descriptions and working titles for positions in their area; work with Human Resources to ensure that positions are allocated to appropriate classifications and employees are paid at the appropriate classification level; hire qualified and quality employees; coach and motivate supervisors and employees to meet or exceed performance standards established for their positions; notify supervisors and employees of sub-standard performance and assist in corrective or disciplinary action; and implement employment and compensation policies, guidelines and procedures in a fair, ethical and legal manner.

Human Resources

Human Resources, in consultation with appropriate stakeholders in the organization, develops, administers and interprets policies, administrative guidelines and procedures regarding all aspects of classification, compensation, labor relations and other human resource matters; provides

consultative services and training to employees, supervisors and managers in the use of the system; determines appropriate classification of positions including review of new allocations and reorganization proposals; monitors and evaluates human resource administration practices to ensure adherence to laws, regulations and City policies and guidelines; and provides advice to the City Manager.

Financial & Management Services

Budget and Planning evaluates the fiscal impact of the classification and compensation actions; provides forecasts of future personnel costs; facilitates funding for Council approved position allocation and pay adjustments; approves organizational changes as related to classification issues and provides advice to the City Manager. Payroll implements the compensation system by issuing payroll in compliance with laws, regulations and City policy.

Employees

Employees keep informed about City employment and compensation policies and procedures; communicate concerns regarding classification or compensation issues to their managers, supervisors and/or Human Resources; and as may be needed, serve on committees to provide structured input on the system and/or review classification actions.

3. What is the City's Classification Plan?

The purpose of the Classification Plan is to provide a foundation for the allocation of positions and the compensation of employees.

The Classification Plan is the mechanism used to assure equal pay for equal work, essentially equal pay for substantially similar work (internal equity) and a basis for external pay comparisons. The Classification Plan serves as a tool for department managers in organizational planning, staffing and budgeting.

Structure of Classification Plan

The Classification Plan provides for:

- Classifications that are groups of positions of approximately equal responsibility and difficulty, requiring similar qualifications of incumbents, similar working conditions, and which can be compensated within the same pay range.
- Classification titles that are descriptive of the work of each class.
- Written specifications for each class that include a brief description of the nature of the work, levels of work within the same series or characteristics that distinguish one class level from another and representative examples of duties.

Classification Allocation

In determining the classification to which any position will be allocated, the specifications of each class shall be considered in total. Classification specifications are to be liberally construed and considered as general descriptions of work assigned to jobs collectively, not necessarily individual positions. Specifications are not to be used as prescribing what the duties of any position shall be, nor construed as limiting the authority of the City to assign duties. Specific job descriptions and working job titles can be developed for use in recruitment, selection, performance evaluation and to meet other communication needs. Determination of the appropriate classification or level within a particular classification will be based upon the predominance of duties and level of responsibility of the position, not the employee's current performance in that position.

Review of Classifications

As the underpinning of the Human Resources system, the Classification Plan must be dynamic enough to meet the City's needs yet stable to provide a foundation. Human Resources shall review the efficacy of the Classification Plan on a continuing basis to ensure that the structure of the Classification Plan is adequate in describing the types and levels of the work performed throughout the City.

On an annual basis, Human Resources will review the number of classifications and the completeness of coverage given the type of functions and services provided by the City. Further, Human Resources will, in preparation for the biennial budget process, audit the use of classification by reviewing the number of positions at various levels in class series (e.g., entry, journey advanced,

supervisory) and work with Department Directors and the Budget Office to ensure the appropriate allocation of positions.

All classifications will normally be reviewed on a five year cycle.

Review of Position Allocation

In the event there is concern whether a position is appropriately classified, that position may, at the discretion of the Human Resources Director, be reviewed upon request of the Department Director or the employee in the position.

When the organizational structure or distribution of work changes within a department, the manager will request that the positions affected by such change be reviewed. Similarly, an employee who believes that significant factors have been overlooked in the allocation of their position and/or who have experienced a significant change in their job responsibilities, over a sustained period of time, may request a classification review.

As part of the recruitment process, Human Resources will review the classification of the vacancy.

Human Resources will conduct all such reviews on a timely basis so that work is not unnecessarily disrupted or delayed.

Human Resources will make a determination of the classification allocation, based on the information provided. The outcome may be that the position is properly classified, classified at a level above the work assigned (over-classified) or classified at a level below the assigned work (under-classified). In the event that the job is under or over classified, Human Resources and the Department Director will work together to determine how duties could be reassigned to ensure that the job is assigned duties and responsibilities consistent with the existing classification before initiating reclassification action.

If the Manager or employee disagrees with the classification determination, he/she may request a review of the decision by the Human Resources Director. As needed, the Human Resources Director may appoint an objective third party to review the information and make a final determination of the appropriate classification. Requests for all such reviews will be submitted in conformance with the process defined by Human Resources.

The internal review processes are only for situations in which the dispute is the classification to which the employee's position has been allocated, and not the pay range in which the classification is placed.

Once a position has been reviewed, it will not be reviewed again unless and until 1) there is significant change in the content of the job, over a sustained period of time; 2) it is part of a departmental restructuring; or, 3) it is included in a periodic review of classifications.

Human Resources will establish a standardized process and procedures to ensure that requests for classification review are considered in a timely and fair manner. Further, Human Resources will ensure that all employees are informed of the classification review process.

Classification of New Positions

When a new position allocation is requested, Human Resources will evaluate the position and determine an approximate pay range or classification based on the documentation required for funding the request. Once the position is allocated (budgeted) Human Resources will work with Department management to ensure the position is appropriately classified as described above.

4. What is the City's Pay Plan?

This section provides information on the City's Pay Plan and includes the following:

- Overview
- Pay Ranges
- Pay Differentials
- Market Analysis
- Internal Pay Analysis

Overview

The Pay Plan provides a structure that allows the City to offer competitive pay to recruit, reward and retain current employees as well as enhance the effectiveness of the City's recruitment effort for competent new employees.

The pay plan establishes a schedule of pay ranges that designates the minimum and maximum pay range for which each job classification will be compensated, as well as pay differentials for additional assigned responsibilities or other special considerations. For job classifications not included in a collective bargaining agreement, the pay plan is subject to approval by the City Manager or designee.

Factors to be considered in establishing pay ranges include job content and requirements, internal equity, pay data from appropriate labor markets and other relevant considerations.

Pay Ranges

Pay ranges establish the minimum and maximum base pay rates provided for the work in a specific classification or level within a broad classification. Pay ranges may be established with or without a systematic pay progression (steps) from the minimum to maximum rate. Pay ranges without steps (open ranges) are intended to allow for variable hiring and pay progression rates; ranges with steps require payment of a rate specified within the range upon hiring and progression through the range.

Pay Differentials

Additional compensation may be assigned to various classifications for responsibilities and/or competencies that are valued in the labor market and/or intrinsically valued in the City of Vancouver.

Market Analysis

To ensure that the City's Pay Plan is competitive, Human Resources will survey comparable Washington and Oregon cities that have a population **within 50%** of the City of Vancouver. Other agencies may be added to capture information relevant to providing a better market picture for various hard-to-recruit or difficult to match occupations. The survey will be done biennially; however more frequent assessments may be done to ensure market competitiveness.

The goal of such analysis is to ensure that the City generally compensates employees at or near the market median for comparable work. The City will survey benchmark classes to establish market equity for all classes. Such analysis may include pay, benefits and other employment conditions to fully capture the total compensation picture.

Internal Pay Analysis

To ensure that there is internal pay equity, Human Resources will review the Pay Plan periodically. The review will evaluate the differences in pay ranges based on an analysis of the kind of work, (that is, the profession, occupation, function, or subject matter field the position occupies) and the level of difficulty and complexity of the work. The relative level of difficulty and complexity is determined by evaluating the degree to which the following factors are present in a job:

- The autonomy and freedom to act.
- The degree of problem solving.
- The nature of public contacts.
- The degree of influence within the organization.
- Consequence of error.
- The nature of supervisory responsibility.
- The variety and degree of required knowledge, skills, and abilities.
- The physical effort and working conditions.

The factors will not take into consideration the personal skills or performance proficiency of employees; the workload of a job (except to the extent that workload directly influences the scope of duties and the complexity and responsibility); or a position's reporting relationship within the organizational hierarchy (except to the extent that it directly influences the scope of duties and the complexity and responsibility of a position) In evaluating internal equity, pay and other compensation factors may be considered in the analysis to ensure equity based on total compensation.

5. How is pay administered?

The purpose of this section is to provide guidance in pay administration for City employees. This section covers the following topics:

- Placement Upon Initial Hire & Promotion
- Progression through the Pay Range
- Pay Range Adjustments
- Differential Pay
- Out-of-Class Pay
- Pay Upon Reclassification
- Pay Upon Demotion

Placement upon Initial Hire and Promotion

Normally, new employees will be hired at, or current employees promoted to, the entry level of the appropriate pay range; but circumstances may occur which warrant compensating the new or promoted employee at a higher rate within the range. Such circumstances may include, but are not limited to: the employee's experience, training or proven performance, previous compensation history, difficulty in recruiting for the position based on labor market fluctuations, the needs of the City for particular knowledge, skills and abilities, or other identified reasons.

Hiring managers may hire new employees up to mid-range of the appropriate pay range. Placement above these pay levels require the approval of the City Manager or designee.

Progression through the Pay Range

Progression through the pay range is intended to recognize continuing growth in one's skill and performance until reaching the market rate which is equivalent to the top of the range for the classification or level of work.

- Step Pay Ranges: Employees advance one step per year based on evaluation of performance at a satisfactory or better rating.
- Open Range (Pay Range without Steps): Employees advance 3.5% per year based on evaluation of performance at a satisfactory or better rating.
- Management (M) Series: Employees normally advance through the range based on evaluation of performance at a rate consistent with the schedule adopted annually.

Pay adjustments are made annually from the beginning date of an employee's placement in a given classification. If the beginning date of the placement in the classification was between the first and the fifteenth of the month, the pay adjustment would be on the first day of the current month. If the beginning date in the classification was between the sixteenth and the end of the month, the adjustment would be on the first day of the following month.

If an employee's performance does not meet expectations or for some extraordinary reason cannot be assessed, the pay rate adjustment is withheld. It is management's responsibility to discuss and document performance deficiencies with the employee at least 60 days in advance of the performance evaluation date to allow the employee sufficient time to correct performance to meet expectations. However, failure to provide such documentation shall not be grounds for automatic progression. Once a rate adjustment has been withheld, a re-evaluation of the employee's performance may be conducted no sooner than three months and a pay increase may be made at that time if documented performance warrants. The pay increase date is adjusted one year from when satisfactory performance is achieved to reflect withheld increases.

Accelerated progression or movement through broad range, Management (M) Series, or other designated pay ranges may, upon review and recommendation of the Human Resources Director, be approved by the City Manager.

Pay Range Adjustments

When the pay plan is upwardly adjusted (e.g., cost of living or market parity adjustment), employees will be placed into the ranges so as to maintain their appropriate relative position within the pay range.

Step Pay Ranges: Employees will be placed on the same step.

Open Range (Pay Range without Steps): Employee's pay will be adjusted by the same amount as the adjustment to ensure relative placement within the range.

When the pay plan is downwardly adjusted (e.g., market parity adjustment), employee's pay will be red-circled for a maximum of 24 months.

Differential Pay

The City may pay rate differentials for skills, responsibilities and/or competencies that are valued in the labor market and/or intrinsically valued in the City of Vancouver and will be identified as part of the pay plan. Such pay is included in normal base rate when assigned and therefore is used in all pay calculations. Differential pay is provided for specific skills as needed by the City when such skill is required to successfully perform the job. Since management retains the right to assign work, differential pay shall be granted only when the skill is deemed essential to the assignment.

Supervisory differential is normally paid when an employee is assigned authority and first-level, full scope supervisory responsibility over the equivalent of three or more employees. Supervisors may be paid less than subordinates if the subordinate has specialty skills not possessed or utilized by the designated supervisor.

Team leader differential is normally paid when an employee is assigned authority and lead work responsibility over the equivalent of three or more employees.

Supervisory or team leader differential may be granted outside the above parameters for unusual circumstances such as programmatic responsibility (staffing, funding, policy) for significant, stand-alone programs or remote locations without effective available supervision.

Differential pay shall be paid as long as the employee is expected to perform the added duties. Additionally, Human Resources will annually review with all supervisors those employees receiving differential pay to ensure such compensation is still appropriate.

Out of Class Pay

Out of class pay is intended to compensate employees for temporarily taking on responsibilities and/or performing the full range of activities of a higher level classification, without significant supervision. An employee will be paid either 5% above his/her current rate of pay, not to exceed the top of the range of the assignment, or the entry rate of the out-of-class assignment, whichever is higher, when a manager assigns duties and responsibilities that are typical of a higher classification for a period of at least 80 hours. The pay shall be retro-active to the first hour of the assignment. For employees in FLSA Exempt positions, the 5% will be added to pay and for FLSA Non-Exempt positions, the 5% will apply only to hours worked.

Out-of-class pay situations will be reviewed for reassignment of work or reclassification at six month intervals.

6. How is pay established upon a reclassification?

Position Upgrade

When a position is reclassified to a classification with a higher pay range, the employee will normally be placed in the new pay range in accordance with the following:

Step Pay Ranges: the step in the new pay range that provides at least a 5% increase, not to exceed the top of the range and not less than the entry point of the new range.

Open Range (Pay Range without Steps): a point in the new pay range that provides at least a 5% increase, not to exceed the top of the pay range or level within the range and not less than the entry point of the new range.

Exceptions require the approval of the City Manager or designee.

Position Downgrade

When a position is reclassified to a classification with a lower pay range due to reorganization or re-evaluation of the assigned work, and the employee's pay is above the maximum of the new range, the employee's pay may be red-circled for a maximum of 24 months. At the end of 24 months, if the employee's base pay rate is still above the maximum of the new pay range, the employee's pay will be adjusted downward to the maximum of the new range.

Employees whose base pay is red-circled will not be eligible to receive cost of living increases or annual pay advancements until the top of the new pay range exceeds their rate of pay.

7. How is pay established upon a demotion?

Employees who are demoted for disciplinary reasons will be placed in the appropriate pay range for the new classification that results in the least amount of pay reduction, but not above the top of the new range or level within the range.

Employees who move to a position in a lower classification for other than disciplinary reasons, whose pay is above the maximum of the new range, may be red-circled for a maximum of 24 months. At the end of 24 months, if the employee's base pay rate is still above the maximum of the new pay range, the employee's pay may be adjusted downward to the maximum of the new range or level within the range.

Employees whose base pay is red-circled will not be eligible to receive cost of living increases or annual pay advancements until the top of the pay range exceeds their rate of pay.

202. OVERTIME and COMPENSATORY (COMP) TIME

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: Eligible employees who work over a specified number of hours during an established work week are entitled to receive additional compensation or compensatory time off at an overtime rate.

GUIDELINES:

1. What is the definition of “eligible employee”?
Employees are eligible to receive overtime compensation unless they are specifically exempted. The City will determine the employees who are exempt by looking at the job duties of each individual employee. As a general rule, employees who are employed in a bona fide executive, administrative, professional, computer systems analysis or programming capacity are exempt and are not entitled to overtime compensation.
2. Is it necessary to obtain authorization to work overtime hours?
Yes. An employee must obtain authorization from his/her immediate supervisor prior to working any overtime or hours outside an employee’s normal work schedule. While an employee will be paid for working unauthorized hours, the failure to obtain prior authorization could lead to disciplinary action.
3. Are exempt employees recognized for working overtime hours?
When an employee works substantially more hours than in a typical workweek to accomplish a job, a manager may allow the employee to take time off without using accrued vacation hours. This time off will be referred to as “variable work hours”. Each department will establish guidelines to assure the fair and equitable application of variable work hours. Variable work hours are not intended to compensate exempt employees on an hour-for-hour basis for hours worked in excess of 40 hours per week. Therefore, exempt employees do not accrue overtime or variable work hours and are not automatically entitled to compensation or time off for extra hours worked.
4. What is the established work week?
The established work week varies depending on an employee’s job position. For most employees, the established work week is seven consecutive work days beginning at 12:01 a.m. Sunday and ending at midnight on Saturday. For all employees, except as provided by a more specific policy or agreement or by specific notice to an employee, the standard work day is from 12:01 a.m. to midnight.

Supervisors should notify Human Resources and Payroll when the employee’s workweek is different from the standard Sunday through Saturday work week. As there may be overtime implications with workweek changes, please consult with Human Resources or Payroll prior to the change.
5. When is an eligible employee entitled to receive overtime compensation?
Entitlement to overtime compensation is dependent on job position. Eligible employees who work a standard seven day work week will be paid at an overtime rate for all hours worked over 40 in the established work week. Sick leave, holidays, vacation, and other leave hours do not count as hours worked for the purposes of computing entitlement to overtime compensation.
6. What is the overtime compensation rate?
Eligible employees will be compensated at one and one-half times their regular rate of pay for all overtime hours worked.
7. Do eligible employees receive extra compensation for working more than their scheduled hours during a work week where they have taken leave?
No. Eligible employees receive straight time compensation for any hours worked beyond their normal schedule during a work week where they also have leave hours. They are not entitled to time and one-half overtime because they have not ‘worked’ more than 40 hours in their established

work week.

8. May employees request accrual of time off instead of receiving monetary overtime or extra compensation?
Yes. Employees must request accrual of compensatory time off instead of receiving compensation at the time the hours are worked. The decision to grant compensatory time as an alternative to pay shall be at the City's sole discretion.
9. How much compensatory time may employees accrue?
Eligible employees may accumulate compensatory time off up to a maximum of 40 hours.
10. When may employees use accumulated compensatory time off?
Use of accrued compensatory time off must be pre-approved by a supervisor, and may be approved to be used within a reasonable period following request for the time, provided that it does not unduly disrupt the work place or interfere with the business needs of the work group and/or department. In addition, the City may require employees to use all or a portion of their accrued compensatory time off within a specified period of time and subject to the scheduling needs of the work group and/or department. Employees should consult with their immediate supervisor to schedule the leave.
11. Will employees receive payment for accrued compensatory time when they leave employment with the City?
Yes. Upon separation of employment with the City for any reason, an employee will be paid for all earned and accrued compensatory time.
12. May employees cash out accrued compensatory time off instead of taking the time off?
No. Employees will only receive payment for accrued compensatory time if their employment status changes to exempt or at separation from employment.

203. BENEFITS OF EMPLOYMENT

SCOPE: This policy applies to all eligible employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City offers certain benefits to eligible employees and dependents including health, life and disability insurance, and pension and retirement plans. The City also provides a number of other benefits such as leaves of absence and paid vacation, holidays and sick days to eligible employees.

GUIDELINES:

1. What are the specific insurance, pension and retirement plans available?
Information and summaries intended to explain these benefit plans will be furnished to all plan participants and beneficiaries on a timely and continuing basis and are available on CityNet or by contacting Human Resources. Human Resource representatives are also available to answer questions concerning the plans.
2. When does an employee become eligible for benefits?
All new regular full-time and part-time employees are provided benefit enrollment forms upon hire, and are covered under State pension benefits on the first day of City employment. Provided that enrollment forms have been completed, employees are eligible for many benefit programs on the first day of the month following employment with the City. Long-Term Disability (LTD) coverage begins on the first of the month following six months of continuous employment. Of course, employees and any qualified/covered dependent must also meet the specific eligibility requirements of each benefit plan.
3. Does the City offer domestic partner benefits?
Yes. The City provides applicable domestic partner benefits as long as an Affidavit of Domestic Partnership is on file in Human Resources.
4. Does the City provide any other types of benefits?
Yes. The City tries to maintain a comprehensive benefits package to meet the needs of a diverse employee population. Detailed information regarding the City's benefits package is available from Human Resources and CityNet.
5. Do part-time and supported employees receive benefits?
Yes. Part-time employees receive benefits on a pro-rated basis. Supported employment employees will receive eligible benefits on a pro-rated basis if they work a regular schedule of 10 hours or more per week. Employees in other categories do not receive benefits unless otherwise established by contract or agreement.
6. Do I need to contact Human Resources when there is a change in the status of my eligible dependents?
Yes. Employees must notify Human Resources in writing within 30 days of any changes in name, address, telephone number, marital status, domestic partner status and number of dependents.

Employees must also notify Human Resources within 30 days when an enrolled dependent no longer meets the eligibility requirements outlined in health insurance plan documents. This includes becoming ineligible because of divorce, legal separation, termination of a domestic relationship, or a child losing eligibility for coverage as a dependent child. If timely notification is not provided, the lack of notification will be considered as fraudulent enrollment of an ineligible dependent in the City's group health plan. This may result in disciplinary action against the employee for fraudulent coverage of an ineligible dependent. In addition, the City and insurance carriers may require repayment, with interest, of any premium or claim payments made with regards to the ineligible dependent(s) coverage.

204. EMPLOYEE ASSISTANCE PROGRAM (EAP)

SCOPE: This benefit is applies to all eligible employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City provides an Employee Assistance Program (EAP) with the goal of improving overall well-being of staff members.

GUIDELINES:

1. What is an Employee Assistance Program?
The Employee Assistance Program (“EAP”) is an off-site, confidential program that provides employees and their families with consultation, information and referrals to community resources for a variety of work or life concerns. The EAP can also offer managers support when dealing with workplace and performance management issues.
2. Who is eligible to use the Employee Assistance Program?
The EAP is available to all regular full-time or regular part-time employees and their families.
3. How does an employee obtain assistance from the EAP?
An employee may contact the EAP directly by calling the provider. Information regarding the EAP is available from Human Resources and via CityNet.
4. Will Human Resources or anyone else in the City be advised that an employee has contacted the EAP?
No. The City will not be advised that an employee has contacted the EAP and will not receive information regarding counseling, assessment, or access of other services without the employee’s written authorization.
5. What is a Mandatory Referral to the EAP?
A supervisor may require an employee to take advantage of the EAP to address communication, teamwork, personal or workplace issues. A mandated referral must be pre-approved by Human Resources. Confirmation of attendance may be required, but no other information will be obtained by the City without authorization from the employee.

205. HOLIDAYS

SCOPE: This policy applies to all eligible employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City will designate and observe certain days each year as holidays. Eligible employees will be given a day off with pay for each holiday observed.

GUIDELINES:

1. What holidays does the City observe?

The following holidays are recognized by the City:

- New Year's Day January 1
- Martin Luther King, Jr. Day Third Monday in January
- President's Day Third Monday in February
- Memorial Day Last Monday in May
- Independence Day July 4
- Labor Day First Monday in September
- Veteran's Day November 11
- Thanksgiving Day Fourth Thursday in November
- Day After Thanksgiving Day immediately following Thanksgiving
- Christmas Day December 25

2. What if a holiday falls on a Saturday or Sunday?

Any holiday falling on a Saturday will be observed on the preceding Friday. Any holiday falling on a Sunday will be observed on the following Monday.

3. Are part-time and supported employment employees entitled to a paid holiday?

Yes. Part-time employees working a regular schedule or flexible schedule which averages 20 hours or more per week receive holiday pay on a prorated basis. Supported employment employees working a regular or flexible schedule which averages 10 or more hours per week will receive holiday pay on a pro-rated basis. For example, an employee who regularly works 20 hours per week is entitled to four (4) hours of holiday pay.

4. How will employees be compensated for working on a holiday?

The City will make every effort to assure that employees whose normal work schedule does not require them to work on a holiday have the day off. However, if it is necessary to work, non-exempt employees shall be paid for the holiday plus one and one-half times their regular rate of pay for any time worked. Any work on an observed holiday must be pre-approved by the employee's immediate supervisor.

Some employees, due to the nature of their position, are required to work holidays. For example, employees who work in facilities that are open 24 hours per day, 365 days per year. Eligible employees in such positions who work on a holiday will bank the holiday hours and may schedule the time off on a day mutually agreed upon by the supervisor and the employee.

Eligible employees for whom a holiday falls on his/her normal day off will bank the holiday hours and may schedule the time off on a day mutually agreed upon by the supervisor and the employee.

5. What if an employee celebrates a religious holiday that the City does not observe?

The City recognizes that some employees may wish to observe certain religious holidays that are not included in the City's regular holiday schedule. Accordingly, employees who would like to take a day off for religious reasons may do so if it will not unduly disrupt the City's business and if the leave is pre-approved by the employee's immediate supervisor. Employees may use available vacation, comp or holiday bank time for these occasions or, if leave time is not available, may take unpaid time off.

6. What if a holiday falls during a scheduled vacation or during paid sick leave?
Any observed holiday occurring during a vacation or paid sick leave shall be paid as a holiday and shall not be deducted from leave accrued under the vacation or sick leave policies.
7. What if a holiday occurs while an employee is on catastrophic leave?
While an employee is on catastrophic leave any holiday observed by the City will be paid as a holiday and will not be deducted from the employee's catastrophic leave account as long as the employee works or has donated hours for at least 50% of the pay period in which the holiday falls.
8. What if a holiday occurs while an employee is on an authorized unpaid leave?
While an employee is on an authorized unpaid leave, including but not limited to FMLA leave or workers compensation time loss, any holiday observed by the City will be unpaid unless the employee works at least 50% of the pay period (or, under FMLA is concurrently receiving Catastrophic Leave donations).
9. How will working an alternative work schedule affect a non-exempt employee's holiday pay?
Holiday hours are based on a standard eight hour work day, or pro-rated for part-time employees. For example, if a non-exempt employee is on a 9/80 schedule and the holiday falls on a nine hour day, the employee is only eligible for eight hours of holiday compensation. The employee would have to supplement the hours with vacation, comp time or holiday bank time; it may also be possible that the employee alter their work schedule with pre-approval from their supervisor.

206. PAID DAYS OFF/VACATION (VACATION)

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City recognizes the importance of employees balancing the demands of their professional and personal lives. To provide employees with the time necessary to maintain such a balance the City provides vacation leave to all regular employees to be used for vacation or other personal time off.

GUIDELINES:

1. How much vacation leave does an employee accrue each year?

Regular employees accrue vacation leave on a semi-monthly basis. Vacation leave is accumulated in an employee's vacation account on the 15th and the last day of each month worked.

The rate at which employees accumulate vacation leave and the maximum number of hours which they may accumulate are indicated in the schedule below (calculations are based on an eight hour work day):

<u>Years of Service</u>	<u>Monthly Accrual</u>	<u>Number of Days/Year</u>	<u>2-Year Period Maximum Accumulation</u>
1-2	10.00 hours	15 (120 hours)	30 days (240 hours)
3-5	13.34 hours	20 (160 hours)	40 days (320 hours)
6-10	15.34 hours	23 (184 hours)	46 days (368 hours)
11-15	17.34 hours	26 (208 hours)	52 days (416 hours)
16-20	19.34 hours	29 (232 hours)	58 days (464 hours)
21+	21.34 hours	32 (256 hours)	64 days (512 hours)

Part time employees working a regular or flexible schedule that averages 20 hours or more per week will accrue vacation leave on a prorated basis to the prorated maximum. Supported employment employees working a part-time schedule will receive a prorated benefit if they work a regular schedule of 10 or more hours per week.

2. Will leave without pay affect an employee's vacation leave accrual?

If the leave without pay is greater than 50% of the employee's normal semi-monthly schedule, vacation leave will not accrue. For leave without pay of 30 calendar days or more see the Leave of Absence Without Pay policy.

3. May employees use vacation leave for any other reasons?

Yes. Under the Washington Family Care Act, employees may use accrued vacation leave to care for a child with a health condition that requires treatment or supervision, or a spouse, parent, parent-in-law, or grandparent of the employee who has a serious health condition or an emergency situation. Employees may also use accrued vacation leave to care for a domestic partner with a health condition that requires treatment or supervision. At the employee's option, he/she may use accrued sick leave for any condition set forth in this paragraph. However, employees may not use vacation leave for their own personal illness unless sick leave accruals are exhausted.

4. May employees use vacation leave at any time after they begin work?

No. Vacation leave may not be used during the first six months following an employee's adjusted service date. At the end of the first six service months following an employee's adjusted service date, his/her vacation account will be credited with the equivalent of six month's vacation accrual. Semi-monthly accrual will be added at the end of each semi-monthly pay period thereafter.

5. May employees use vacation leave before it is accrued?

No. Vacation hours must be available in the employee's vacation account before it can be used. Therefore, hours accrued in a semi-monthly pay period cannot be used in the same semi-monthly pay period.

6. Are employees required to provide notice of the desire to schedule vacation leave?
Yes. Employees should consult with their immediate supervisor to schedule the leave according to specific department procedures but vacation leave should not be assumed to be authorized until it has been approved by the employee's immediate supervisor. In the case of an unforeseeable need for vacation leave, employees must provide notice as soon as possible or as required under the Attendance and Punctuality policy.
- Failure to report to work for three consecutive days (or shifts if applicable) for which the employee is scheduled to work, without receiving authorization, will be considered a voluntary resignation for reasons of job abandonment.
7. If an employee becomes ill or injured during approved vacation leave, may sick leave hours be used for the period of the illness or injury?
Yes, under certain circumstances. If the illness or injury requires inpatient care in a hospital or treatment by a health care provider, then sick leave hours may be used for the time that the employee is ill or injured. However, sick leave hours may not be used for minor illnesses or injuries such as cold, flu, or minor cuts or sprains since these illnesses or injuries generally do not require care by a health care provider. Medical certification may be required.
8. May employees be paid for accrued vacation hours instead of taking time off?
Yes, non-union employees may request payment for accrued vacation hours in lieu of taking time off of work by submitting a *Request for Vacation Cash Out* form to Payroll. Payment for the vacation hours will then be included in the employee's paycheck. The opportunity to receive pay for vacation leave is limited to twice per calendar year and may not exceed a total of 80 hours for the year for full time employees. Payment for part time employees may not exceed a pro-rated portion of 80 hours per year.
9. Will employees receive payment for accrued vacation hours when they leave employment with the City?
Yes. Upon termination of employment with the City for any reason, an employee with six service months of credit will be paid for all earned and accrued vacation leave at the employee's current regular hourly rate of pay.
10. What if there is a holiday during a scheduled vacation leave?
Any holiday observed by the City occurring during vacation leave will be paid as a holiday and will not be deducted from the employee's vacation account.
11. Can the City adjust an FLSA Exempt employee's pay if the employee's vacation account is not sufficient to cover his/her leave hours?
Yes. To ensure public accountability, the City requires that absences be deducted from a leave account or from an employee's pay. If sufficient leave is not available, the City may dock an FLSA Exempt employee's salary based on the percentage of the pay period in an unpaid status.

207. TUITION ASSISTANCE PROGRAM

SCOPE: This policy applies to all employees of the City of Vancouver unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City has established a tuition assistance program for job-related education and professionally-recognized certification programs. This program has been designed as a non-taxable Educational Reimbursement Plan.

GUIDELINES:

1. What types of courses are eligible for reimbursement?

Courses must have a clear and direct relationship to the employee's current work or profession or their job effectiveness, and be designed to improve job performance in their current position or prepare for promotion or transfer into a related position. This policy is not intended to fund education that will qualify an employee for a new trade, business or career or for "general education" courses which are necessary to receive a college degree.

The Tuition Assistance Program pertains to studies taken voluntarily by the employee outside working hours and do not refer to courses which the employee is designated to attend by the City. Other short-term training programs are funded by each department and offered by Human Resources, Information Technology, or outside training vendors. Seminars, courses taken for Continued Education Units (C.E.U.s), credits to maintain job-required certifications, workshops, and professional conferences are outside the scope of this policy and are the responsibility of the employee and/or the department to fund.

2. Does the program support classes that are delivered through a non-traditional setting?

The City may cover qualified classes given over the Internet, correspondence classes, college level examination/assessment programs and other similar non-traditional learning.

3. Does the City pay for all education related costs?

No. The City has established a limited fund for the purpose of providing the tuition assistance benefit program. The amount of assistance for each employee will be determined by the amount of money in the fund and the number of employees participating in the program.

The City will not pay for textbooks or other expenses. The City will not reimburse for tuition to the extent that the tuition is covered by another source such as a grant or scholarship.

4. What is the process for applying for Tuition Assistance?

A written application and all supporting documents must be submitted to Human Resources by the following dates:

Class Ends	Last Date for Submitting Request to HR
January to March	15 th of December
April to June	15 th of March
July to September	15 th of June
October to December	15 th of September

5. If the request is approved, when do employees receive the money?

Tuition assistance reimbursement will appear on the employee's paycheck following completion of the class under the following conditions:

- The employee completes the class and obtains a grade of "C" or better, or in cases where no letter grade is given, a certificate of completion or written proof that the course work was completed in a satisfactory manner.
- The employee provides proof of payment and the grade report to Human Resources within 30 days of the end of the class.

6. May employees attend classes during regularly scheduled working hours?
Employees may not attend class during regularly scheduled working hours. However, an immediate supervisor may determine whether scheduling adjustments can reasonably be made to make attendance in a class possible.
7. What happens if an employee separates from employment prior to completion of the class?
The employee will not be eligible for any tuition assistance which otherwise would have been available.
8. Will employees be paid for time spent in class?
No. Voluntary attendance in a college class or other certification program does not count as hours worked.

208. JURY/WITNESS LEAVE

SCOPE: This policy applies to all eligible employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: Serving on a jury or being called to serve as a witness is considered a civic duty for all citizens. Therefore, employees are granted time off with pay for jury duty or for testifying as a witness in a judicial proceeding.

GUIDELINES:

1. Are employees required to use accrued vacation hours to provide pay to serve on a jury or as a witness?
No. If an employee receives a summons to serve on a jury or a subpoena to testify as a witness in court, all hours away from work will be charged to jury/witness leave. No leave accounts, including vacation leave, will be affected.
2. May employees keep any money received from the court?
Monies received to reimburse out-of-pocket expenses, such as meals, mileage or lodging may be kept by employees. Any other moneys received from the court or any other party must be forwarded to Financial & Management Services immediately upon receipt.
3. What if an employee is called to jury duty or to serve as a witness on a day off?
If an employee is summoned to serve on a jury or as a witness on an employee's day off, this policy does not apply. Therefore, the City will not pay the employee for appearance in court and the employee may keep all money received for payment of service.
4. What happens if an employee is called for jury duty or to serve as a witness during scheduled vacation leave?
If jury or witness duty falls during an employee's scheduled vacation day, the time off of work will be charged to jury/witness leave and will not be deducted from an employee's vacation account.
5. Are employees required to report to work following appearance in court?
If an employee serves less than an eight hour day on jury duty or as a witness, the employee is expected to report to work for the balance of the normal workday.
6. Are employees required to report to work for a swing or graveyard shift following jury/witness duty?
No. If an employee is regularly scheduled to work either swing shift or graveyard shift and serves on jury duty or as a witness the same day, that employee is excused from work that same day. If an employee chooses to return to work on either the swing or graveyard shift, he/she will be paid for the regular day's work and is entitled to keep any money received from the court for that day.
7. Are employees required to provide notice of the need for leave?
Yes. Employees are expected to provide notice as soon as they receive the summons or subpoena. The notice should include a copy of the summons or subpoena which requires the employee to appear for jury duty or as a witness.

209. BEREAVEMENT LEAVE

SCOPE: This policy applies to all eligible employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City will provide time off with pay when a death occurs in an employee's immediate family.

GUIDELINES:

1. What is bereavement leave?
Bereavement leave is an authorized short-term absence due to a death in the immediate family, including matters related to a death such as the funeral, estate settlement, time for travel and/or the grieving process.
2. What is the definition of "immediate family" under this policy?
"Immediate family" is defined as spouse, domestic partner, child, mother, father, brother, sister or step family, aunt, uncle, niece, nephew, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, grandparent, grandchild, and grandparent, grandchild of the spouse or member of the employee's immediate household. (It is understood that this policy extends to similar members of a domestic partner's family as detailed above.)
3. How does an employee request bereavement leave?
When possible, advance notification of a need for bereavement leave is required and supervisor approval is necessary so that business operations are not adversely affected. The benefit is provided on a per-event basis, but may be delayed based upon specific business-related concerns.
4. How long will the City pay for bereavement leave?
Employees are afforded necessary leave for bereavement purposes, not to exceed 40 hours (pro-rated for part-time employees) per event.
5. Does leave need to be taken all at once?
No. The allotted time does not need to be consecutive, but does need to relate to the death of an immediate family member of the employee, and must be used within one year of the event.
6. Will documentation be required?
The City reserves the right to require documentation of the death and/or any other time taken related to a death.

210-A. MILITARY LEAVE

SCOPE: This policy applies to all eligible employees of the City of Vancouver unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City provides leave of absence for any employee who is a member of a uniformed service and is absent from work due to an obligation to a uniformed service.

GUIDELINES:

1. What is included in the term “uniformed services”?
The uniformed services are the Washington National Guard, Army, Navy, Air Force, Marine Corps, Coast Guard, and their reserves; the Army and Air National Guards; the Public Health Service commissioned corps; and other categories designated by the President in times of emergency.
2. When will the City provide leave for obligations to a uniformed service?
The City will provide leave for employees serving on active duty (including training-related active duty) as required by law.
3. How long may an employee take a leave of absence for uniformed service?
Employees are entitled to a leave of absence of up to five years for certain types of military or other uniformed service.
4. Is military leave provided with pay?
Yes, in some instances. The City provides pay in the following circumstances:
 - Effective June 12, 2008 the City will pay up to 21 days per calendar year (beginning October 1 and ending the following September 30) for military leave taken for any active duty as required by law.
 - Employees may elect to use applicable leave hours to supplement income during an unpaid military leave of absence.
 - Employees may request military leave sharing benefits as outlined in the City's Military Leave Sharing policy.
5. Are employees required to provide notice of the need for military leave?
Yes. Employees are expected to provide written notice of initial orders and any leave extension orders as soon as he/she becomes aware of the need for military leave. The notice should include a copy of the orders indicating that the employee is required to report for military duty. The notice should be sent to the employee's immediate supervisor. If the absence will extend beyond the annual 21 day paid leave period, the supervisor must forward a copy of the document to Human Resources. However, no notice is required if it would be unreasonable or impossible for the employee to provide notice or if the giving of notice is precluded by military necessity.
6. Will health insurance benefits be continued during military leave?
Health insurance benefits will be maintained in compliance with USERRA and other City policies. The City will continue to pay the premiums for health insurance provided for the employee during a military leave of absence of less than 30 consecutive calendar days. For a military leave of 30 or more consecutive calendar days, an employee may self-pay to continue health benefits for up to 24 months.
7. Will military leave impact pension benefits?
In most cases, the period of military service will be treated as service for the purpose of vesting and the accrual of benefits if the employee returns to employment with the City following military leave. On reemployment, an employee may apply for service credit through the Washington State Retirement System. Employees must meet any necessary contribution requirements within five years of resuming employment with the City or prior to retirement, whichever comes first. The City will make any required employer contributions to the pension plan, if applicable.

8. Are employees entitled to reemployment following military leave?

Yes. If the employee:

- Receives a certificate showing satisfactory completion of service;
- Provides proper notice of intent to return to employment;
- Has not exceeded a cumulative length of service that causes his/her absence from City employment of more than five years (unless specifically exempted by USSERA).

The type of position to which the returning employee will be entitled depends on the period of military service, the type of discharge received by the employee and on the employee's abilities at the time of reinstatement.

9. Are employees returning from military leave protected from termination?

Yes. The type and length of protection is dependent on the length of military service. Employees with less than 31 days of service do not have protection against termination without cause under USERRA. However, like other returning employees, they are protected from discrimination based on military service or continuing service obligations. If the military service lasted between 31 and 180 days, the employee may not be terminated without cause for 180 days after the date of reemployment. If the period of military service was more than 180 days, the protection applies for one year after reemployment.

The laws governing military leave are complex and all details are not covered in this policy. Any questions should be directed to Human Resources.

210-B. ACTIVE MILITARY DUTY LEAVE SHARING

SCOPE: This policy applies to all eligible employees of the City of Vancouver unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: Military leave sharing is intended to supplement military pay in order to minimize the financial impact on employees called to active military duty. City employees may donate accumulated vacation hours to a military leave sharing bank for distribution to co-workers on military leave. The availability of military leave sharing is not guaranteed.

GUIDELINES:

1. Who is eligible to receive Military Leave Sharing donations?
Any employee who is ordered to report for active military duty for 30 consecutive days or more is eligible to access funds in the Military Leave Sharing bank. This may include an employee who is a member of the Washington National Guard, Army, Navy, Air Force, Marine Corps, Coast Guard, and their reserves; the Army and Air National Guards; the Public Health Service commissioned corps; and other categories designated by the President in times of emergency.
2. Are employees required to use accrued vacation hours prior to requesting funds from the Military Leave Sharing Bank?
An employee may choose to reserve up to 80 vacation hours for use following return from active military duty. Vacation hours in excess of 80 hours must first be used before the employee will be eligible for Military Leave Sharing.

Employees are not required to use vacation hours during military leave. An employee may choose to reserve all accrued and unused vacation hours for use following return from military duty. However, in this case, the employee is NOT eligible to request or receive Military Leave Sharing.
3. Is there a limit on the Military Leave Sharing an employee may receive?
Funds in the Military Leave Sharing bank will be distributed to eligible employees as long as there are sufficient funds in the bank and the following guidelines are met:
 - An employee may receive Military Leave Sharing only to cover the period of time the employee is on active duty. Active duty will begin on the date an employee is ordered to report for duty and will end on the day orders indicate the employee is released from duty.
 - An employee may only receive Military Leave Sharing to supplement income received from the military. The total income the employee receives, including income from the military and income from Military Leave Sharing will be no greater than the wage the employee would earn if he/she had continued to work at the City instead of reporting to military duty.
 - As required by State law and by the City's Military Leave policy, the City pays up to 21 days per military calendar year for military leave. An eligible employee may receive and use funds from Military Leave Sharing only after the 21 days have been paid and after exhausting the necessary number of vacation hours.
4. How do employees apply for Military Leave Sharing?
An employee who receives orders to report for active duty and who would like to receive Military Leave Sharing should submit a written request to Human Resources. The request should include a copy of the orders indicating that the employee is required to report for duty and written documentation of the income he/she receives from the military. When the employee is released from active military duty, the employee must provide Human Resources with a copy of their discharge papers.
5. Are donations made to a particular employee?
No. Donated hours will be placed in the Military Leave Sharing bank for distribution to eligible employees.
6. Will the names of the donating employees be kept confidential?
Yes.

7. Will leave benefits accrue while an employee is receiving donated hours?
No.

This policy does not affect an employee's rights and obligations under the City's *Military Leave* policy or under the laws governing military leave.

211. SICK LEAVE/SHORT-TERM DISABILITY (SICK LEAVE)

SCOPE: This policy applies to all eligible employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City provides employees with sick leave to be used in the event of illness, injury or appointments with health care providers. Sick leave is intended to help an employee maintain his/her income during these absences.

GUIDELINES:

1. How much paid sick leave will the City provide?

Regular employees will accrue five hours of sick leave time per semi-monthly pay period up to a maximum accumulation of 1,280 hours. Sick leave hours are accumulated in an employee's account on the last day of each semi-monthly period worked.

Part-Time employees working a regular or flexible schedule which averages 20 hours or more per week will accrue sick leave on a pro-rated basis to the pro-rated maximum. Supported employment employees working a part-time schedule will receive a pro-rated benefit if they work a regular or flexible schedule which averages 10 or more hours per week.

2. Will leave without pay affect an employee's sick leave accrual?

If the leave without pay is greater than 50% of the employee's normal semi-monthly schedule, sick leave will not accrue.

3. For what reasons may employees use sick leave benefits?

A) For the employee's own short-term disability including:

- Off the job personal illness or injury;
- On the job personal injury or illness in order to make an employee whole in conjunction with time loss payments;
- Pregnancy or childbirth;
- When unable to work due to a serious health condition as defined in the Family Medical Leave Act (FMLA); or
- If exposed to a contagious disease such that the employee's presence on the job might jeopardize the health of others.

B) To care for a family member (domestic partners are treated the same as a spouse under this section):

- With a serious health condition as defined in the FMLA;
- At the employee's choice under the Washington State Family Care Act (WFCA) to provide care for a child with a health condition that requires treatment or supervision; a spouse, parent, adopted parent, parent-in-law or grandparent of the employee who has a serious or emergency condition; or to care for a wife or daughter while incapacitated as a result of pregnancy/childbirth, including pre-natal and post-partum examinations, hospitalization and recovery; or
- Care for a blood relative of the employee or the employee's spouse/domestic partner who permanently resides in the employee's primary residence and who has a serious or emergency health condition as defined in FMLA or WFCA.

C) Health care appointments that cannot be scheduled during non-work hours including (travel time in excess of one working day must be approved by the department head):

- Personal health care appointments;
- An employee's child's health care appointments; or
- Appointments for family members with conditions covered under City policy, state or federal law.

4. What is the definition of a child?

A child includes the employee's child or the child of the employee's spouse/domestic partner. Child is defined as biological, adopted, foster child, step child, legal ward, or a child of a person standing

in loco parentis who is under 18 years of age, or 18 years of age or older and incapable of self-care because of a mental or physical disability.

5. When may new or re-hired employees begin using sick leave?

Sick leave may be used after three months following an employee's adjusted service date. At that point, the employee's sick leave bank will be credited with the equivalent of three month's sick leave accrual. Accruals will be added at the end of each semi-monthly pay period thereafter.

6. May employees use sick leave before it is accrued?

No. Sick leave must be available in the employee's sick leave bank before it can be used. Therefore, hours accrued in a semi-monthly pay period cannot be used in the same semi-monthly pay period.

7. Are employees required to receive authorization to use sick leave?

Yes. Employees are expected to request authorization for sick leave as soon as the employee becomes aware of the need. Failure to report to work for three consecutive days or shifts (if applicable) for which the employee is scheduled to work, without receiving authorization, will be considered a voluntary resignation for reasons of job abandonment.

8. What happens if an employee needs additional time off after his/her sick leave benefits are exhausted?

When the need for sick leave is not protected under a state or federal law, the employee may request approval to use other available paid leave. If approved, additional paid time off must first be charged to an employee's vacation bank as "vacation in lieu of sick leave" and then to other available paid leave. If all eligible paid leave is exhausted, the employee may request leave under the Leave of Absence Without Pay policy. If the request is not approved, the employee may be subject to separation from employment.

When the need for sick leave is protected under a state or federal law, the employee may use other eligible paid leave banks. However, if the need for sick leave is under the FMLA, additional paid time off must first be charged to the employee's vacation bank as "vacation in lieu of sick leave" and then to other eligible paid leave banks. At the employee's option, the employee may reserve up to 40 hours of vacation leave and request leave without pay.

9. May the City require employees to provide medical certification of the need for sick leave?

Yes. Employees may be required to provide medical certification of the condition, and the medically necessary duration of the leave. The City may request clarification if the medical certification is unclear.

10. What should an employee do when he/she is ready to return to work after sick leave for his/her own illness, injury or short term disability?

An employee who is returning from a leave of absence of **30 days or less** may be required to provide a medical release signed by a health care provider.

An employee returning from a leave of absence of **30 days or more** must provide a release signed by a health care provider. He/she must also contact Human Resources and their immediate supervisor two weeks before the leave is expected to expire to report the status of his/her ability to return to work and to coordinate a return to work plan.

If an employee does not receive a release to perform the full scope of his/her job duties, the release must detail any limitation and a prognosis for a full release date. A limited release may impact the City's ability to return the employee back to work.

11. May employees be paid for accrued sick leave?

No. Accumulated unused sick leave is a form of income insurance for short and longer term illness or injury and is not a vested benefit.

12. What if there is a holiday during paid sick leave?

Any holiday observed by the City occurring during paid sick leave will be paid as a holiday and will not be deducted from the employee's sick leave bank.

212. FAMILY AND MEDICAL LEAVE ACT (FMLA)

SCOPE: This policy applies to all eligible employees of the City of Vancouver unless otherwise addressed in a current collective bargaining agreement or public safety policy.

POLICY: In compliance with the state and federal Family and Medical Leave Acts (FMLA), City policy allows employees to take time off from work with job protection to care for the needs of themselves and qualified family members.

GUIDELINES:

1. When are employees eligible for family or medical leave?

Employees are eligible if they have worked for the City for at least 12 months and have worked at least 1,250 hours in the 12 months preceding the leave. Full-Time FLSA exempt employees who have worked for the City at least 12 months are presumed to have met the 1,250 hour requirement.

2. How long can an employee take time off from work for family or medical leave?

Eligible employees are entitled to 12 weeks of family or medical leave during a 12 month period. Employees who are disabled as a result of pregnancy or childbirth are entitled to leave for the period of pregnancy or childbirth disability in addition to the 12 weeks of family or medical leave.

The 12 month period is a rolling year measured backward from the date an employee uses any FMLA leave. Each time an employee takes leave under this policy, the remaining leave entitlement would be any balance of the 12 weeks which has not been used during the immediately preceding 12 months.

3. How are 12 weeks determined?

The 12 weeks will be converted to hours based on the employee's normal pre-FMLA schedule (i.e. 12 weeks of 40 hours per week will equal 480 hours of FMLA leave). Hours will be charged to the employee's FMLA bank as they are used.

4. Are employees required to take all 12 weeks at one time?

No. The leave may be taken all at once, in shorter blocks of time or, in certain circumstances, eligible employees may take FMLA leave on an "intermittent" schedule or a "reduced leave" schedule.

5. What events qualify the employee to take leave under this policy?

Eligible employees are entitled to 12 weeks of family and medical leave during a 12 month period:

- To care for a newborn child or a newly adopted child who is under the age of 18 or a child just placed with the employee for foster care. Leave must conclude within 12 months of birth, adoption or placement;
- To care for a qualified family member who is suffering from a serious health condition and needs the employee's care; or,
- When an employee is unable to work due to their own serious health condition.

6. What is the definition of "qualified family member"?

A "qualified family member" includes the employee's:

- Child, including a biological child, adopted child, foster child, step-child, child of a domestic partner, legal ward, or a child for which the employee is acting in loco parentis. The child must be under 18 years of age or, if over the age of 18, incapable of self care because of a serious injury, illness, or mental or physical disability.
- Parent, including a biological or adopted parent or a person who acted in loco parentis;
- Spouse; or
- Domestic partner (if an affidavit of Domestic Partnership is on file in Human Resources).

Reasonable documentation or statement of qualifying relationship may be required.

7. What is the definition of a “serious health condition”?

A serious health condition is:

- Any period of incapacity or treatment connected with inpatient care, (i.e. an overnight stay), in a hospital, hospice or residential medical care facility;
- A period of incapacity requiring absence of more than three consecutive calendar days from work, school or other regular daily activities that also involves continuing treatment by (or under supervision of) a health care provider;
- Any period of incapacity due to pregnancy or prenatal care;
- Any period of incapacity (or treatment therefore) due to a chronic serious health condition (e.g. asthma, diabetes, epilepsy, etc.);
- A period of incapacity that is permanent or long term due to a condition for which treatment may not be effective (e.g. Alzheimer’s, stroke, terminal diseases, etc.); or
- Any absence to receive multiple treatments (including any period of recovery there from) by or on referral by, a health care provider for a condition that would likely result in incapacity of more than 3 consecutive days if left untreated (e.g. chemotherapy, physical therapy, dialysis, etc.).

8. Are both parents (or domestic partners) entitled to take leave to care for a child or parent?

Yes. However, when spouses or domestic partners are both employed by the City, FMLA leave may be limited to a combined total of 12 weeks if being taken for the same reason. The limit applies when spouses or domestic partners are both employed by the City and are both eligible for FMLA leave for the following reasons:

- For the birth and care of a child;
- For the placement of a child for adoption or foster care, and to care for a newly placed child; and
- To care for a parent (not parent-in law) with a serious health condition.

9. Are employees required to provide notice of the need for FMLA leave?

Yes. Employees must submit a request for FMLA leave with the appropriate medical certification, if applicable, to Human Resources. Requests and certifications must be submitted at least 30 calendar days in advance of the anticipated date that the leave will begin, if the need for the leave is foreseeable. In addition, in cases of foreseeable leave, employees must consult with their supervisor to make a reasonable effort to schedule the leave in order to prevent undue disruption of work.

In the case of an unforeseeable leave, employees must submit a request for FMLA with the appropriate medical certification, if required, to Human Resources as soon as possible or as required under the Attendance and Punctuality policy.

Employees must also advise Human Resources of any changes in their FMLA leave status or request as soon as they become aware of the status change (e.g. changes in the anticipated duration or the intermittent status of the leave).

If an employee does not specifically request FMLA leave, the City may designate eligible leave to FMLA. When the reason for the leave is not known in advance, the City may retroactively designate eligible leave as FMLA leave.

10. How will an employee know if a request for leave under this policy has been approved?

Human Resources will notify the employee of the decision. If the request is approved, the notice will include the beginning date of the leave, when known, and the number of hours of qualifying leave to which the employee is entitled.

11. Will employees be required to provide medical certification to support the need for leave?

Yes. An employee who requests leave may be required to provide medical certification of the condition. If the leave is foreseeable, the employee must provide the certification before the leave begins. If the leave is not foreseeable, the City will preliminarily approve the leave and render a final determination upon receipt of the medical certification.

If the employee does not provide proper medical certification, the leave may be delayed as provided by state and federal law.

12. If medical information is provided, will it be confidential?

Yes. All medical information obtained in connection with FMLA leave will be kept in locked, confidential medical files separate from personnel files and will be released only on a need to know basis.

13. Is FMLA Leave provided with pay?

No. FMLA leave begins when an employee has exhausted all accrued leave, including but not limited to vacation, sick leave, compensatory (comp) time, and banked holidays. However, if requested an employee may reserve up to 40 hours of vacation leave for use upon return to work. Catastrophic and worker's comp leave will run concurrently with FMLA leave.

14. Will benefits be provided during FMLA leave?

The City will continue to pay the portion of any premiums for health insurance provided for the employee during the approved FMLA leave of absence. If the employee is responsible for a portion of the premium, the employee payment must be made or insurance coverage may be terminated.

Employees on a reduced leave schedule will accrue leave and be paid for holidays on the same basis as part-time employees. Employees on an intermittent leave schedule greater than 50% of the employee's normal monthly schedule will not accrue leave.

15. Will an employee's service date, pay increase date, and probationary period be affected by FMLA leave?

Yes. An employee's service date, pay increase date, and probationary period will be adjusted so that unpaid FMLA leave that is 30 or more consecutive calendar days is not counted as service time.

16. Can an employee request time off under the Leave of Absence Without Pay policy instead of using FMLA leave?

No. If the leave qualifies under this policy, it must be exhausted before an employee can request leave under the Leave of Absence Without Pay policy.

17. Are employees entitled to return to their previous job position after the leave?

Upon returning from an approved leave, employees will be restored to the same position they previously held or to a substantially similar position with equivalent employment benefits, pay and other terms or conditions of employment. However, an employee on 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.

18. What should an employee do when he/ she is ready to return to work?

An employee who is returning from a leave of absence of **30 days or less**, due to their own illness, injury, short term disability or serious health condition, may be required to provide a medical release signed by a health care provider.

An employees returning from a leave of **30 days or more**, due to their own illness, injury, short term disability or serious health condition, must provide a release signed by a health care provider. He/she must also contact Human Resources and their immediate supervisor two weeks before the leave is expected to expire to report the status of their ability to return to work and to coordinate a return to work plan.

If an employee does not receive a release to perform the full scope of his/her job duties, the release must detail any limitation and a prognosis for a full release date. A limited release may impact the City's ability to return the employee back to work.

19. Will light duty assignments be counted toward an employee's FMLA entitlement?

Yes. If an employee recovering from a serious health condition voluntarily accepts a temporary light duty assignment, the time in the light duty assignment will be counted toward the employee's FMLA leave entitlement.

20. What if an employee does not return to work following FMLA leave?

If an employee fails to return to work at the conclusion of an approved leave of absence, including any extension of the leave, the employee will be considered to have voluntarily resigned.

The law governing this type of leave is complex and all details may not be covered in this policy.

214. LEAVE OF ABSENCE WITHOUT PAY (LWOP)

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City may grant employees a leave of absence without pay under exceptional circumstances when such leave is consistent with the good of the City service.

GUIDELINES:

1. Are all employees eligible for a leave of absence without pay?
All regular employees are eligible to request a leave of absence without pay when **all** other types of eligible leave available under City policy, state and federal law, both paid and unpaid, have been used.
2. Are there any reasons that do not justify a leave without pay?
Leaves of absence are considered on a case by case basis.
3. How does an employee request a leave without pay?
All requests for leave without pay must first be submitted to an immediate supervisor. The Department Director may approve a leave of absence without pay for a period of less than 30 consecutive calendar days. Requests for leave between 30 consecutive calendar days and six months must be approved by the Human Resources Director. Requests for leave beyond six months must be approved by the City Manager.
4. May an employee request that an approved leave of absence be extended?
Yes. The request for an extension should be submitted to the Department Director within two working days of learning of the need for an extension of the leave.
5. Are employees required to submit the request in advance of the leave?
Yes. Employees are expected to submit a written request for a leave of absence without pay as soon as possible but at least 30 calendar days in advance of the anticipated date that the leave will begin if the need for the leave is foreseeable. In the case of an unforeseeable or unanticipated leave, employees should provide notice as required under the Attendance and Punctuality policy. Failure to report to work for three consecutive days or shifts (if applicable) for which the employee is scheduled to work, without receiving authorization, will be considered a voluntary resignation for reasons of job abandonment.
6. May the City request that an employee return to work during the leave?
Yes. The City may terminate any leave of absence prior to its scheduled end date. The City will terminate the leave by sending a written notice to the employee's address on file with the City. The employee will be required to return to work within a reasonable time. If the employee fails to respond to the notice or report for work as requested by the City, the employee will be considered voluntarily resignation as of the required return date.
7. Will benefits continue during a leave of absence without pay?
If the leave of absence is 30 consecutive calendar days or less, the City will continue to pay the premiums for insurance in the same proportion as if the employee is not on a leave of absence. For an approved leave of absence longer than 30 consecutive calendar days, an employee may continue health benefits under COBRA. Other City paid or self paid benefits may also be eligible for continuation.

Benefits that accrue according to the length of service, such as vacation, sick and holidays do not normally accrue during periods of unpaid leave of absence.

8. Will an employee's service date and pay increase date be affected by a leave of absence without pay?
Yes. An employee's service date and pay increase date will be adjusted so that leave without pay of

30 or more days is not counted as service time.

9. Will an employee's probationary/introductory employment period be affected by a leave of absence without pay?

Yes. An employee's probationary/introductory employment period will be adjusted so that leave without pay of 30 or more days is not counted as service time.

10. Are employees entitled to reinstatement to their regular position following the leave?

No. Granting a leave of absence without pay does not guarantee reinstatement to a job position within the City. Following the scheduled end of an approved leave, the employee will be placed in his/her former position only if it is vacant and the employee is still qualified. If the employee cannot be placed in his/her former position, he/she will be offered another position for which he/she is qualified if such a position is vacant that is at or below the salary level of the position the employee held prior to the leave of absence.

If the employee does not accept an offer of employment for the vacant position, the employee will be considered to have voluntarily resigned.

11. May employees return to work prior to the end of the approved leave?

An employee may request an earlier return by submitting a written request to the Department Director, and the request will be considered.

12. What should an employee do when he/she is ready to return to work after the unpaid leave?

An employee should contact his/her supervisor two weeks before the leave is expected to expire to report the status of his/her ability and desire to return to work and to discuss procedures for returning to work.

An employee who is returning from a leave of absence of **30 days or less**, due to their own illness, injury, short term disability or serious health condition, may be required to provide a medical release signed by a health care provider.

An employees returning from a leave of **30 days or more**, due to their own illness, injury, short-term disability or serious health condition, must provide a release signed by a health care provider.

If an employee does not receive a release to perform the full scope of his/her job duties, the release must detail any limitation and a prognosis for a full release date. A limited release may impact the City's ability to return the employee back to work.

215. CATASTROPHIC LEAVE SHARING

SCOPE: This policy applies to all eligible employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: To provide employees with a means of financial assistance when facing a catastrophic situation, City employees may donate accumulated vacation hours to a catastrophic leave bank. The granting of Catastrophic Leave is not 'guaranteed' and is reviewed on a case by case basis.

GUIDELINES:

1. What is a "catastrophic situation"?

Catastrophic situations are generally limited to severe or extraordinary health conditions that will likely require the employee's absence from work for a prolonged period of time and will result in a loss of income to the employee because of the unavailability of paid leave.

Short-term disabilities resulting from minor surgery and recovery, and similar routine health conditions are not usually eligible for catastrophic leave sharing because employees are expected to maintain sufficient accrued leave to cover these routine needs.

2. What is a prolonged disability or prolonged period of time?

"Prolonged" means a period certified by a health care provider to require at least thirty calendar days whereby a medical condition prevents the employee from performing his/her duties for either their own extraordinary health condition or to care for a qualified family member with an extraordinary health condition.

For situations requiring the employee's intermittent absence, the thirty calendar days will be converted to hours and the employee will meet the "at least thirty calendar days" when the total hours away are equivalent to the employee's normal monthly hours of work (i.e., for a 40 hour per week employee this would equal 173 hours).

3. Who is eligible to apply for catastrophic leave donations?

Any regular employee who is facing or expecting a catastrophic situation may apply for donated catastrophic leave hours.

4. How does an employee apply for Catastrophic Leave Donations?

The employee completes a Request for Catastrophic Leave Sharing form and submits it to Human Resources.

5. How are Catastrophic Leave Requests evaluated?

Catastrophic Leave Requests are evaluated by Human Resources based on criteria defined in state and federal leave protection laws. The laws include the Family Medical Leave Act, Washington State Family Care Act, Americans With Disabilities Act; Washington Law Against Discrimination, and The Pregnancy Disability Act. If the need for leave qualifies under one of these laws, and all other conditions outlined in this policy are met, the request for catastrophic leave sharing will be approved. If a request is denied, the reason for denial will be documented and communicated to the requesting employee.

6. If the request is denied, is there an appeal process?

Yes. An employee may submit a written appeal to the Human Resources Director within 10 calendar days of the denial. The decision of the Human Resources Director is final.

7. Will employees be required to provide medical documentation to support the need for the donated hours?

Yes. Employees who request donated hours will be required to submit medical documentation supporting the need for the leave completed by the primary health care provider. Medical certification must be sufficient to document how the condition qualifies under one of the state or federal protected leave acts. Medical certification requests will be administered in accordance with

relevant laws and regulations, including but not limited to clarification of the medical facts, and requests for a medical recertification.

8. Is medical information regarding an employee's catastrophic situation confidential?
Yes. All medical information obtained in connection with catastrophic leave sharing will be kept in confidential medical files separate from personnel files and will be released only with the employee's written authorization or on a need to know basis.
9. Will co-workers know that I have requested catastrophic leave sharing?
Yes. If a request for donations is necessary to fill an employee's request for catastrophic leave sharing, the names of employees currently requesting assistance through the catastrophic leave sharing program will be published. However, an employee may make a request to specifically opt out of having his/her name published.
10. Is catastrophic leave pay equal to full pay?
No. Catastrophic leave is intended to assist an employee to balance work/life conflicts by providing a benefit roughly equivalent to a short-term disability insurance plan. Therefore, catastrophic leave will be equivalent to 80% of the employee's regular base wages as long as sufficient hours are available in the catastrophic leave sharing bank. If sufficient hours are not available, the level of benefit will be dependent on the hours available in the bank at the end of the pay period.
11. Will benefits be continued during the time that an employee is using donated leave hours?
Benefits that accrue according to the length of service, such as vacation, service hours for retirement, and sick time, do not accrue during periods of time that an employee is using donated leave hours. However, for employees working part-time and using donated leave for less than 50% of the work hours each month, leave benefits may accrue and service hours will be reported to the State Department of Retirement Services (DRS) for consideration of service credits.

As long as the employee is receiving catastrophic leave donations, the City will continue to pay premiums for the employee's health insurance benefits in the same proportion as for active employees. The employee must make necessary employee contributions for active City coverage to continue.
12. What if there is a holiday during catastrophic leave?
Any holiday observed by the City occurring during paid catastrophic leave will be paid as a holiday and will not be deducted from the employee's catastrophic leave bank as long as the employee works or has donated hours for at least 50% of the semi-monthly pay period. If the employee does not qualify for holiday pay, the day will be counted towards catastrophic hours and paid accordingly.
13. Will an employee's service date, pay increase date, or probationary period be effected by catastrophic leave?
Yes. An employee's service date, pay increase date, and probationary period may be adjusted to account for the period of leave under the Catastrophic Leave Sharing program.
14. Is there a limit on the number of donated hours that an employee may receive?
Yes. An employee may only receive catastrophic donations during the first 180 days following a qualifying event, regardless of hours of catastrophic leave used. The 180-day period is measured from the first day of the disability as certified by a health care provider.
15. How are hours donated to the Catastrophic Leave Sharing bank?
Donations are limited to the donation of vacation hours only. Donations may be made on an on-going basis to a shared bank or, if the shared bank does not have sufficient donations to cover current needs, donations may be requested for a specific employee. Donations will be transferred on an hour-for-hour basis. The names of donating employees remain confidential.

16. Will Catastrophic Leave and FMLA leave run concurrently?

Yes. If the catastrophic leave request also qualifies as FMLA, the City will designate it as FMLA leave. FMLA leave and Catastrophic Leave will run concurrently and all benefits under FMLA will apply.

17. Are employees entitled to return to their previous job position after the leave?

In most cases employees are entitled to return to their previous job position or an equivalent position following the return from catastrophic leave.

18. What should an employee do when he or she is ready to return to work?

An employee should contact his/her supervisor two weeks before the leave is expected to expire to report the status of his/her ability to return to work and to coordinate a return to work plan.

An employee who is returning from an intermittent leave of absence totaling the equivalent of **30 calendar days or more**, due to their own illness, injury, short term disability or serious health condition, may be required to provide a medical release signed by a health care provider.

An employees returning from a continuous leave of absence of **30 calendar days or more**, due to their own illness, injury, short-term disability or serious health condition, must provide a release signed by a health care provider.

If an employee does not receive a release to perform the full scope of his/her job duties, the release must detail any limitation and a prognosis for a full release date. A limited release may impact the City's ability to return the employee back to work.

219. WASHINGTON PREGNANCY DISABILITY LEAVE

SCOPE: This policy applies to all eligible employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public policy.

POLICY: The City provides leave in compliance with Washington Administrative Code 162.30.202. This code provides job protections for an employee who requires time off work due to pregnancy, childbirth and pregnancy related conditions.

GUIDELINES:

6. When are employees eligible for this leave?
As of date of hire, any employee who suffers from pregnancy-related conditions or is recovering from childbirth is eligible.
7. What events qualify the employee to take leave under this policy?
Eligible employees are entitled to use any period of time medically necessary for pregnancy related conditions including, but not limited to, related medical conditions, miscarriage, pregnancy termination, and complications of pregnancy. This leave is limited solely to the disability phase of the pregnancy and childbirth and provides no entitlement to time to care for a newborn child.
8. Will Pregnancy Disability Leave be counted towards FMLA entitlement?
No. This leave is in addition to leave provided under the FMLA.
9. Will Pregnancy Disability Leave be paid?
Maybe. If the employee has available eligible paid leave, the employee must first access time available in her sick leave bank. If additional time is necessary, the employee must use other paid leave, except that 40 hours of vacation leave may be reserved. Additional paid time off must first be charged to an employee's vacation bank as "vacation in lieu of sick leave", then to other available paid leave banks.
10. Will employees be required to provide notice of the need for leave?
Yes. Employees must provide notice as soon as the need for leave is known.
11. Will employees be required to provide medical certification of the need for leave?
Employees may be required to provide medical certification of the condition and the medically necessary duration of the leave. The City may request clarification if the medical certification is unclear.
12. If medical information is provided, will it be confidential?
Yes. All medical information obtained will be kept in locked confidential medical files separate from personnel files and will be released only with the employee's written authorization or on a need to know basis.
13. Will benefits be continued during Pregnancy Disability leave?
Maybe. While on paid leave, the City will continue the same benefits for the employee as prior to Pregnancy Disability Leave. If the period of Pregnancy Disability results in a leave of absence without pay, the Leave of Absence Without Pay policy will be followed.
14. Are employees entitled to return to their previous job position after the leave?
Upon returning from a leave of no more than the actual period of disability related to pregnancy or childbirth, the employee is entitled to be restored to the same position they previously held or to a substantially similar position with equivalent employment benefits, pay and other terms or conditions of employment. However, an employee on pregnancy disability leave does not have greater right to reinstatement or other benefits and conditions of employment than if the employee had been continuously employed during the pregnancy disability leave period.

15. What if an employee does not return to work following Pregnancy Disability leave?

Failure to report to work for three (3) consecutive days or shifts (if applicable) for which the employee is scheduled to work, without receiving authorization, will be considered a voluntary resignation for reasons of job abandonment.

220. WASHINGTON STATE FAMILY CARE ACT

SCOPE: This policy applies to all eligible employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City provides leave in compliance with the Washington State Family Care Act (WSFCA) which allows employees to use sick leave or other paid time off from work with job protection to care for the needs of sick qualified family members.

GUIDELINES:

1. When are employees eligible for this leave?

All employees who have paid leave benefits are eligible if sick or other paid time off is earned and available for use.

2. What is the definition of “qualified family member”?

A “qualified family member” includes the employee’s:

- child, including a biological child, adopted child, foster child, step-child, child of a domestic partner, legal ward, or a child for which the employee is acting in loco parentis. The child must be under 18 years of age or, if 18 or older, incapable of self care due to a mental or physical disability;
- parent, including a biological parent or a person who acted *in loco parentis*;
- spouse; or
- domestic partner if an affidavit of domestic partnership is on file in Human Resources.

3. What is the definition of “incapable of self-care” for a child 18 or older?

Incapable of self-care is a disabling condition that prevents an individual from engaging in one or more “activities of daily living” such as bathing, dressing, eating, cooking, shopping, or using public transportation without active assistance.

4. What events qualify the employee to take leave under this policy?

Eligible employees are entitled to use any period of time covered by earned sick leave or other paid leave benefits to care for a qualified family member including:

- to care for a child with a health condition that requires treatment or supervision;
- to care for a spouse/domestic partner, parent, parent-in-law, or grandparent with a serious or emergency health condition;
- to care for a child 18 or older if incapable of self-care due to a mental or physical disability; or
- to care for a wife, domestic partner or daughter while incapacitated as a result of pregnancy/childbirth, including prenatal and postpartum examinations, hospitalization and recovery.

5. What is the definition of a “health condition” that requires treatment or supervision for a child?

A health condition includes a medical condition requiring treatment or medication that the child cannot self administer, a medical or mental health condition which would endanger the child’s safety or recovery without the presence of a parent or guardian, or a condition warranting treatment or preventive health care such as physical, dental, optical or immunization services, when a parent must be present to authorize the treatment.

6. What is the definition of a “serious or emergency health condition” for a spouse/domestic partner, parent, parent-in-law, or grandparent?

A serious health condition is a condition that:

- requires an overnight stay in a hospital or other medical-care facility;
- results in a period of incapacity or treatment or recovery following inpatient care;
- results in continuing treatment under the care of a health care service provider that includes any period of incapacity to work or attend to regular daily activities; or
- involves an emergency situation, i.e., demanding immediate action.

7. How does an employee request protected leave under the “WSFCA”?

The employee must submit a request to Human Resources as soon as the need for leave is known. Human Resources will notify the employee of the approval or denial of the leave as qualified or not-qualified under WSFCA.

8. May employees be required to provide medical certification to support the need for leave?
Yes. Employees who request leave to care for a qualified family member may be required to provide medical certification of the condition.
9. If medical information is provided, will it be confidential?
Yes. All medical information obtained in connection with WSFCA leave will be kept in locked confidential medical files separate from personnel files and will be released only with the employee's written authorization or on a need to know basis.
10. Can an employee request time off under the Leave of Absence Without Pay policy instead of using eligible leave under the WSFCA?
Yes. If the leave qualifies under this policy, the employee may reserve up to 40 hours of vacation leave but must exhaust all other paid leave before requesting a leave under the Leave of Absence Without Pay policy.
11. Will benefits be continued during WSFCA leave?
Yes.
12. Are employees entitled to return to their previous job position after the leave?
Upon returning from an approved leave, employees will be restored to the same position they previously held or to a substantially similar position with equivalent employment benefits, pay and other terms or conditions of employment. However, an employee on WSFCA leave does not have any greater right to reinstatement or other benefits and conditions of employment than if the employee had been continuously employed during the WSFCA leave period.
13. What if an employee does not return to work following WSFCA leave?
Failure to report to work for three (3) or more consecutive days or shifts (if applicable) for which the employee is scheduled to work, without receiving authorization, will be considered a voluntary resignation for reasons of job abandonment.

221. LIGHT/RESTRICTED DUTY

SCOPE: This policy applies to all eligible employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: Employees with short-term disabilities may be permitted or required to temporarily work in a light duty capacity.

GUIDELINES:

1. What is light duty?
Light duty is considered a temporary modification to an employee's normal work assignment for an employee who has a short-term disability and is expected to recover from his/her illness or injury.
2. What is a light duty assignment?
A light duty assignment involves alterations to the employee's regular job duties, assigning limited duty within the same department, or in limited instances, assigning the employee to duties in another department. Light duty work is not guaranteed and will not be created.
3. Who is eligible for a light duty assignment?
All employees employed in regular full-time or part-time positions may be eligible for a light duty assignment if light duty work is available.
4. Can light duty be required?
Yes. Under certain circumstances light duty may be required.
5. How long may light duty last?
Light duty normally does not exceed 90 days, and any assignment of more than 90 days must be approved by the Human Resources Director or designee.
6. Is a light duty assignment available for both on and off-the-job injuries?
Yes. For on-the-job injuries, the City's workers' compensation coordinator will coordinate the return to work plan, which may include a light duty assignment.

For off-the-job injuries, an employee must provide a medical release from the treating health care provider. The employee's supervisor will then coordinate the return to work plan, which may include a light duty assignment.
7. Will an employee's rate of pay be impacted by a light duty assignment?
An employee's rate of pay may be impacted based on the length and type of light duty assignment. During the first 90 days of any light duty assignment, the employee's wage will not change. For light duty assignments longer than 90 days, the employee's rate of pay may be reviewed and adjusted.

222. FITNESS FOR DUTY EXAMINATION

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City provides a safe work place to protect the safety of all City employees, visitors, citizens, and City property. To accomplish this, all employees are expected to be physically and mentally fit to perform their jobs in a safe, productive and effective manner at all times.

GUIDELINES:

1. What is “fitness for duty”?

Fitness for duty refers to the physical and/or mental ability of an employee to perform the essential functions of his/her job duties in a safe, productive and effective manner.

2. What is a “fitness for duty examination”?

A fitness for duty examination is a mechanism for identifying whether and to what extent an employee may be unable to perform his/her essential job functions effectively or could endanger the safety of others, him/herself, or City property.

3. What information does the City obtain following a fitness for duty examination?

The City receives limited information from the professional who performs the examination. Specifically, the health care professional provides information as to whether the employee is able to perform the essential functions of the job in a safe, productive and effective manner, any recommendations that may enable the employee to perform his/her job and any conditions for return to work.

4. When may the City require a fitness for duty examination?

The City may require a fitness for duty examination only if the examination is job-related and consistent with business necessity. A fitness for duty examination may be required when the City reasonably believes that an employee’s job performance may be impaired due to a health problem or the employee may pose a risk to the safety of the employee or others.

5. Who will conduct the fitness for duty examination?

The City will choose a qualified health care professional to conduct the examination on a case-by-case basis.

6. What will the employee’s status be while the examination is being conducted?

Each employee’s status will be evaluated on a case-by-case basis. Options include but are not limited to, relieving the employee of certain duties, assigning different duties, or sending the employee home under appropriate leave status.

7. What if the examination concludes that the employee is not fit for duty?

The City will continue the interactive process with the employee in compliance with applicable laws, including the Americans with Disabilities Act, Washington Law Against Discrimination, and the Family and Medical Leave Act to determine if and when the employee can be returned to work or regular duties.

223. PAID ADMINISTRATIVE LEAVE

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City recognizes that certain situations of an urgent or serious nature may require the immediate removal of an employee from the workplace. When such a situation arises, the employee shall immediately be placed in an authorized paid leave status pending resolution of the urgent or serious situation.

GUIDELINES:

1. What is Paid Administrative leave?
A paid leave, not otherwise classified under City of Vancouver leave policies.
2. Who is authorized to approve a Paid Administrative leave?
Paid Administrative Leave is initiated by an employee's Department Director, or designee, subject to the approval of the Human Resources Director, or designee.
3. When is it appropriate to place an employee on a Paid Administrative leave?
An employee may be placed on paid administrative leave:
 - during the investigation of an alleged improper act;
 - when the employee has been involved in a critical incident, typically only police or fire personnel, pending investigation and resolution of the incident;
 - when allowing an employee to remain in the workplace may be detrimental to the interest of the City or unsafe for the employee, coworkers or the general public; or
 - due to other extraordinary circumstances.
4. Will pay and benefits be continued during a Paid Administrative leave?
The employee's regular pay and benefits will continue during periods of authorized Paid Administrative leave.
5. Are there requirements of an employee while on Paid Administrative leave?
Maybe. Any requirements will be communicated to the employee.

301. ATTENDANCE AND PUNCTUALITY

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: Regular and dependable attendance and punctuality are essential functions of every employee's job. As a condition of employment, all employees are required to report for work with the proper equipment, attire and ability to meet the essential functions of the job.

GUIDELINES:

1. What should an employee do if he/she is unable to report to work as scheduled?
Employees must notify their immediate supervisor or appropriate department designee as far in advance or as soon as possible. The notice must include a reason for the absence or tardiness and an indication of when the employee expects to return to work. Additional notification requirements are included in City leave policies and/or specific department or work group procedures.
2. What if an employee is absent from work without authorization?
Failure to report to work for three consecutive days or shifts (if applicable) for which the employee is scheduled to work, without receiving authorization, will be considered a voluntary resignation for reasons of job abandonment.
3. When might poor attendance become an issue under this policy?
The City recognizes that each individual situation is different and the requirements of each job position are different. The City will consider all the circumstances of each situation and the effect it has on the work group and/or work product.

Factors a manager may consider in determining whether poor attendance is an issue include, but are not limited to, the following:

- A pattern of tardiness or absences that disrupts the flow of work, burdens co-workers with extra tasks, lowers morale, increases labor costs or adversely affects the quality of services;
 - A pattern of tardiness or absences the day before and/or the day after a holiday or days off;
 - A pattern of tardiness or absences on scheduled work weekends, Saturdays, Sundays and/or holidays;
 - A pattern of tardiness or absences the day after payday; or
 - A pattern of calling in sick as rapidly as sick time is accrued, especially if used one day at a time.
4. Will employees be compensated if they are late for work or unable to report to work?
If authorized, employees may use available sick leave, vacation leave or other appropriate leave.
 5. May employees work extra hours if they are late for work or unable to report to work?
If authorized, employees may be permitted to work additional hours within their designated work week to make up time lost because of tardiness or absence.
 6. What if an employee needs to leave his/her job site during working hours?
Employees must obtain authorization from their immediate supervisor, the department designee or Human Resources before leaving their job site during working hours.
 7. What if job duties require that an employee be away from City premises on a regular basis or for an extended period of time?
Employees should always inform their immediate supervisor or the department designee of their whereabouts during working hours and how to be reached if necessary.
 8. What if an employee is absent or unable to perform the essential functions of his/her job without authorization?
The failure to report to work or the inability to perform the essential functions of the job may be

considered unauthorized leave. Any period of unauthorized leave is subject to discipline, and any unauthorized leave for three or more consecutive days or shifts (if applicable) for which the employee is scheduled to work will be considered a voluntary resignation for reasons of job abandonment.

9. What should an employee do upon return to work from an unauthorized leave?

Employees should report directly to their immediate supervisor and give an explanation of the circumstances surrounding the leave. Supervisors will provide information about any additional requirements for return to work in accordance with City policies.

302. CONFLICT RESOLUTION AND MEDIATION

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City has an interest in resolving workplace conflicts and complaints. Therefore, the City provides employees with various problem solving tools and/or resources such as mediation services, a structured complaint resolution process and the Employee Assistance Program (EAP). Issues involving unlawful acts, such as harassment or discrimination, are addressed through other City policies.

GUIDELINES:

1. What is workplace conflict?

Workplace conflicts include any conflicts impacting the work environment involving City employees. These conflicts may include, but not be limited to interpersonal conflicts, disagreements, misunderstandings, and communication problems between employees.

2. What problem solving resources does the City provide for addressing workplace conflicts?

The City supports a pro-active approach to conflict resolution. Employees should speak up about workplace conflicts and attempt to resolve the conflict using one or more of the following resources:

- Speaking directly to the individual(s) involved.
- Speaking to a manager or supervisor about the concern or problem.
- Calling a human resources manager or representative. The Human Resources staff can act as a liaison to help resolve issues.
- Contacting City Mediation or EAP for confidential coaching/problem-solving.
- Mediate the concern or problem through the use of City Mediation Services Department or Shared Neutrals.
- Consult Human Resources or your Personnel Manager for additional problem-solving ideas

3. What is “mediation”?

Mediation is a voluntary, confidential conflict resolution process in which a trained, impartial person (called a “mediator”) helps people discuss problems, narrow and clarify issues, explore and generate options and reach mutually agreeable resolutions. It is an informal facilitated discussion between employees, not a formal legal process. Mediation encourages joint problem-solving in which people gain an understanding of each other’s point of view.

4. What is Shared Neutrals?

Shared Neutrals is a cooperative arrangement among several federal, state and local agencies in the Oregon/Southwest Washington region which provides mediation opportunities for government employees. Shared Neutrals gives City employees the option of utilizing trained mediators from these agencies instead of City employees.

5. If an employee wants to use the mediation process, what should he/she do?

Employees may contact Shared Neutrals directly. The contact information is maintained on CityNet under “benefits.” Employees may also contact City Mediation Services or Human Resources to help arrange for Shared Neutrals mediators. Contacts with Mediation Services or Human Resources are confidential.

6. Are employees paid for time spent in mediation?

Employees have two options available which will determine whether time spent in mediation is paid. First, an employee may notify his/her immediate supervisor or Human Resources of the desire to use the mediation process and schedule the mediation during working hours at a mutually convenient time. Under these circumstances, the time spent in mediation will be paid. Second, if a regular employee does not wish to notify a supervisor or Human Resources of the desire to use the mediation process, he/ she may request use of vacation time for personal reasons or may schedule the mediation outside of working hours.

7. What is a work related complaint?

For the purposes of this policy work related complaints include:

- A belief that City policies, practices, rules, regulations or procedures have not been followed or have been applied unfairly. (This does not include questioning the policy itself.)
- Improper or unfair administration of employee benefits or conditions of employment such as scheduling, vacations, fringe benefits, promotions, retirement or holidays.

Work related complaints do not include issues for which an alternative dispute resolution process exists for the complaint such as disciplinary action appeal, or if the issue can be grieved under a collective bargaining agreement. Similarly, complaints involving unlawful acts such as harassment or discrimination are addressed in other City policies.

8. What problem solving resources does the City provide for resolving work related complaints?

The City encourages employees and supervisors to keep lines of communication open and to resolve work related complaints on an informal basis by utilizing any of the resources identified for resolving conflicts in paragraph number 2 above. If that is not possible or does not resolve the dispute, the City also provides a complaint resolution process.

If an employee wants to use the complaint resolution process, a complaint should be submitted to Human Resources. The complaint should describe the problem and specify the solution sought. After a complaint is received, Human Resources will obtain whatever information is necessary and make a determination as to next steps. This is an informal process and there is no appeal available. The City will keep the complaint resolution process as confidential as possible and prohibits retaliation against anyone for making a complaint.

303. DISCIPLINARY AND CORRECTIVE ACTION

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: Personal accountability is the basis of our commitment to each other and to the community. Therefore, employees will be held accountable for failure to comply with the City's Operating Principles, all City policies, established standards of behavior and performance, instructions from management, as well as applicable City ordinances and state and federal laws. Employees will be held accountable through the imposition of disciplinary and/or corrective action.

GUIDELINES:

1. What is the difference between "disciplinary" and "corrective" action?

Disciplinary and corrective actions differ in two ways: the objective of the action and the ability to appeal the action.

Corrective action emphasizes positive objectives and specific measures, such as training, to improve work performance. Examples of corrective action include documented corrective counseling and required training or counseling. Corrective actions may not be appealed.

Disciplinary action is designed to hold an employee accountable for failure to comply with policies, standards or instructions. Examples of disciplinary action include written reprimands, suspension, demotion, and termination from employment.

A combination of disciplinary and corrective actions may be taken at one time. For example, an employee may receive a written reprimand and be required to attend training for one incident of misconduct.

2. Will a supervisor take any action following a documented corrective counseling to determine whether or not the issue has been resolved?

Yes. At a pre-established time following a documented corrective counseling, the supervisor and employee will meet to determine whether or not the issue that resulted in the corrective counseling has been resolved. At this time, the supervisor may take additional action as necessary, including but not limited to, indicating that the issue is resolved, setting another follow-up meeting time or taking disciplinary action due to the fact that the issue has not been resolved.

This follow-up meeting and any action taken at the meeting do not in any way affect the City's authority to take disciplinary or corrective action prior to the meeting or to consider the issues addressed in the corrective counseling when taking subsequent corrective or disciplinary action. Similarly, failure to have a follow-up meeting does not affect the City's authority to impose disciplinary and/or corrective action.

3. Does the City follow an established progressive discipline system?

No. There is no requirement that any specific number or sequence of disciplinary or corrective actions be imposed prior to termination of employment. The City retains the right to administer disciplinary and/or corrective action, up to and including termination of employment, as it deems appropriate under the circumstances.

4. How will the City determine when disciplinary or corrective action is necessary?

When made aware of a potential problem with work performance or conduct, the City will look into the situation to determine whether a problem exists and what action is necessary to correct the problem. When determining what action is necessary, the City will consider factors such as: employee behavior, past performance, length of service, the appropriate disciplinary standard, and surrounding circumstances, as well as the good of the City.

5. How will an employee know when disciplinary and/or corrective action is taken?

A supervisor, the Department Director, or a Human Resources representative will notify the

employee of any disciplinary and/or corrective action in writing.

6. Is the procedure the same if the discipline results in unpaid suspension, demotion, or termination of employment?

No. If the disciplinary action is unpaid suspension, demotion, or termination of employment, there are additional procedures. The City will mail or deliver a written notice of the proposed action to the employee. The notice shall include the following:

- The effective date of the proposed action.
- A statement of the reasons which support the proposed action.
- A statement advising the employee of the procedures to be followed prior to a final decision.

7. What action can an employee take if he/she disagrees with a corrective action?

There are several avenues available to employees who disagree with a corrective action:

- Discuss the concerns and areas of disagreement with the supervisor or manager responsible for determining the corrective action.
- Contact Human Resources or the department's personnel administrator to discuss the areas of disagreement.
- Prepare a written statement, stating the concerns and areas of disagreement (however, as stated, there is no appeal of corrective actions).

8. What action can an employee take if he or she disagrees with disciplinary action?

In addition to the steps outlined above, if an employee disagrees with a disciplinary action, the employee may file an appeal, as outlined in the Appeal to Disciplinary Action Policy.

9. Will documentation of disciplinary action be placed in an employee's personnel file? Yes.

Documentation of any disciplinary measures will be placed in an employee's personnel file.

10. How will the City use the disciplinary and corrective action information?

The written documentation of disciplinary and corrective actions establish a record of work performance and misconduct problems as well as resolutions to the problems, performance expectations, and improvements in job performance. These records will be taken into account in a variety of situations. For example, the information will be used in conducting performance evaluations, in evaluating an employee for promotion or transfer, or in determining what disciplinary or corrective action should be taken if subsequent problems arise.

304. APPEAL TO DISCIPLINARY ACTION

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City has an interest in taking disciplinary that is in compliance with its Operating Principles, all City policies as well as state and federal laws, and that is for the good of the City. To achieve this goal the City will provide non-union employees with an opportunity to appeal management decisions regarding discipline and termination of employment.

GUIDELINES:

1. What actions can be appealed under this policy?

Any disciplinary action may be appealed under the procedure provided in this policy. Disciplinary action includes, but is not limited to, the following actions: written reprimands, suspension, demotion, and termination.

Corrective action may not be appealed. Corrective action includes, but is not limited to, verbal warnings, required training or counseling, and documented corrective counseling.

2. Are all employees eligible to use the appeal procedure provided in this policy?

Most non-union employees who have completed an initial probationary/introductory period are eligible to use this appeal procedure. However, the procedure may not be used by temporary employees, the City Attorney and Assistant City Attorneys, Department Directors as defined in the City Charter, the City Manager and those persons who report directly to the City Manager.

3. May employees use this appeal procedure in addition to another available procedure?

No. The appeal procedure described in this policy is not available for disputes for which a civil service review procedure is available or matters which can be grieved or otherwise resolved under the terms of a collective bargaining agreement.

4. What is the procedure an employee must follow to appeal disciplinary action?

As a first step, if an employee disagrees with a disciplinary action, the employee may file an appeal by submitting a written request for an appeal to the Department Director with a copy to Human Resources within 10 working days from the date of the disciplinary action. The request must contain a description of the areas of disagreement with the disciplinary action and the specific remedy or solution sought. The Department Director will meet with the employee within five working days of receipt of the appeal. At the meeting, the employee may present written documentation, verbal arguments and signed affidavits. No attorneys or other representatives may be present during the meeting. The City, in its sole discretion, may allow the employee to present the testimony of other witnesses. Within five working days after the meeting, the Department Director will mail or deliver a copy of his/her decision to the employee.

If the employee disagrees with the decision of the Department Director, the employee may submit a written request for review of the decision to the City Manager, or his/her designee within 10 working days after the date of the Department Director's written decision. The City Manager or his/her designee will meet with the employee within five working days of receipt of the written request. At the meeting, the employee may present written documentation, verbal arguments and signed affidavits. No attorneys or other representatives may be present during the meeting. The City, in its sole discretion, may allow the employee to present the testimony of other witnesses.

Within five working days after the meeting, the City Manager or his/her designee will mail or deliver a copy of his/her decision to the employee. The decision of the City Manager or his/her designee is final.

5. What if a deadline in the appeal procedure is missed?

If the appeal is not advanced by the employee in accordance with the time limits set forth within the procedure, the appeal shall be considered withdrawn.

If the City does not respond in accordance with the time limits set forth within the procedure, the appeal shall be moved forward to the next level.

6. May the time limit be extended?

Yes. If the employee requests an extension, in writing, the City will consider the request and may grant an extension for a specified period of time.

In its sole discretion, the City may extend the prescribed time limits for its actions if: 1) additional investigation is necessary to render a decision, 2) work responsibilities or schedules prevent compliance with the time limits, or 3) the City deems an extension is necessary to assure compliance with its policies and practices.

If the City unilaterally extends the prescribed time limit(s), the employee shall be notified in writing of the extension.

7. How should "days" be counted when determining deadlines under this policy?

All references to days in this policy shall mean working days as in a normal work week of Monday through Friday. Any holiday observed by the City should not be counted as a working day.

This policy is not intended to create a contract of employment, a property right, a required progressive discipline procedure, due process rights, or any other rights or promises of specific treatment related to employment with the City. The purpose of the policy, as is consistent with City ordinances, is to provide reasonable assurances that disciplinary actions will be taken in compliance with established policy, practice and applicable laws.

307. HARASSMENT PREVENTION

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City of Vancouver is committed to providing a work environment free from harassment by any individual. Employees have a responsibility to assist in this commitment by treating every person with respect and by reporting incidents of harassment as set forth below.

Harassing conduct directed at an individual because of his or her race, religion, color, national origin, pregnancy, military status, age, gender, sexual orientation, marital status and/or the presence of any physical or mental disability and/or any other status protected by law is strictly prohibited. Any conduct which may be construed as retaliation against an individual because he/she made a complaint of harassment is also strictly prohibited.

GUIDELINES:

1. What is “harassing conduct”?

As a general rule, harassing conduct includes behavior that is demeaning, insulting, offensive or intimidating. It can include verbal conduct such as unwanted sexual or racist comments; non-verbal behavior such as suggestive looks; and physical behavior such as pats, squeezes or brushing against someone’s body. The conduct will be considered harassing and a violation of this policy if it is offensive or unwelcome, even if the conduct was not intended to be harassing.

There is an endless list of behaviors that may be unwelcome, demeaning or offensive and lead to a complaint of harassment. Some examples are:

- Demeaning, insulting, intimidating, or sexually suggestive written, recorded or electronically transmitted messages;
- Using demeaning or inappropriate names or labels that others find offensive;
- Making vulgar comments, using profane language, using indecent gestures or discussing sexual activities;
- Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions;
- Verbal abuse of any kind;
- The display of demeaning, insulting or sexually suggestive objects or pictures, including nude photographs;
- Sabotaging work, assigning only demeaning work, or refusing to provide critical job related information;
- Laughing at, ignoring, or not taking seriously an employee who experiences or complains of harassment;
- Blaming victims of harassment for causing the problem; or
- Continuing offensive behaviors after an employee has objected to that behavior.

2. Is “sexual harassment” different from other types of harassment?

No. However, particular attention has been paid to sexual harassment because a majority of harassment complaints are about sexual harassment and it is closely scrutinized by courts. Sexual harassment is conduct directed at an individual because of his/her gender, sex or sexual orientation. Other types of harassment are directed at individuals for different reasons, such as race or age. Regardless of type, any form of harassment is strictly prohibited by this policy.

3. What is “retaliation”?

Any action taken to punish an individual for making a complaint of harassment or to obtain revenge for making the complaint is retaliation, even if the complaint is unfounded. As with harassing conduct, there are many behaviors which may be considered retaliation if taken for the wrong reason. Examples of retaliatory conduct include:

- Harassing, insulting or intimidating an employee in any way;
- Taking unjustified disciplinary action;

- Directly or indirectly encouraging others to retaliate against an individual who has made a complaint of harassment; or
 - Taking any action which is detrimental to the employee's job such as a demotion, a poor performance evaluation, a decrease in pay, sabotaging work, assigning demeaning work, or making it difficult for the employee to perform job duties.
4. Do supervisors and managers have the same responsibilities to refrain from harassment?
Yes. This policy applies to all employees regardless of their job position.
 5. What should an employee do if he/she sees or experiences harassment?
Any employee who sees or hears behavior, material or other incidents that may be offensive or may constitute unwelcome harassment has a responsibility to report the situation as soon as possible. The report should be made to any supervisor or manager, Human Resources, the department personnel director or the City Manager's office.
 6. Do supervisors and managers have an obligation to report harassment?
Yes. Supervisors and managers will be proactive in identifying behavior that may constitute harassment or retaliation, will take any complaint of harassment seriously, and will take prompt and effective action to assure that any harassing, offensive or retaliatory conduct stops and does not recur.
 7. What will the City do when a complaint of harassment is made?
The City will review the circumstances of the incident, gather pertinent information and/or perform an appropriate investigation, and develop a plan for protecting the workplace from recurrence of any harassing or retaliatory behavior.
 8. Will the complaint and the investigation be confidential?
The City will make every effort to keep the complaint and the investigation confidential. Only those with a need to know will be advised of the situation.
 9. What if an employee makes a false complaint of harassment?
Making a false complaint or report of harassment is a violation of this policy. If it is determined that an employee deliberately made a false complaint of harassment or provided false information, the City will take appropriate disciplinary or corrective action.
 10. Will the City provide training on harassment?
Yes. The City provides on-going training on the definition of harassment, appropriate workplace behavior, the City's policy on prevention of harassment, procedures for complaining about and resolving harassment problems that arise and employee responsibilities for preventing harassment in the workplace. In addition, supervisors and managers are required to attend periodic training on identifying, preventing and responding to complaints of harassment and retaliation.

308. INVESTIGATION OF PERSONNEL MATTERS

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City will investigate all complaints or suspicions of serious violations of City policies, ordinances, and state and federal laws.

GUIDELINES:

1. What is an “investigation”?
An investigation is an official inquiry following fact finding that indicates a serious violation of City policies, ordinances, and/or state and federal laws may have occurred. The extent of the investigation will depend on the circumstances of the situation or complaint.
2. Will an employee receive notice of an investigation involving them?
Individuals will be notified if they are the subject of the investigation unless it would in some way compromise the integrity of the investigation.
3. What will happen during an investigation?
Since every situation and complaint is different, every investigation will be different. An investigation may be as simple and informal as discussing the complaint or situation with one employee. Or, the investigation may be more extensive including, but not limited to, reviewing relevant documents and/or other information and interviewing individuals with knowledge relevant to the investigation.
4. If an employee is the subject of an investigation, will he/she continue to work during the investigation?
In most circumstances, an employee may remain on the job during an investigation. However, in some situations it may be necessary for the City to take precautionary measures to protect employee and/or City interests. These measures may include, but are not limited to, the following:
 - Paid Administrative Leave. While on administrative leave, employees are required to be available during all paid hours, to abide by specific conditions, and to relinquish City-owned property and use of City systems as determined by the Department.
 - Transfer to another position.
 - Change in job responsibilities.
5. Who will do the investigation?
The individuals involved in conducting an investigation will vary depending on the circumstances.
6. What will an investigator do?
An investigator will be impartial and will not prejudge the complainant, the witnesses or the accused. It is his/her job to collect all relevant information surrounding the alleged violation and to uncover the nature and scope of any problem that may exist. The investigator may make recommendations but will not make the ultimate decision as to what action should be taken as a result of the investigation.
7. Are employees required to cooperate with the investigator?
Yes. Employees are expected to answer an investigator’s questions honestly and completely and to comply with any other reasonable requests of the investigator.
8. Can an employee request that a third party be present during his/her investigatory interview?
Yes. Employees may request to have one person, other than legal representation, attend his/her interview.
9. Will the City keep the investigation confidential?
Only those with an absolute need to know will be advised that an investigation is occurring, of the information gathered during the investigation, or of the results of the investigation. However, facts and names may be released during investigation interviews if necessary to complete an effective investigation. In addition, the City will release requested information if mandated by law, court order,

grievance, or lawsuit.

10. Are employees required to keep the investigation confidential?

Yes. All employees involved in an investigation will be required to sign a confidentiality agreement. The confidentiality agreement prohibits the employee from discussing information with others.

11. Does the City prohibit retaliation against those involved in an investigation?

Yes. City policy as well as state and federal law prohibit retaliation against anyone for filing a complaint in good faith, for helping someone else file a complaint, for providing honest information regarding a complaint, or for participating honestly in an investigation in any way.

12. What will happen when the investigation is over?

After the investigation is completed, a determination will be made as to what problems exist that need to be addressed and what action(s) should be taken as a result of the complaint, if any. If the investigation indicates that an employee is engaged in wrongdoing, a decision will be made as to what disciplinary and/or corrective action is necessary to stop the employee from engaging in further wrongdoing.

310. PERFORMANCE EVALUATION PROCESS

SCOPE: This policy applies to all eligible employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: Performance evaluation is an ongoing process of communication between a supervisor and an employee that occurs throughout the year. The communication process includes setting objectives, identifying goals, providing feedback, and evaluating results.

GUIDELINES:

1. What is a performance evaluation?

The written performance evaluation is an opportunity for the supervisor and employee to review whether previously discussed performance expectations and goals have been met, to identify opportunities for professional development and outline future steps necessary to meet professional development and work performance related goals.

2. Why does the City require performance evaluations?

The primary objectives of performance evaluations are to:

- Document, evaluate and improve work performance;
- Facilitate effective communication between supervisors and employees;
- Clarify, modify or develop individual objectives and the means to implement those objectives;
- Plan professional development and training;
- Hold employees accountable to the community and to each other; and
- Identify ways in which the work environment and productivity can be improved.

3. When will formal evaluations be performed?

Formal performance evaluations should be performed at least one month prior to the end of a probationary/introductory period and at least once during each 12 month period thereafter. Supervisors may also conduct performance evaluations at any other time the supervisor deems appropriate.

4. What will be considered in the formal performance evaluation?

Evaluations assess performance of job duties and expectations, and adherence to the City's Operating Principles and City and department policies and expectations. Evaluations also establish the objectives and goals that an employee should accomplish during the next evaluation period to improve work performance or for career growth. The goals must be consistent with the department and City mission and objectives.

Because each job is different and each department has unique requirements, the factors that are evaluated may differ. However, all employees should be evaluated on the following:

- Teamwork/Cooperation – the ability to work and act as a team player in interactions with other city employees.
- Customer Service – the interactions between both internal and external customers.
- Technical Knowledge – the knowledge and skills an employee must have and the abilities an employee must possess to meet responsibilities and requirements of the position including, but not limited to, quality and thoroughness of work, currency of knowledge, and ability to adapt to changes in skills required.
- Personal Behavior – work habits and behavior in the workplace including, but not limited to, attitude, attendance, response to challenging situations, appearance and work ethics.
- Mandatory training attendance – evidence that the employee is current on City-mandated training.
- Safety – adequate knowledge of applicable safety regulations, ability to work in a safe manner and willingness to address and correct unsafe working conditions.

5. Who will conduct the formal performance evaluation?

Performance evaluations may be conducted by one or more individuals depending on the

employee's position and work group structure. These individuals may include the following: manager and/or supervisor with possible input from team leaders, peers, subordinates, and/or customers.

6. Will employees have input in their own performance evaluation?
Yes. The input may take a variety of forms, depending on the job position and department. In all cases, the employee will meet with a supervisor to discuss the contents of the written evaluation, assess the employee's strengths and weaknesses in a constructive manner, and establish objectives and goals for the period ahead. The employee will also be given the opportunity to examine the written evaluation and make written comments about any aspect of it.
7. What if an employee disagrees with the contents of the performance evaluation?
Employees may add written comments to their performance evaluation following their initial review of the document; however, an employee may not change information included in a performance evaluation. An employee may also request a meeting with the next level supervisor to review any disagreement with a performance evaluation. This meeting is not intended as an appeal and there is no appeal procedure available for disagreement with a performance evaluation.
8. Will the performance evaluation be placed in the employee's personnel file?
Yes. Signed performance evaluations covering all important aspects of the employee's performance and expectations for the next evaluation period along with employee comments will be placed in the employee's personnel file.
9. Will employees be disciplined as a result of the performance evaluation?
Performance evaluations are not for the purpose of discussing or imposing disciplinary action. Disciplinary and corrective action is taken by the City based on performance and behavior of an employee. It is possible the performance evaluation will be referenced in corrective and/or disciplinary action.
10. How will the information contained in a performance evaluation be used?
The information contained in the evaluation may be used in a variety of ways. For example, it will be used when determining whether an employee will pass a probationary period; should receive a pay increase; in conducting future performance evaluations; in evaluating an employee for promotion, transfer or employment status changes; or in determining appropriate disciplinary and/or corrective action.
11. What should an employee do if they have not received a performance evaluation in more than a 12 month period?
The employee should talk to their supervisor and/or manager and request that the performance evaluation be completed. Employees may also contact Human Resources regarding the issue.

311. PERSONAL APPEARANCE OF EMPLOYEES

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: Employees are expected at all times to present a professional, businesslike appearance appropriate for their work situation. This includes employee's attire, grooming, personal appearance and hygiene.

GUIDELINES:

1. Does appropriate dress and grooming differ based on the job task or position?
Yes. Appropriate dress and grooming may differ depending on a particular job task, job position and/or work environment. Therefore, departments may establish more specific guidelines appropriate for the types of jobs performed within the department. It is within the supervisor's sole discretion to determine whether an employee's appearance is appropriate.
2. Are visible tattoos, jewelry or body piercing(s) permitted at work?
The City prohibits any visible tattoo that is offensive. "Offensive" tattoos include, but are not limited to, any body tattoo or decal depicting nudity, violence, sexually explicit or vulgar art or words, or that is objectionable or demeaning to the image of the City. In general, if the City's other policies (e.g., Harassment Prevention) or Operating Principles (e.g., Respect) would prohibit the speaking of the words, or display of the art, in the workplace then the tattoos, jewelry or body piercing(s) may not be visibly worn at work. Employees may wear jewelry or body piercing(s) that does not detract from the overall professional appearance.

Supervisors have the sole discretion to decide whether visible tattoos, jewelry or body piercing(s) are appropriate for the job position.

3. Does the City have a hygiene standard?
Yes. Employees must practice proper hygiene and should recognize that co-workers and/or visitors may have sensitivity and/or allergic reactions to various fragrant products.

An employee with a concern about scents or odors is to contact his/her supervisor.

4. What happens if an employee violates this policy?
Employees may be sent home to make appropriate changes. Failure to return to work in compliance with the request will also be considered a violation of this policy. Non-exempt employees will not be compensated for any work time missed because of failure to comply with this policy.

312. PERSONAL PROPERTY

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City recognizes that employees may need or want to bring personal property to work. The City permits employees to do so but asks employees to refrain from bringing unnecessary or inappropriate personal property to the workplace.

GUIDELINES:

1. What personal property is considered “unnecessary” or “inappropriate”?
Any property that is not appropriate for the conduct of normal business, that may be disruptive to workflow, may pose a safety risk to employees or the public, or which violates the terms of any City policy may be considered unnecessary or inappropriate. It will be within the City’s sole discretion to determine whether certain personal property is unnecessary or inappropriate.
2. Will City employees be required to bring and use personal property in the performance of job duties?
The only personal property that an employee may be asked to use for City business is their personal vehicle (for more information see Motor Vehicle Usage policy). However, employees may choose to bring and use personal property in the performance of job duties. If personal property is used to perform job duties, employees must obtain written approval from a supervisor **prior to** its use and the property must comply with City standards.
3. Who is responsible for lost, stolen or damaged personal property?
It is the employee’s responsibility to safeguard personal belongings. The City will not be liable for lost, damaged or stolen property of its employees and at no time will the City replace or reimburse an employee for personal property that an employee brings to the workplace.

Employees are encouraged to exercise reasonable care to safeguard personal items brought to work. For example, employees should not bring valuables to work and should not leave personal items where they might be damaged or stolen.

4. Does the City reserve the right to search an employee’s personal property?
Yes. Under certain policies, such as Violence Prevention in the Workplace, the City reserves the right to inspect personal property brought to work or onto City property for work related purposes or when reasonable suspicion exists that there is a safety risk or that City policy has been violated.

313. PROBATIONARY/INTRODUCTORY EMPLOYMENT PERIOD

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: All new employees and all current employees promoted, transferred, reassigned, or appointed to a new position will be carefully monitored and evaluated for a probationary/introductory employment period.

GUIDELINES:

1. What is the purpose of the probationary/introductory employment period?
The probationary/introductory period allows an evaluation of an employee's skills and compatibility with the organization, department, and/or job position. During this period, the employee also has the opportunity to demonstrate his/her ability to learn and satisfactorily perform the new job, and to determine if he/she likes working in the job position and/or organization.
2. How long is the probationary/introductory period?
For non-union positions, the probationary/introductory period is 12 months.
3. Will an employee's performance be evaluated during the probationary/introductory period?
Yes. One of the purposes of the probationary/introductory period is to evaluate employees' skills and performance. Employees will be given regular feedback during this period regarding their performance. The feedback may be verbal or in writing. After the probationary/introductory period, employees will receive performance evaluations as outlined in the Performance Evaluation Process policy.
4. Is there a probationary/introductory period for employees who are transferred to another position?
Generally, yes. However, in some cases the City may waive or reduce the length of the probationary/introductory period for lateral transfers within the same classification.
5. Do employees accrue benefits during the probationary/introductory period?
Yes. Employees accrue benefits on a semi-monthly basis. However, there are limits on a new employee's ability to use sick leave and vacation. The limits are described in the Sick Leave and Vacation policies. Employees on probation because they have been promoted, transferred, reassigned, or appointed to a new position will continue to accrue leave based on their length of City service, and may use any leave already accrued.
6. May the City terminate an employee after completion of the probationary/introductory period?
Yes. The standard required for termination of employment following the probationary/introductory period differs depending on an employee's job position.
7. Can an employee's probationary/introductory period be extended?
Yes, under limited circumstances and if approved by the Human Resources Director.
8. What happens if employment is terminated during the probationary/introductory period?
During the probationary/introductory period, a new employee may be terminated at any time for any lawful reason, or for no reason, with or without cause. A regular employee who fails to successfully complete a probationary/introductory period following promotion, transfer, appointment or placement may be terminated, reassigned, or laid off. If applicable, assignment following a failed probation will be to the employee's previous position (if vacant) or to another vacant position for which he/she is qualified in the same class as and at the same salary level as the previous position. If the previous position is not available and no other appropriate position is available, the employee will be laid off and will have the same status, rights and privileges as any other laid off employee. There is no right to appeal the failure to successfully complete a probationary/introductory period following promotion, transfer, appointment, or placement, and there is no right to appeal termination, job assignment, or layoff following failure of the probationary/introductory period.

9. Will employees normally receive a wage increase following successful completion of a probationary/introductory period?

Yes. Depending on where employees are in a pay range, normally they will receive a wage increase following successful completion of a probationary/introductory period.

314. DISABILITY ACCOMMODATION

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City of Vancouver is committed to providing a work environment free from discrimination on the basis of disability and provides reasonable accommodations to all qualified applicants and employees with disabilities.

GUIDELINES:

8. Who is a qualified individual with a disability?

A qualified individual with a disability, as defined under state and federal disability discrimination law, is a job applicant or employee who is "qualified" for a job and has a "disability". Qualified means that the individual meets all the necessary requirements for his/her job (such as educational background, job experience, appropriate licensing, etc.) and he/she is able to perform the essential functions of the job with or without reasonable accommodation.

9. What is a disability?

The definition of a disability, as defined under either the state or federal law, is complex. Any questions about what may be defined as a disability should be referred to Human Resources, but in general a disability is defined as follows:

- Disability under the Americans with Disabilities Act (ADA) means that: 1) the individual has a physical or mental impairment and the impairment substantially limits one or more of the individual's major life activities (i.e., ability to read or walk); 2) has a record of such impairment; or 3) is regarded as having such an impairment.
- Disability under the Washington Law Against Discrimination (WLAD) means that the individual has a sensory, mental or physical impairment that is medically cognizable or diagnosable, or exists as a record or history, or is perceived to exist, whether or not it exists in fact.

10. What does it mean to "discriminate"?

To discriminate means to treat someone differently in employment practices on account of his or her disability. Employment practices include, but are not limited to, recruitment, hiring, compensation, benefits, training, promotion, demotion, transfers, layoffs, termination of employment, and any other terms, conditions and privileges of employment.

11. What is a "reasonable accommodation"?

A reasonable accommodation may be provided for a qualified applicant or employee with a disability who is unable to perform essential job functions. A "reasonable accommodation" is any change, modification or adjustment to the manner in which a job or job task is normally performed which enables an employee with a disability to perform the essential functions of the job.

12. Can an applicant or employee request a reasonable accommodation?

Yes. Any applicant or employee who believes that he or she needs a reasonable accommodation because of a disability should submit a request for an accommodation to his/her immediate supervisor, the Department Director or Human Resources either in writing or in person. The City will then engage in an interactive process with the applicant or employee to determine whether a reasonable accommodation should be provided.

13. What will the City do with information obtained during a reasonable accommodation analysis?

Any information obtained during the analysis of whether a reasonable accommodation should be provided to an applicant or employee will be treated as confidential and will be kept in locked medical files and will be shared only with the employee's written authorization or on a need to know basis.

315. SUBSTANCE ABUSE PREVENTION

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement.

POLICY: The City of Vancouver believes that we have a responsibility to our employees and to the general public to ensure safe operating and working conditions. To satisfy these responsibilities, we must establish a work environment where employees are free from the effects of drugs, alcohol, or other impairing substances.

In an effort to promote a healthy, drug free workplace, this policy also allows and encourages employees who wish to overcome a drug and/or alcohol dependency to seek the professional assistance that they may require. (Please see Employee Assistance guideline #2 in the Procedure and Guidelines section of this policy.)

GUIDELINES:

1. Which City employees are covered under this policy?

All City employees are covered under this policy. Employees covered under this policy may be tested for drugs or alcohol on occasions as set forth below. For the purpose of this policy, "on-duty" is defined as any time on the job. Additionally, time spent in association with drug testing specimen collection and/or alcohol testing is considered "on-duty" time.

2. Can an employee seek assistance on his/her own for a drug/alcohol problem through the Employee Assistance Program?

The City will support treatment efforts for regular/probationary/introductory employees with drug/alcohol problems who, prior to official discovery, voluntarily seek assistance. When an employee under this policy voluntarily seeks assistance, for the first time, he/she will immediately be granted a leave of absence in accordance with the applicable employment policies.

3. What type of training and education will the City provide?

Employee education and supervisor training are essential parts of this policy and program. All existing and new employees will receive information on the impact of drug and alcohol use and will receive information on resources for assistance. Supervisors will receive the same information as well as training in the recognition and detection of signs and symptoms of alcohol and drug misuse. Supervisors will not be permitted to make reasonable suspicion testing referrals unless they have completed such training. In addition, the City will make this same training available to union representatives in an effort to keep them up to date and educated in this area.

4. What drug/alcohol use is prohibited by the City?

Employees are prohibited from the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance on City property, or anytime during an employee's work shift.

Employees are prohibited from reporting for work after using illegal drugs or controlled substances at a time, or in such a manner that may impair work performance. This prohibition includes a verified positive drug test result.

Employees are prohibited from reporting for work after consuming alcohol at a time, or in such a manner, that may impair work performance (prohibited alcohol conduct).

Refusal by an employee to submit a urine or breath specimen when requested to do so under the guidelines of this policy will have the same consequences as a positive test result, and will result in immediate removal from duty.

Violations of this policy and/or its prohibitions may lead to corrective action up to and including termination of employment, providing just cause for such action exists. Official discovery of prior voluntary treatment or professional assistance shall not, by itself, constitute just cause for corrective action.

5. Definitions for this Policy:

Alcohol means ethyl alcohol or ethanol. Breath alcohol tests on covered employees must show levels below 0.04 or the employee will be in violation of this policy, however, an employee will not be permitted to return to work if the employee's Blood Alcohol Content (BAC) is greater than 0.02.

Alcohol use means the consumption of any beverage, mixture or preparation, including any medication, containing alcohol.

Breath Alcohol Testing Site means a location which affords visual and aural privacy for the performance of breath alcohol testing. No unauthorized person shall be permitted access to the breath alcohol testing site when the evidential breath testing device is unsecured or at any time when testing is being conducted. In unusual circumstances, e.g. after an accident when a test must be conducted outdoors, the breath alcohol technician must provide visual and aural privacy to the greatest extent practicable.

City means the City of Vancouver, Washington.

Controlled substance means a chemical or its immediate precursor classified in Schedules I through V under the Federal Controlled Substances Act, 21 USC 811 to 812, as modified under RCW 46.25 (copies are available to employees from the City's Human Resources department). "Controlled substances" include but are not limited to narcotics, depressants, stimulants, hallucinogens, and cannabis.

Drug means a substance:

- Recognized as a drug in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, official Formulary, or in any supplement to any of them;
- Intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or animals;
- Other than food or beverage, intended to affect the structure or any function of the body of humans or animals;
- Intended for use as a component of anything listed above in A, B, or C of this definition.

Employee means an individual who personally renders services to the City of Vancouver temporarily or otherwise, and who is not employed by an independent contractor to render those services pursuant to a contract.

Illegal Drug means drugs which are not legally obtainable or drugs which have not been obtained legally. It also means drugs which are legally obtained but are knowingly used in a purpose or manner other than prescribed or intended.

Reasonable suspicion means that a trained manager or supervisor observes behavior, appearance, speech or body odors that are characteristic of alcohol or drug misuse. These observations must be specific, articulable and contemporaneous.

Refuse to submit (to a drug/alcohol test) means that a covered employee fails to provide a urine sample or to submit to a breath alcohol test as required by this policy, without a valid medical explanation, after he or she has received notice of the requirement to be tested in accordance with the provisions of this policy, or engages in conduct that clearly obstructs the testing process.

Substance abuse means addiction to or the dependency upon alcohol or a controlled substance, or the use of alcohol or a controlled substance in a manner that results in interference with an employee's performance of work-related tasks.

Work shift means any time during which an employee is engaged in work on behalf of the City, including but not limited to routine 8-hour or 24-hour shifts, rotating shifts, part-time shifts, breaks, and time spent traveling from one work site to another.

6. What types of drug and alcohol testing are required?

The following are occasions for drug and alcohol testing under this policy:

Post-offer of employment: Alcohol testing is not conducted. Drug testing is conducted after offer to hire applicants whose job duties implicate public safety; hire is contingent on negative results. Applicants for positions that are covered under this policy will be notified of the testing requirements during the application process.

If an outside applicant's drug test is verified as positive, he/she will be prohibited from hire. Applicants may be considered again for employment with the City after six (6) months.

Post-accident: Post-accident testing will be conducted when an employee, driving a vehicle/equipment during the course of his or her shift, has an accident which results in any of the following:

- An injury or fatality; or
- The employee receives a citation for a moving traffic violation.

Reasonable suspicion: Conducted when a trained supervisor or manager observes behavior or appearance which is characteristic of alcohol or drug misuse.

Voluntary Testing: An employee may voluntarily submit to drug or alcohol testing upon agreement of the City. The City will not suggest such voluntary testing or coerce employees into such testing.

Return to work and follow-up: Conducted when an employee is returning to work after having violated this policy by testing positive for drugs and/or demonstrating prohibited alcohol conduct.

7. What discipline and rehabilitation procedures does the City follow?

An employee whose alcohol or drug test yields a verified positive result for any concentration of a controlled substance that is prohibited by law and/or under this policy will be required to submit to an evaluation for substance abuse at a facility designated by the City or the City's employee assistance program (EAP).

An employee who violates any element of this policy may be subject to discipline in accordance with applicable City policies, procedures, and collective bargaining agreements provided that an employee who violates any prohibition of this policy will not be disciplined for the first offense if he/she successfully completes a treatment program and follow-up testing upon return to work. An employee may be subject to discipline for adulterating or falsifying, or attempting to adulterate or falsify, a test sample, or for falsifying or attempting to falsify a test result; and/or for refusing to undergo treatment or rehabilitation as may be recommended by a professional in the field of substance abuse. All employees are required to comply with other City or departmental policies and may be subject to discipline for violation of such policies. No employee shall be disciplined under this policy except for just cause.

Any discipline imposed on an employee covered by a collective bargaining agreement may be subject to the collective bargaining agreement grievance procedure or Civil Service Appeal, if applicable.

The City offers an EAP through a private firm. An employee may seek help directly from the private firm for evaluation of abuse of, addiction to, or dependency upon alcohol or a controlled substance. The private firm may refer the employee to another firm for treatment or rehabilitation. An employee's use of the EAP and referral to another firm for treatment and rehabilitation shall be confidential and shall not be disclosed to the City, unless the SAP determines that the employee is unable to safely perform his/her employment duties.

An employee who undergoes treatment or rehabilitation under paragraph (d) of this section may use any appropriate leave benefits available to attend treatment or rehabilitation sessions.

An employee who participates in a treatment or rehabilitation program will not be penalized for participation. However, participation in a program will not excuse the employee from compliance with this policy in its entirety or, from fully and acceptably performing all of his/her employment duties.

Payment for outpatient, inpatient, or any other treatment programs will be covered subject to the terms of the employee's health insurance benefit and/or EAP in effect at the time.

An employee who is required to participate in a treatment or rehabilitation program may, upon successful completion of such program, be randomly re-tested for alcohol and/or controlled substance abuse for a period of up to sixty (60) months upon the recommendation of the SAP, following completion of the program. Positive test results during this period may be grounds for discipline up to and including termination.

An employee who successfully completes a treatment or rehabilitation program shall be returned to his/her regular duty assignment. Thirty-six (36) months following the completion of a treatment program, if the employee has had no further positive testing or other alcohol or substance abuse related incidents, the employee's personnel file shall be purged of any reference to his/her drug and/or alcohol problem.

RESPONSIBILITY ASSIGNMENTS

Human Resources

- Manage the alcohol and controlled substance testing program.
- Ensure all testing and collection procedures are in compliance with federal regulations.
- Maintain all documentation regarding any positive test results in a locked file cabinet in Human Resources.
- Provide sole source communication on drug and/or alcohol issues and provide information on employee assistance program and available assistance resources.
- Provide mandatory training for managers and supervisors and offer the same training to union representatives.
- Take every reasonable measure to safeguard the privacy of an employee in connection with this policy.
- Maintain the confidentiality of an employee who voluntarily requests assistance in dealing with chemical dependency.

Managers and Supervisors

- Assist employees with chemical dependency problems who are seeking help and support recovery efforts.
- Attend training programs on detecting substance abuse and the administration of the City of Vancouver Substance Abuse Policy.
- Adhere strictly, at all management levels, to the policies and procedures established for drug and alcohol testing.
- Require an employee to submit to drug testing when there is reasonable suspicion to believe the employee has used alcohol and/or a controlled substance in a way which violates the law and/or this policy.
- Work with Human Resources and City Attorney's Office to understand the employee's rights and the assistance resources available if he/she is identified as being chemically dependent.
- Take every reasonable measure to safeguard the privacy of an employee in connection with this policy.
- Maintain the confidentiality of an employee who voluntarily requests assistance in dealing with chemical dependency.

Employees

- Know that employee consumption of alcohol and/or controlled substances (other than medications prescribed by a physician) on City premises is prohibited at all times; and is prohibited off City premises during normal break periods if the employee is scheduled to return to work.
- An employee shall notify his/her manager or supervisor and Human Resources within five (5) calendar days after a conviction for a violation of any criminal drug or alcohol statute if (a) the

violation occurred in the employee's workplace or during the employee's work shift, (b) the conviction results or may result in the loss of driving privileges for any period of time, (c) the conviction otherwise adversely affects the employee's ability to perform employment duties, or (d) if the conviction may result in time lost from work.

- Promptly comply with an order to submit to a urine and/or breath test for alcohol and/or controlled substances pursuant to this policy.
- Support the City's commitment to maintain a drug-free work place by reporting any violation of the Substance Abuse Policy to his/her supervisor, manager, or to Human Resources.

316. COMMERCIAL DRIVERS LICENSE (CDL) ALCOHOL AND DRUG TESTING

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement.

POLICY: The City of Vancouver believes that we have a responsibility to our employees and to the general public to ensure safe operating and working conditions. To satisfy these responsibilities, we must establish a work environment where employees are free from the effects of drugs, alcohol, or other impairing substances.

In addition to the City's commitment, an employee substance abuse testing policy is mandated for all entities regulated by the Department of Transportation (DOT) effective January 1, 1995. For these reasons, the City is implementing a substance abuse testing policy which applies to all applicants for, and employees who hold, positions that require the possession of a Commercial Driver's License (CDL).

In an effort to promote a healthy, drug free workplace, this policy also allows and encourages employees who wish to overcome a drug and/or alcohol dependency to seek the professional assistance that they may require. (Please see Employee Assistance guideline #2 in the Procedure and Guidelines section of this policy.)

This Alcohol and Drug Testing Policy is intended to comply with FHWA regulations. Changes to these regulations will supersede specific policy revisions. The City retains the sole and exclusive right to administer and interpret this policy.

GUIDELINES:

1. Which employees are covered under this policy?

Covered employees are defined as those who are required to hold a commercial driver's license for their jobs.

Employees covered under this policy may be tested for drugs or alcohol whenever they are on duty. For the purpose of this policy, "on duty" is defined as any time on the job, since CDL holders are expected to perform job duties requiring a CDL at any time while on duty. Additionally, time spent in association with drug testing specimen collection and/or alcohol testing is considered on-duty time.

2. Can an employee seek assistance on his/her own for a drug/alcohol problem through the Employee Assistance Program?

The City will support treatment efforts for covered employees with drug/alcohol problems who, prior to official discovery, voluntarily seek assistance. When an employee under this policy for the first time, voluntarily seeks assistance, he/she will immediately be granted a leave of absence in accordance with the applicable employment policies.

3. What type of training and education will the City provide?

Employee education and supervisor training are essential parts of this policy and program. All existing and new employees will receive information on the impact of drug and alcohol use and will receive information on resources for assistance. Supervisors will receive this same training, as well as additional training in the recognition and detection of signs and symptoms of alcohol and drug misuse. Supervisors will not be permitted to make reasonable suspicion testing referrals unless they have completed such training. In addition, the City will make this same training available to union representatives in an effort to keep them up to date and educated in this area.

4. What drug/alcohol use is prohibited by the City?

Employees are prohibited from the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance on City property, or any time during an employee's work shift.

Employees are prohibited from reporting for work after consuming alcohol or after using illegal drugs or controlled substances at a time, or in such a manner, that may impair work performance.

In addition, FHWA regulations specify the following prohibitions:

- Covered employees must not use alcohol within four (4) hours prior to reporting for duty.
- Covered employees are prohibited from possessing alcohol while on duty; from using alcohol while on duty; and from having alcohol present in their systems at a level of
- 0.02 g/210 L or greater while on duty.
- Covered employees are prohibited from using alcohol after an on-the-job accident until:
 - The supervisor or his/her designated alternative has determined that alcohol testing is not
 - required,
 - A breath alcohol test has been completed, OR
 - Eight hours have passed since the accident.

Refusal by an employee to submit a urine or breath specimen when required by federal regulations will have the same consequences as a test result of 0.04 or greater, and will result in the immediate removal of the employee from duty.

Employees who refuse to cooperate with any aspect of enforcement of this policy or who refuse to take a drug or alcohol test to comply with FHWA regulations will be immediately removed from duty, as required by federal law. Violations of this policy and/or its prohibitions may lead to corrective action up to and including termination of employment.

5. What if an employee is taking prescribed medication?

Under this policy, CDL holders are specifically required to notify their immediate supervisors when they are taking medications with **warning labels** (for example, relating to the operation of vehicles, heavy equipment, or machinery). The City will make a form available to employees to assist them in reporting such authorized drug use. This form will be maintained in a separate confidential file in Human Resources.

The City does not request information about the condition for which medication is prescribed, only that it has been prescribed. In some cases, it may be necessary to temporarily re-assign covered employees until the course of medication is completed.

If an employee is in doubt about a medication's effect on work performance, he/she should ask the prescribing physician for clarification. Non-compliance with the recommended dosage of prescription medications which results in an incident or accident will be considered a violation of this policy.

6. Definitions for this Policy:

Alcohol means ethyl alcohol or ethanol. Under FHWA regulations, breath alcohol tests on covered employees must show levels below 0.02 or the employee must be removed from duty for a period of at least 24 hours. Levels of 0.04 or greater are grounds for disciplinary action, up to and including Termination.

Alcohol concentration means the alcohol in volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test.

Alcohol use means the consumption of any beverage, mixture or preparation, including any medication, containing alcohol.

Breath Alcohol Technician (BAT) means an individual who instructs and assists individuals in the alcohol testing process and operates an EBT.

Breath Alcohol Testing Site means a location which affords visual and aural privacy for the performance of breath alcohol testing. No unauthorized person shall be permitted access to the breath alcohol testing site when the evidential breath testing device is unsecured or at any time when testing is being conducted. In unusual circumstances, e.g. after an accident when a test must be conducted outdoors, the breath alcohol technician must provide visual and aural privacy to the greatest extent practicable.

City means the City of Vancouver, Washington.

Controlled substance means a chemical or its immediate precursor classified in Schedules I through V under the Federal Controlled Substances Act, 21 USC 811 to 812, as modified under RCW 46.25 (copies are available to employees from the City's Human Resources department). "Controlled substances" include but are not limited to narcotics, depressants, stimulants, hallucinogens, and cannabis.

DHHS means the Department of Health and Human Services or any designee of the Secretary, Department of Health and Human Services.

Drug means a substance:

- Recognized as a drug in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, official Formulary, or in any supplement to any of them;
- Intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or animals;
- Other than food or beverage, intended to affect the structure or any function of the body of humans or animals;
- Intended for use as a component of anything listed above in A, B, or C of this definition.

Employee means an individual who personally renders services to the City of Vancouver temporarily or otherwise, and who is not employed by an independent contractor to render those services pursuant to a contract.

EBT (or evidential breath testing device) means an EBT approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath and placed on NHTSA's "Conforming Products List of Evidential Breath Measurement Devices." (CPL)

FHWA means the Federal Highway Administration, an agency of the U.S. Department of Transportation.

Illegal Drug means drugs which are not legally obtainable or drugs which have not been obtained legally. It also means drugs which are legally obtained but are knowingly used in a purpose or manner other than prescribed or intended.

Medical Review Officer (MRO) means a licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by an employer's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test results together with his or her medical history and any other relevant biomedical information.

Reasonable suspicion means that a trained manager or supervisor observes behavior, appearance, speech or body odors that are characteristic of alcohol or drug misuse. These observations must be specific, articulable and contemporaneous.

Prohibited drug means marijuana, cocaine, opiates, amphetamines, or phencyclidine.

Refuse to submit (to a drug/alcohol test) means that a covered employee fails to provide a urine sample or to submit to a breath alcohol test as required by 49 CFR part 40, without a valid medical explanation, after he or she has received notice of the requirement to be tested in accordance with the provisions of this policy, or engages in conduct that clearly obstructs the testing process.

Substance abuse means addiction to or the dependency upon alcohol or a controlled substance, or the use of alcohol or a controlled substance in a manner that results in interference with an employee's performance of work-related tasks.

Substance Abuse professional (SAP) means a licensed physician (medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission), with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol-related disorders.

Work shift means any time during which an employee is engaged in work on behalf of the City, including but not limited to routine 8-hour, 10-hour, or 24-hour shifts, rotating shifts, part-time shifts, breaks, lunch breaks and time spent traveling from one work site to another.

Verified negative (drug test result) means a drug test result reviewed by a medical review officer and determined to have no evidence of prohibited or authorized drug use.

Verified positive (drug test result) means a drug test result reviewed by a medical review officer and determined to have evidence of prohibited drug use.

7. What types of drug and alcohol testing are required?

The following are occasions for drug and alcohol testing under this policy:

Post-offer of employment: Alcohol testing is not conducted. Drug testing is conducted after offer to hire; hire is contingent on negative results. Drug testing is also conducted on City employees who are not currently covered under this policy but are selected for a promotion, or lateral transfer into a CDL holding position.

Applicants for positions that are covered under this policy will be notified of the testing requirements during the application process.

The City may elect not to require testing for an applicant currently holding a CDL, if he/she has undergone a similar test under this policy in the past six (6) months.

If an outside applicant's drug test is verified as positive, he/she will be prohibited from hire. Applicants may be considered again for employment with the City after six (6) months.

If a drug test is verified positive for a current employee who is moving into a CDL holding position, the employee cannot return to work until he/she has been evaluated by a substance abuse professional, complied with recommended rehabilitation, and has a negative result on a return to duty drug and/or alcohol test(s). In addition, the employee may also be required to undergo follow-up testing as outlined in this policy.

The employee will be placed on a paid administrative leave from the time they are required to undergo testing until such time testing, or any requested confirmation tests are completed. The employee may use any available leave balances to cover any absences that occur from the time period between completion of confirmation tests until the time the employee is permitted to return to work.

Post-accident: Under FHWA regulations, post-accident testing must be conducted as soon as possible following an accident which results in any of the following:

- A fatality; or
- The employee received a citation for a moving traffic violation.

Alcohol and drug testing must be conducted as soon as possible following an accident (as defined above), but in no case will an alcohol test be conducted later than eight (8) hours after the incident; and in no case will a drug test be conducted later than 32 hours after the incident.

As soon as practicable following an accident, the supervisor or another appropriate City administrator will indicate whether the operator(s) of any vehicle involved in the accident must report for specimen collection and/or an alcohol breath test.

The City will provide employees covered by this policy with all the necessary post accident information, procedures and instructions so that all covered employees will be able to comply with the requirements of this policy.

Employees who are required to be tested under this section are to report immediately to the designated specimen collection and testing facility as instructed. The supervisor or other appropriate administrator will arrange transportation for the employee to the facility as well as transportation to the employee's place of residence.

If a manager or supervisor is unable to schedule an alcohol test within two hours, the supervisor will maintain a written record of the circumstances preventing testing. If the required alcohol test is not administered within eight (8) hours of an accident, the manager or supervisor will discontinue the efforts to test the employee and document the reasons for not administering the test.

If the required drug test is not administered within thirty-two (32) hours of an accident, the manager or supervisor will discontinue the efforts to test the employee and document the reasons for not administering the test.

Any employee who is subject to post-accident testing must remain readily available for testing. If the employee does not or is not able to remain at the accident scene, he/she is required under this policy to notify the City of his or her location until testing is completed. This notification requirement will be considered to be met if the employee is unable, because of the need for medical treatment for personal injury, to remain at the site. If the employee fails to do this, the City will interpret this action as a refusal to undergo the required testing. However, nothing in this section is designed to require the delay of any appropriate action that may need to be taken by the employee in an emergency situation such as obtaining emergency assistance, seeking emergency medical attention, etc.

If an employee has a positive drug test or a breath test indicating an alcohol level of 0.04 or greater, the employee cannot return to work until he/she has been evaluated by a substance abuse professional, complied with recommended rehabilitation, and has a negative result on a return to duty drug and/or alcohol test(s). In addition, the employee may also be required to undergo follow-up testing as outlined in this policy.

The employee will be placed on a paid administrative leave from the time they are required to undergo testing until such time testing, or any requested confirmation tests are completed. The employee may use any available leave balances to cover any absences that occur from the time period between completion of confirmation tests until the time the employee is permitted to return to work.

In addition to post-accident tests conducted under the procedures of this policy, the results of a breath or blood test for alcohol or a urine test for the use of prohibited drugs, conducted by Federal, State, or local officials having independent authority for conducting such tests, are considered to meet the FHWA requirements for CDL post accident testing. For the enforcement of this policy, the City will use the results of such tests when available. No additional confirmation tests are required under FHWA regulations. The City will notify the employee that under this policy he/she has the option of undergoing an additional drug test within 32 hours of the incident if he/she chooses. Procedures for conducting this second test will be in accordance with this policy.

Reasonable suspicion: Conducted when a trained supervisor or manager observes behavior or appearance which is characteristic of alcohol or drug misuse.

An employee may be referred for drug and/or alcohol testing only by a trained supervisor or manager who observes, first hand, specific, articulable and contemporaneous behavior such as

appearance, speech or body odors that are characteristic of alcohol or drug misuse. Co-workers or other employees may report a behavior that causes concerns, but employees will only be sent for testing based on first hand observations of a trained supervisor or manager.

The supervisor will complete an observation of behavior checklist as part of any referral for reasonable suspicion testing. Use of this checklist will be reviewed during the training for supervisors and managers in the recognition and detection of signs and symptoms of alcohol and drug misuse.

The supervisor or manager who has reasonable suspicion that the observed behavior or appearance of an employee is characteristic of alcohol or drug misuse will take the employee aside to a private area, express his/her observations, and request that the employee submit to a drug and/or alcohol test in accordance with City policy. Prior to beginning a discussion with the employee about the observed behavior, the supervisor or manager will inform the employee of his or her right to have union representation present during the meeting. Employee requests for representation will be honored to the extent that honoring the request does not unreasonably delay testing.

Employees who are required to be tested because of reasonable suspicion are required to report immediately to the specimen collection and/or testing site. The supervisor or manager will arrange transportation for the employee to the specimen collection/testing site and to the employee's place of residence.

If a manager or supervisor is unable to schedule a drug and/or alcohol test within two hours of determining reasonable suspicion, the supervisor will maintain a written record of the circumstances preventing testing. If required specimens are not collected or if required tests are not administered within eight hours (for alcohol) and within 32 hours (for drug), the manager or supervisor will document the reasons for not collecting the specimens or administering the tests and will discontinue the efforts to test the employee.

If the employee exhibits behavior that gives cause for reasonable suspicion testing referral for alcohol misuse, in spite of an inability to immediately test, the employee will not be permitted to continue working until:

- An alcohol test is administered and the employee's alcohol concentration is no greater than 0.02; or
- Twenty four (24) hours have elapsed since a manager or supervisor has determined that there is reasonable suspicion to believe the CDL holder is under the influence of alcohol.

If an employee has a positive drug test or a breath test indicating an alcohol level of 0.04 or greater the employee cannot return to work until he/she has been evaluated by a substance abuse professional, complied with recommended rehabilitation, and has a negative result on a return to duty drug and/or alcohol test(s). In addition, the employee may also be required to undergo follow-up testing as outlined in this policy.

The employee will be placed on a paid administrative leave from the time they are required to undergo testing until such time testing, or any requested confirmation tests are completed. The employee may use any available leave balances to cover any absences that occur from the time period between completion of confirmation tests until the time the employee is permitted to return to work.

Random: Employees will be selected for random alcohol and drug testing as outlined below. Under the selection process used, each covered employee shall have an equal chance of being selected each time selections are made.

Employees selected for random testing are required to report immediately to the designated testing/specimen collection site. The supervisor or manager will arrange for transportation to and from the testing/collection site.

Alcohol testing will be conducted on a random, **unannounced** basis.

- The total population of CDL holders will constitute the entire pool from which individuals will be randomly selected and tested for alcohol use. A number of alcohol tests equal to at least 25% of the number of individuals covered under this policy will be completed annually.
- The City has contracted with an outside drug testing management service to perform computerized random selections on its covered employees. Selections occur approximately once per month (every thirty days), on a randomly selected date. Selections are therefore spread reasonably throughout a 12-month period.

Drug testing will be conducted on a random **unannounced** basis.

- The total population of CDL holders will constitute the entire pool from which individuals will be randomly selected and tested for drug use.
- A number of drug tests equal to at least 50% of the number of individuals covered under this policy will be completed annually.

If an employee has a positive drug test or a breath test indicating an alcohol level of 0.04 or greater, the employee cannot return to work until he/she has been evaluated by a substance abuse professional, complied with recommended rehabilitation, and has a negative result on a return to duty drug and/or alcohol test(s). In addition, the employee may also be required to undergo follow-up testing as outlined in this policy.

The employee will be placed on a paid administrative leave from the time they are required to undergo testing until such time testing, or any requested confirmation tests are completed. The employee may use any available leave balances to cover any absences that occur from the time period between completion of confirmation tests until the time the employee is permitted to return to work.

Return to work and follow-up: Conducted when an employee is returning to work after having violated this policy by testing positive for drugs and/or demonstrating prohibited alcohol conduct.

- Before returning to work, an employee who has violated this policy is required to submit to an alcohol and/or drug test.
- After returning to work, additional follow-up testing may be required. The number, frequency, and type (drug and/or alcohol) of follow-up testing will be directed by the employee's substance abuse professional. When required by the SAP, follow-up testing will consist of at least six tests in the first twelve months after returning to work. Follow-up testing may be extended for no longer than sixty (60) months following return to work, as recommended by the SAP.
- An employee subject to these requirements **must** test negative for alcohol and/or drug misuse under the tolerances established in this policy.
- If the alcohol or drug test is positive for an employee he/she will be referred to the substance abuse professional who is guiding rehabilitation. The City will follow the recommendations of the SAP, and consider the SAP's evaluation of the employee in determining any corrective action. If an employee tests positive on any follow-up tests the employee will be subject to corrective action up to and including termination.

8. What are the testing procedures?

Testing required under this policy will be considered on-duty time. All drug and alcohol testing will be conducted with accuracy, reliability and a high regard for privacy and dignity in specimen collection, testing and notification.

Drug Testing:

Urine specimen collection for drug testing will be performed by qualified individuals in conformance with current standards of practice, using chain of custody procedures specified by DOT regulations (CFR Part 40) and with respect for the privacy and dignity of the person giving the specimen. Drug test specimens will be collected to provide at least 30 ml of urine in a primary specimen shipping bottle and at least 15 ml of urine in a split specimen shipping bottle.

Drug testing will be performed only by laboratories certified by the substance Abuse and Mental

Health Administration (SAMHSA) of the U.S. Department of Health and Human Services (previously "NIDA").

Testing procedures will be conducted and monitored in accordance with 49 CFR Part 40. Copies of these federal regulations are available from Human Resources, to all employees upon request.

Specimens submitted to the laboratory are tested for the following drugs:

- Marijuana (THC metabolite)
- Cocaine
- Amphetamines
- Opiates
- Phencyclidine (PCP)

The specimen collection agent will use the split sample method of collection. This method involves dividing the original specimen into a primary and a split sample.

The contract laboratory must be certified by the Substance Abuse and Mental Health Services Administration (SAMHSA, previously NIDA). The laboratory will observe the federal requirements under 49 CFR Part 40 for testing/chain of custody requirements to ensure that the specimens' security, proper identification and integrity are not compromised.

When an initial screening test for drugs is positive, a second, confirmatory test will automatically be performed. Confirmed positive drug tests will be reported by the testing laboratory to the MRO for verification.

If the test of the primary specimen is positive, the MRO will make every reasonable effort to notify the employee of the result, if the MRO is unable to reach the employee the City will, as soon as practicable, request that the employee contact the MRO to discuss test results.

When the MRO is able to contact the employee or applicant to discuss the results, the MRO will inform the candidate or employee that he/she has 72 hours from having been informed of a verified positive test to request that the MRO send the split specimen to a different SAMHSA-certified laboratory for analysis.

Expenses for testing of the split sample will be paid for initially by the City. If the results of the split sample test are positive, the City will be reimbursed by the employee through a payroll deduction for the cost of testing the second split sample.

Outside job applicants who request a second test will be responsible for the cost of testing the split sample. In addition, the candidate will be responsible for coordination of payment for the second testing.

Alcohol Testing:

Candidate shall report to testing facility and sign the Breath Alcohol Testing Release Form. Refusal to sign this form will be regarded as refusal to take the test. A Breath Alcohol Test will then be conducted by a certified Breath Alcohol Technician (BAT).

Testing procedures will be conducted and monitored in accordance with 49 CFR Part 40. Copies of these federal regulations are available, from Human Resources, to all employees upon request.

The BAT must conduct a second breath alcohol test if the initial screening test indicates that the employee or applicant has a prohibited alcohol concentration.

- The first test is a screening test. Any result less than 0.02 alcohol concentration is considered negative and no further testing is required.
- If the alcohol concentration is 0.02 or greater, the BAT will conduct a confirmation test within 15 minutes of the screening test.
- If the results of the screening and confirmation tests are not identical, the confirmation test will be the result upon which any further action under this policy will be taken.

If the confirmation test indicates an alcohol concentration at 0.02 but less than 0.04 the BAT must immediately notify the supervisor who will arrange for transportation of the employee from the alcohol testing site to his/her residence. The employee may not return to duty until the start of the employee's next regularly scheduled shift but not less than twenty four (24) hours since the test result of a 0.02 or greater but less than 0.04 alcohol concentration.

If the confirmation test indicates an alcohol concentration of 0.04 or above, the individual is considered to have a prohibited alcohol concentration.

9. What discipline and rehabilitation procedures does the City follow?

An employee whose alcohol or drug test yields a verified positive result for any concentration of a controlled substance that is prohibited by law and/or under this policy will be required to submit to an evaluation for substance abuse at a facility designated by the City or the City's employee assistance program (EAP).

An employee who violates any element of this policy may be subject to discipline in accordance with applicable City policies, procedures, and collective bargaining agreements. An employee may be subject to discipline for adulterating or falsifying, or attempting to adulterate or falsify, a test sample, or for falsifying or attempting to falsify a test result; and/or for refusing to undergo treatment or rehabilitation as may be recommended by a professional in the field of substance abuse.

Any discipline imposed on an employee covered by a collective bargaining agreement may be subject to the collective bargaining agreement grievance procedure.

The City offers an EAP through a private firm. An employee may seek help directly from the private firm for evaluation of abuse of, addiction to, or dependency upon alcohol or a controlled substance. The private firm may refer the employee to another firm for treatment or rehabilitation.

An employee who undergoes treatment or rehabilitation under paragraph (d) of this section may use any appropriate leave benefits available to attend treatment or rehabilitation sessions.

An employee who participates in a treatment or rehabilitation program will not be penalized for participation. However, participation in a program will not excuse the employee from compliance with this policy in its entirety or, from fully and acceptably performing all of the employee's job responsibilities.

Payment for outpatient, inpatient, or any other treatment programs will be covered subject to the terms of the employee's health insurance benefit and/or EAP in effect at the time.

An employee who is required to participate in a treatment or rehabilitation program may, upon successful completion of such program, be randomly re-tested for alcohol and/or controlled substance abuse for a period of up to sixty (60) months upon the recommendation of the SAP, following completion of the program. Positive test results during this month period may be grounds for discipline up to and including termination.

An employee who successfully completes a treatment or rehabilitation program shall be returned to his/her regular duty assignment. Thirty-six (36) months following the completion of a treatment program, if the employee has had with no further positive testing or other alcohol or substance abuse-related incidents, the employee's personnel file shall be purged of any reference to his/her drug and/or alcohol problem.

RESPONSIBILITY ASSIGNMENTS

Human Resources

- Manage the alcohol and controlled substance testing program.
- Ensure all testing and collection procedures are in compliance with federal regulations.
- Maintain all documentation regarding any positive test results in a locked file cabinet in Human Resources.

- Provide sole source communication on drug and/or alcohol issues and provide information on employee assistance program and available assistance resources.
- Provide mandatory training for managers and supervisors and offer the same training to union representatives.

Managers and Supervisors

- Assist employees with chemical dependency problems who are seeking help and support recovery efforts.
- Attend training programs on detecting substance abuse and the administration of the City of Vancouver Drug and Alcohol Testing Policy.
- Adhere strictly, at all management levels, to the policies and procedures established for drug and alcohol testing.
- Require an employee to submit to drug testing when there is reasonable suspicion to believe the employee has used alcohol and/or a controlled substance in a way which violates the law and/or this policy.
- Work with City Attorney's Office to understand the employee's rights and the assistance resources available if he/she is identified as being chemically dependent.
- Take every reasonable measure to safeguard the privacy of an employee in connection with this policy.
- Maintain the confidentiality of an employee who voluntarily requests assistance in dealing with chemical dependency.

Employees

- Employees who are medically authorized to use drugs or other controlled substances, obtained either through prescription or over-the-counter, which may impair job performance are responsible to determine from the physician or the product warning label whether these substances may impair job performance. If this is the case, the employee must report the use of the substance to his or her manager or supervisor and provide proper medical authorization from the physician that the substance will not interfere with job performance as prescribed. An employee who fails to report pursuant to this section will be subject to corrective action. The City will make a form available to employees to assist them in reporting such authorized drug use. This form will be maintained in a separate confidential file in Human Resources.
- Legal drugs or medications that are obtained over-the-counter are not prohibited under this policy. However, cautionary statements on medications regarding driving or operating machinery must be strictly observed. If an employee may be under the influence of a legal substance that may impair his or her ability to work, the employee must report that fact to his or her manager or supervisor immediately. If the employee's performance of work-related tasks is impaired or the employee presents a safety hazard, the employee may be required to leave work. An employee who fails to report pursuant to this section will be subject to corrective action.
- Know that employee consumption of alcohol and/or controlled substances (other than medications prescribed by a physician) on City premises is prohibited at all times; and is prohibited off City premises during normal break periods if the employee is scheduled to return to work.
- Notify his/her manager or supervisor within five (5) calendar days of any conviction for a violation of a legal statute governing the possession or use of a controlled substance and/or alcohol, if the violation occurred at the workplace or during the employee's work shift. An employee shall notify the City within five days after a conviction for a violation of any criminal drug or alcohol statute if (a) the violation occurred in the employee's workplace or during the employee's work shift, (b) the conviction results or may result in the loss of driving privileges for any period of time, or (c) the conviction otherwise adversely affects the employee's ability to perform employment duties.
- Notify his/her manager or supervisor, within five (5) calendar days, of a conviction that results or may result in the loss of the employee's driving privileges or in time lost from work.

- Submit promptly to a request for a urine and/or breath test for alcohol and/or controlled substances pursuant to this policy.

All employees are expected to uphold the City's commitment to maintain a drug-free work place by reporting any violation of the Substance Abuse Policy to his/her supervisor, manager, or to Human Resources.

318. TOBACCO-FREE WORK ENVIRONMENT

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: So employees may work in a safe and healthy environment, the use of tobacco products is prohibited during work hours in all City vehicles and facilities.

GUIDELINES:

1. Are employees allowed to use tobacco products during breaks and lunch hours?
Yes. Employees may use tobacco during break periods and lunch periods in designated smoking areas. However, employees may not smoke within 25 feet of entrances, exits, windows that open, and ventilation intakes of any City buildings or other places of employment.
2. Does the City offer assistance to employees who would like to quit using tobacco?
Yes. Assistance and support are available through the Employee Assistance Program and the City's Wellness Program.
3. Are visitors allowed to use tobacco in City buildings?
No.

401. SAFETY AND ACCIDENT REPORTING

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The city provides a work environment as free as practicable from recognized hazards which cause or are likely to cause physical harm. Employees are expected to comply with all safety and health requirements and to report all job related accidents, injuries or illnesses, regardless of their severity.

GUIDELINES:

1. Does the City have a safety plan?

Yes. The City has established a safety and health policy and accident prevention program that emphasizes the integration of safety and health measures into each job task. The policy and program includes:

- A safety orientation program for new employees and continuing training programs to improve the skill and competency of all employees in the field of occupational safety and health.
- Procedures for how and when to report injuries, including instruction as to the location of first-aid facilities.
- Procedures for how and when to report unsafe conditions and practices.
- Procedures for actions to be taken in the event of an accident which includes, but is not limited to, an investigation of the cause of the accident.
- A description of the proper actions to take in the event of emergencies.
- Identification of hazardous gases, chemicals, and materials, along with instructions on the safe use and emergency action that should be taken following accidental exposure.
- An on-the-job review of the practices necessary to perform job assignments in a safe manner.
- Provision of personal protective equipment, safety devices and safeguards as well as the adoption of practices, means, methods, operations and processes which are reasonably adequate to protect the life and safety of City employees.
- An exposure control plan to assure compliance with applicable occupational safety regulations concerning employees with reasonably anticipated exposure to blood or other potentially infectious materials.

Written safety requirements for particular jobs are maintained in each department and a written description of the City's total safety program can be obtained on the *City intranet* at <http://CityNet>, under Safety Net.

2. Do employees have responsibilities under the safety program?

Yes. Employees have a responsibility to comply with all safety requirements. These responsibilities include, but are not limited to, the following:

- Coordinating and cooperating with all other employees in an attempt to eliminate accidents.
- Studying and observing all safe practices governing their work.
- Offering safety suggestions where such suggestions may contribute to a safer work environment.
- Applying the principles of accident prevention in daily work and using proper safety devices and protective equipment.
- Caring for all personal protective equipment properly.
- Making prompt reports to an immediate supervisor, Risk Management or Human Resources of each industrial injury or occupational illness, regardless of the degree of severity and whether or not medical attention or time loss is involved.
- Wearing appropriate clothing while working around machinery.
- Attending required safety trainings and safety meetings.

3. Does the City have an employee safety committee?

Yes. Each department and/or building will have a Safety Committee or hold Safety Meetings to review safety issues and make recommendations regarding safe working conditions within the City.

4. How do employees report on-the-job injuries, accidents or illnesses?

Accidents resulting in hospitalization or death **must** be reported immediately to Risk Management.

Employee shall make a prompt report to their immediate supervisor, of each industrial injury or occupational illness, regardless of the degree of severity. Employees should contact their immediate supervisor for department specific reporting procedures.

402. IDENTIFICATION BADGES

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: For the security of its employees, visitors, and property, the City will issue employee identification badges.

GUIDELINES:

1. Are all employees required to wear ID badges?
Yes. Personnel in the Police and Fire Departments may have different guidelines, but all other City employees are expected to wear their identification badge while conducting City business.
2. When are employees required to wear ID badges?
Employees are required to wear the ID badges when on city property during working hours. "Working hours" does not include approved breaks away from City facilities. Employees conducting City business away from City property must have their badge with them.
3. Are there any exceptions to the rule that ID be worn at all times during working hours?
Yes. Exceptions will be made to this requirement when wearing the ID badge would cause a safety risk. In such circumstances, employees are still required to have their ID badge on their person for display if necessary. Department Directors must pre-approve all exceptions.
4. What if I lose my badge or my personal information changes?
If an employee needs a new badge due to loss, damage or name change, please contact Human Resources within thirty (30) days of such event. Depending on the circumstances, employees may be required to reimburse the City for the cost of the new badge if it is lost or damaged.
5. Does the badge have to be returned if employment is ended?
Yes. The identification badge is considered City property and must be returned.

403. MOTOR VEHICLE USAGE

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City provides vehicles for business use, allows employees to drive personal vehicles on City business, and reimburses employees for business use of personal vehicles. While using City vehicles, employees are expected to maintain the security of the vehicle and follow all laws, rules and regulations such as traffic and parking

GUIDELINES:

1. When may employees use City vehicles?
As a general rule, employees whose jobs require regular driving for business as a condition of employment or who need transportation in the course of their normal work may use City vehicles. However, requirements for the assignment and use of City vehicles differ according to job position and department. Further questions about these requirements may be answered by department policies or by Risk Management.
2. What if there is a change which may affect an employee's ability to meet the standards of this policy?
Any change to an employee's license status, or their physical or mental condition which affects their driving abilities must be reported to an immediate supervisor as soon as possible.
3. Are employees reimbursed for costs associated with business use of a personal vehicle?
The Finance Department maintains a comprehensive Travel Reimbursement policy. Any questions regarding reimbursement of costs associated with business use of a personal vehicle should be forwarded to the Finance Department prior to incurring the costs.
4. What should an employee do if he or she is involved in an accident in a City vehicle or while driving a personal vehicle on City business?
Written procedures for what to do in the case of an accident can be found in each City vehicle. Regardless of the extent of damage or injury, any accident involving a vehicle while on City business must be reported to your immediate supervisor and the Risk Manager as soon as possible following the accident.
5. Will the City pay for property damage or injuries resulting from an accident occurring while an employee is driving a personal vehicle for City business?
The City may pay property damage or injury claims as provided in guidelines established by the City's Risk Manager.
6. What should an employee do if he or she receives a parking or traffic violation in a City Vehicle?
Employees must report the incident to their supervisor immediately and are responsible for paying their own parking or traffic violations.
7. Are employees reimbursed for costs associated with parking or traffic violations while using a personal vehicle for City business?
No.
8. May non-city employees ride as passengers in City vehicles?
As a general rule, no. However, there are two exceptions to this general prohibition. They are:
 - When there is a "work-related" need to transport a non-city employee. This could include taking someone from another governmental entity to a conference with you for carpooling purposes; taking contractors to a work site during a pre-bid conference; transporting witnesses to a crime scene or to court; or providing ground transportation to job candidates.
 - When there is a "public service" need to transport a non-city employee. This could include transporting students during daughters or sons to work day; providing controlled rides on fire

apparatus during various community activities; or transporting the public as part of approved recreation programs.

Family members may not be transported in City vehicles unless they meet one of the above criteria. At no time may hitchhikers be transported in City vehicles.

9. Is it necessary for a driver to be 18 years or older to drive a City vehicle?

Yes. Employees operating a City vehicle must be at least 18 years of age and possess a regular driver's license.

405. VIOLENCE PREVENTION IN THE WORKPLACE

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City of Vancouver is committed to providing a safe and non-violent workplace for employees and the public. Violent conduct of any kind is strictly prohibited. The use, threatened use, or possession of a weapon by an employee while working or on City property during working hours is prohibited.

GUIDELINES:

1. What is “violent conduct”?

For the purposes of this policy, violent conduct shall include but will not be limited to the following behavior:

- Physical assault or any aggressive conduct that may result in injury;
- Engaging in a physical altercation or fight;
- Destruction of property;
- Language or behavior that is directly or indirectly threatening;
- Managing with fear and verbal aggression;
- Language or gestures that are abusive, profane or violent;
- Use, threatened use, or possession of a weapon;
- Harassment that creates a concern for personal safety; or
- Language or behavior that is intimidating or humiliating.

2. What does “possession” of a weapon mean?

Possession includes carrying a weapon on your person; putting a weapon in storage anywhere at work including but not limited to a desk or locker; having a weapon in the vehicle the employee drove to work; or having a weapon in any type of container such as a purse, briefcase or lunch box while at work or on City property during working hours.

3. What is a “weapon”?

A weapon is any object, instrument or chemical which is designed in such a manner as to inflict harm or injury to another person, or which is used or may be used in a manner threatening harm or injury to another person. This shall include, but not be limited to, guns or firearms of any type, knives, mace, tear gas, or blackjacks. Any object which fits this definition shall be considered a weapon for purposes of this policy whether it is licensed or unlicensed, concealed or unconcealed.

Pepper spray and any pocketknife with a blade less than three inches in length are not considered weapons if these items are carried and used for personal protection. Use of these items in a violent manner other than for personal protection will be considered a violation of this policy.

4. What if possession of a weapon is required in the performance of job duties?

Possession of a tool or instrument that is required in the performance of City job duties will not be considered a violation of this policy (for example, possession of a firearm by a police officer).

5. What should an employee do if a co-worker, client or other individual acts violently or aggressively?

It is each employee’s responsibility to report any violent or potentially violent behavior as follows:

- If the behavior may be criminal or there is a risk of immediate harm, call 911.
- In all cases, report the behavior to your immediate supervisor/manager or Human Resources immediately.

6. What should a supervisor do when he/she receives a report of violent behavior?

Any supervisor who is aware of violent or potentially violent behavior or receives a report of such behavior will take action as follows:

- If the behavior may be criminal or there is a risk of immediate harm, the supervisor will call 911.

- If the behavior is serious or immediate action may be necessary to prevent harm to the employee or others, the supervisor may contact a member of the Workplace Response Team (listed on CityNet) for assistance.
 - If the behavior is less serious and immediate action does not appear to be necessary, report the behavior to Human Resources.
7. How will the City respond to reported violations of this policy?
The City will review the circumstances of the incident, perform an appropriate investigation, and develop a plan for protecting the workplace from recurrence of violence. The City also has a Workplace Response Team to assist with serious workplace violence incidents.
 8. Will the City provide employees with assistance if they are a victim of violence at work?
Yes. Assistance may include providing reasonable security to maintain a safe working environment, availability of an Employee Assistance Program and maintaining a complaint mechanism for any employee who believes that he or she has been victimized.
 9. What should an employee do if he/she is unable to control his/her anger?
Any employee who believes he or she has a potential for violence or an anger control problem is encouraged to contact the Employee Assistance Program (EAP) for counseling and/or treatment. Contacting the EAP or a counselor, absent a violation of this policy, will not be cause for discipline.
 10. What should an employee do if a restraining order is obtained which lists City locations or the working environment as being protected areas?
The City encourages employees to provide a copy of any temporary or permanent protective or restraining order to a supervisor and/or Human Resources. The order will be reviewed and appropriate action will be taken.
 11. Can the City conduct a search to determine if an employee has violated this policy?
Yes. The City reserves the right to search for weapons or guns when reasonable suspicion exists that this policy has been violated.
 12. What if an employee refuses to allow the City to conduct a search?
Refusal to allow a search that is conducted under the guidelines outlined in this policy will be considered a violation of this policy.

501. CORE ETHICS POLICY

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City of Vancouver upholds, promotes, and demands the highest standards of ethics from its employees for personal integrity, truthfulness, honesty, responsibility and fairness in carrying out their public duties. Employees must avoid any improprieties in their roles as public servants and must never use their City position or powers for personal gain or in breach of the public trust.

GUIDELINES:

1. What ethical conduct is expected under this policy?

Ethical conduct includes, but is not limited to:

- Acting at all times in the best interests of the community we serve.
- Demonstrating excellence, integrity and responsibility in our work.
- Adhering to the laws of the United States, the state of Washington and the City of Vancouver.
- Providing honest, accurate, timely and complete information.
- Identifying problems and helping create solutions.
- Following City and department policies, procedures and rules.
- Reporting improper conduct.
- Keeping our co-workers safe from retaliation of any kind.
- Abstaining from decisions that could result in a direct benefit to the employee, a relative or co-habitant.

2. What are the key expectations for employees to comply with this policy?

Employees of the City are expected to:

- Read and understand this Employment Policy Manual.
- Follow appropriate ethical behaviors as specifically set forth in the Employment Policy Manual.
- Seek guidance in resolving ethical issues or concerns from their supervisor, Department Director, Human Resources or the City Attorney's office.
- Report to their supervisor, Department Director or Human Resources any conduct by other City employees which may violate this Core Ethics Policy, any other employment policies or the City's Operating Principles.

3. What are a supervisor's additional responsibilities for complying with this policy?

A supervisor's additional responsibilities for complying with this policy include:

- Monitoring and ensuring compliance with this Core Ethics Policy or other employment policies or the City's Operating Principles.
- Setting an example of exemplary ethical conduct.
- Dealing effectively with ethics concerns that arise in their area.
- Prohibiting retribution or retaliation against any employee who reports or supplies information about, or assists an investigation into, an ethics concern.

502. OUTSIDE EMPLOYMENT

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: Employees may engage in paid outside employment, consulting work or self-employment only if the work does not compete with or create a conflict of interest with an employee's duty to the City.

GUIDELINES:

1. When does outside employment "compete with" City employment?

Outside employment competes with an employee's duty to the City when the work requires an employee's conduct to be disruptive or damaging to the City and/or the City working environment. Examples of work that may be viewed as competing with City employment include those that:

- May adversely affect job performance at the City, or an employee's ability to fulfill all job responsibilities at the City. Adverse effects may include but are not limited to poor job performance, fatigue or excessive absenteeism or tardiness.
- Interfere with an employee's ability to work his/her normal schedule at the City, or prevents the employee from being available for work beyond normal working hours, such as emergencies or peak work periods, and when such availability is a regular part of the employee's job.
- Interfere with responsibilities to the City as the primary employer.
- Involve performing services for customers that are normally performed by City employees.
- Require working for a competitor, a City grant and/or contract created by the employee, or self-employment that is in competition with the City.
- May require the use of City information, property, facilities and/or systems, such as phones, tools, equipment, etc.
- Involve assisting others in transactions with the City in which the employee has participated, or which has been under their official responsibility.

2. What is a "conflict of interest"?

Outside employment creates a conflict of interest with an employee's duty to the City when an employee engages in activities for personal gain that compromises the employee's ability to represent the City's best interests. Examples of activities that may create a conflict of interest include those that:

- Require the use or disclosure of confidential City information.
- Impair objectivity or independent judgment, or create an impression of conduct that violates the public trust.
- Involve activities which may appear to conflict with the City's Core Ethics policy and/or other related employment policies.
- Negatively impact the normal course of the employee's official duties.

3. How does an employee obtain approval to engaging in outside employment?

The employee must provide his/her supervisor with a written request prior to beginning the employment. The notice should include the dates of employment; the potential employer or, if self-employment, the name of the business; the type of work to be performed; any potential problems the outside employment may cause with City employment; and any actual or perceived competition or conflicts of interest with City employment. The City shall have sole discretion to determine whether the request should be approved.

4. How will the employee know their request to engage in outside employment has been approved?

The City will provide approval in writing. The City may also require a written agreement with the employee which outlines the type of work that has been approved, discusses any perceived conflict of interest as well as how it may be eliminated, and addresses any other conditions of approval. Employees may not perform any outside employment during the hours they are on duty working for the City.

If an employee accepts outside employment, the City may request information about the employment at any time.

5. Can an employee use City leave benefits for outside employment needs?
Use of sick, FMLA or Catastrophic leave concurrent with outside employment must be approved by the City.
6. Can a regular employee work for the City outside their regular job duties?
Yes. However, the employee must obtain approval from Human Resources prior to engaging in such work.

503. CONFLICTS OF INTEREST

SCOPE: This policy applies to all eligible employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: Employees are expected to represent the City in a positive and ethical manner. Employees have an obligation to avoid conflicts of interest or any activity which would give the appearance of a conflict of interest.

GUIDELINES:

1. What is a “conflict of interest”?

It is impossible to describe all of the situations that may cause or give the appearance of a conflict of interest. The following list is not intended to be exhaustive, but includes some of the clearer examples:

- Employees may not accept any employment relationship which competes with or creates a conflict of interest with a duty to the City.
- Accepting gifts, gratuities, loans, entertainment or other items of value from anyone with whom an employee regularly transacts City business, who has or seeks a contract with the City, or who desires other official action from the City.
- Giving, offering or promising anything of value to a customer, a potential customer, or a financial institution in connection with any transaction or business that the City may have with that customer, potential customer, or financial institution.
- Misusing confidential City information or disclosing such information to any individual who does not have a need to know the information.
- Using the City’s name, account or credit to purchase merchandise for personal use.
- Using City assets or labor for personal use.

2. What should an employee do if he/she learns of a situation that is a conflict of interest or may appear to be a conflict of interest?

Any conflict or potential conflict of interest must be disclosed to an employee’s immediate supervisor, the Department Director or Human Resources as soon as possible.

3. What if an employee is offered or receives a gift

Any and all gifts received by a City employee at any time during the year should be given to the employee’s immediate supervisor or the Department Director with an explanation of the circumstances surrounding receipt of the gift. If possible, the supervisor or Department Director will return the gift to the sender with a written expression of thanks and an explanation of the City policy concerning gifts. A copy of the letter will be sent to the City Manager.

If returning or refusing a gift would be impractical (such as food, flowers or plants), the supervisor will take the item to a recognized relief/assistance organization or make the item available for the enjoyment of all employees or members of the public in the employee’s work area. The supervisor will also send a thank you card to the person or company that provided the gift explaining what was done with the gift.

4. Are there any situations when an employee may accept a gift?

Yes, under limited circumstances. Items of nominal value provided for advertising purposes such as pens, calendars, or items received at a conference, are acceptable. Employees should make every effort to use such items in the workplace instead of taking them home. In addition, meals may be purchased or provided for City employees at business meetings as long as there is a justifiable work-related purpose for the meeting.

504. NEPOTISM

SCOPE: This policy applies to all eligible employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: To avoid the reality or appearance of improper influence or favoritism, two employees who are dating or are in the same immediate family may be employed by the City *unless* such employment would create a real or potential conflict of interest.

GUIDELINES:

1. What relationships are included in this policy?

For the purposes of this policy, relationships under this policy may include employees dating each other, the employee's spouse, domestic partner, child, domestic partner's children, mother, father, brother, sister, step family, aunt, uncle, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, grandparents and grandchildren, and grandparents and grandchildren of the spouse or member of the employee's household, other than roommates.

Each employee must inform his/her immediate supervisor or Department Director immediately if they enter into a relationship which may create a conflict of interest under this policy.

2. What is a "conflict of interest"?

A conflict of interest exists where the City has a compelling and essential need to avoid a business-related conflict of interest or the reality or appearance of improper influence or favor. A conflict of interest always exists under the following circumstances:

- Where one of the individuals would have authority (or practical power) to supervise, appoint, remove or discipline the other.
- Where one of the individuals would be responsible for leading, auditing, overseeing, or guiding the work of the other.

A conflict of interest may also exist in other situations such as where both employees would report to the same immediate supervisor.

3. What if a reassignment, transfer or promotion would create a conflict of interest?

The City will actively seek solutions to prevent a conflict and still allow the reassignment, transfer or promotion.

4. What will happen if two City employees establish a relationship (as defined in this policy)?

If a conflict or potential conflict exists due to the new relationship, the City will attempt to find a suitable accommodation to eliminate the conflict. If accommodations are not feasible, the employees will be given 30 calendar days to determine which of them will resign. If no decision is made during this time, the City reserves the right to make the decision.

505. POLITICAL ACTIVITIES

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: Employees shall not use or authorize the use of City facilities, property or assets for working on campaigns for the election of any person to any office or for the promotion of, or opposition to, any ballot proposition, except as authorized by the provisions of RCW 42.17.130.

GUIDELINES:

1. What types of activities are prohibited under this policy?
City employees are prohibited from using their official position to unlawfully influence, interfere with, or affect the results of an election. Therefore, no employee or group of employees, representing themselves as City employees, shall campaign for or against any political candidate or ballot measure, or endorse or oppose a political advertisement, broadcast, statement or campaign literature except as allowed by state labor law. Nothing in this section prohibits a City employee from personally supporting or opposing any candidate for public office during off-duty hours.
2. Can an employee display or distribute campaign paraphernalia at work?
No. Employees shall not display or distribute partisan literature, political buttons, stickers, banners, etc., during work hours or on City property or in City vehicles.
3. May an employee testify as a private citizen at public hearings or meetings regarding issues affecting the City?
Yes. If the employee's testimony is given during non-work hours and the employee discloses that he/she is testifying as a private citizen and not a City employee.

506. SOLICITATION FOR CHARITIES AND NON-PROFIT FUND-RAISERS

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: Most forms of solicitation on City property or during work time are prohibited. The City may, in its sole discretion, make exceptions to this policy when it is determined to be in the best interest of the City (e.g., United Way fund drive).

GUIDELINES:

1. What is “solicitation”?

“Solicitation” is the requesting of an employee’s time or resources for any cause, whether by an individual or group, and regardless of whether for financial or non-financial reasons. Solicitation may involve individuals or groups engaging in direct sales, recruitment, placing of signs and posters, and other activities resulting in the anticipated benefit of the individual or group.

2. What types of solicitation may be allowed under this policy?

Employees may solicit contributions to charitable or non-profit community, youth or educational fundraisers so long as it does not cause undue disruption of the work environment. The use of City facilities or equipment to solicit contributions (e.g., via CityNet or bulletin board postings) requires the prior authorization from the employee’s Department Director or designee, as well as from Media Services.

508. WHISTLEBLOWER PROTECTION

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: Public employees have an obligation to assure that government in general, and their departments in particular, perform ethically, as well as efficiently and effectively. City employees are prohibited from engaging in improper governmental action and are encouraged to report suspicious, unethical or illegal conduct or any other suspected improper governmental action taken by other employees, supervisors or officers. Employees who make good faith reports of improper governmental action will be protected from intimidation or retaliation for making a report.

GUIDELINES:

1. Why does the City have a whistleblower program?

The whistleblower program holds City employees accountable for their actions. The policy also protects employees who make good faith reports of improper governmental action. And, most importantly, the program stops inappropriate and illegal governmental actions.

2. What is "improper governmental action"?

Improper governmental action is any action taken by a City employee, supervisor, Department Director or officer that is:

- A violation of any federal, state or local law or rule;
- An abuse of authority;
- A gross waste of public funds (including use of public funds for private gain); or
- A substantial and specific danger to public health or safety.

Improper governmental action does not include personnel actions or decisions, disciplinary actions, violations of collective bargaining or civil service laws, or violations of labor agreements.

3. Who can report improper governmental action?

Any employee working for the City may report suspected improper governmental actions through this Whistleblower program. This includes regular and temporary employees as well as elected officials.

4. Is there any information that does not fall under the Whistleblower Protection Policy?

Yes. This policy does not authorize disclosure where prohibited by law.

5. How should an employee report suspected improper governmental action?

To report suspected improper governmental action, an employee should take the following steps:

- Submit a written report of the action to any Department Director, the City Attorney or an Assistant City Attorney, Internal Auditor, Risk Manager or Human Resources Director. The report should describe the suspected improper governmental action, the name of the employee(s) involved, and when the action occurred. In cases of an emergency (an immediate risk of injury or damage to property), the matter should be immediately brought to the attention of one of these individuals, and followed by a written report.
- If an employee reports a suspected governmental action to the appropriate person and no action is taken, or the employee is not satisfied with the action taken, a report may then be made to the governmental agency responsible for investigating the improper action (see attached list of governmental agencies).

6. Will the reporting employee's identity remain confidential?

Yes. The identity of a reporting employee shall be kept confidential to the extent possible under law, unless the employee authorizes the disclosure of his/her identity in writing.

7. Can an employee be prohibited from filing a report of improper governmental action with another governmental agency?

No. Direct or indirect interference or attempts to interfere with filing a report is prohibited.

8. What actions will the City take if an employee reports improper governmental action?
The City will conduct an investigation of the alleged suspicious, unethical or illegal conduct or other improper governmental action. If it is determined that improper governmental action did occur, the City will take appropriate action and immediately report known or suspected loss of public funds or assets, or other illegal activity to the state Auditor's office.
9. What is "intimidation"?
Intimidation occurs when a City employee, Department Director, supervisor or officer uses his/her official authority or influence to threaten or coerce an employee for the purpose of interfering with that employee's right to report improper governmental action.
10. What is "retaliation"?
Retaliation is inflicting injury on an employee by making adverse changes to employment status or to the terms and conditions of employment because the employee made a report of improper governmental action or was believed to have made a report of improper governmental action. Under this definition, retaliation can take many forms. Examples of retaliatory action include, but are not limited to, unwarranted disciplinary action, unsubstantiated poor performance evaluations, reduction in pay, denial of a promotion, unwarranted termination of employment, or harassment.
11. What should an employee do if he/she is subjected to intimidation or retaliation?
Employees should provide a written report of any suspected intimidation or retaliation along with the relief requested to a supervisor, Department Director or Human Resources.
12. If an employee complains about retaliation but is not satisfied with the City's response, is there an appeal process?
Yes. An employee is eligible to use the appeal process if the following conditions are met:
- The complaint of retaliation was made within 30 days of the alleged retaliatory action, and
 - The City did not respond within 30 days of the complaint or the employee received a response within 30 days but was not satisfied with the response.
13. What is the appeal process?
If the conditions outlined in this policy are met, the employee may request a hearing before a state administrative law judge. The request for hearing must be delivered to Human Resources or the City Manager's office within 15 days of receiving the response from the City or within 15 days of the last day on which the City could respond to the complaint of retaliation.
14. Do supervisors and Department Directors have any additional responsibilities under this policy?
Yes. As with any policy, supervisors and Department Directors are responsible for enforcement. Under this particular policy, supervisors and Department Directors are required to report any knowledge of improper governmental action to Human Resources including, but not limited to, a complaint received from an employee.

This policy, as well as the procedures and guidelines, was created and adopted pursuant to the provisions of the Revised Code of Washington, Chapter 42.41, et seq.

508-A: STATE AND LOCAL AGENCIES

State Public Disclosure Commission
711 Capital Way, Room #403
P.O. Box 40908
Olympia, WA 98504-0908
(360) 753-1111

State Attorney General's Office
Fair Practices Division
2000 Bank of California Center
Consumer Protection Division
900 Fourth Avenue, Ste #2000
Seattle, WA 98164-1012
(206) 464-6684

State Auditor's Office
Legislative Building
P.O. Box 40021
Olympia, WA 98504-0021
(360) 902-0370

State Department of Ecology
3190 160th Ave SE
Bellevue, WA 98008-5452
(425) 649-7000

State Board of Health
Health Consumer Assistance
1102 SE Quince
P.O. Box 4790
Olympia, WA 98504-7990
(360) 586-0399

Department of Labor and Industries
300 W. Harrison St.
Seattle, WA 98119
(206) 281-5400

State Liquor Control Board
Enforcement Office
2101 Sixth Ave.
Seattle, WA 98121
(206) 464-6094

Department of Natural Resources
950 Farman Street North
P O Box 68
Enumclaw, WA 9802-0068
(360) 825-1631

State Dept. of Social and Health Services
Division of Fraud Investigation
612 Woodland Square Loop SE
P O Box 45817
Olympia, WA 98504-5817
(800) 562-6906

Clark County Prosecuting Attorney's Office
1200 Franklin
P O Box 5000
Vancouver, WA 98668
(360) 699-2261

Child Abuse Intervention Center
P O Box 619992
717 East 22nd Avenue
Vancouver, WA 98666
(360) 737-6002

Clark County Sheriff
707 W. 13th Street
P O Box 410
Vancouver, WA 98666
(360) 699-2211

Southwest Washington Health District
2000 Fort Vancouver Way
P O Box 1870
Vancouver, WA 98663
(360) 695-9215

Southwest Washington Air Pollution
Control Authority
1308 NE 134th Street
Vancouver, WA 98685
(360) 574-3058

601. ELECTRONIC COMMUNICATION EQUIPMENT AND SERVICES

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: Employees are expected to utilize telephone or communications equipment and services in a cost-effective and responsible manner, for business purposes.

GUIDELINES:

1. What is included under “Electronic Communication Equipment and Services”?
This includes, but is not limited to: Cellular phones and accounts, Blackberry (or similar) devices, Personal Digital Assistants (PDA's that are communication-enabled), pagers and point-to-point circuits, standard telephones, headsets, speakerphones, employee SCAN access, and other telecommunication peripherals.
2. Can an employee add, modify or remove telephone or communications equipment or services?
No. The Information Technology Department is responsible for adding, modifying or removing telephone or communications equipment and services at the City. Employees may request changes from their department's designated staff person. The designated staff person will work with Information Technology to make any required modifications to an employee's telephone or communications equipment, including its installation. All equipment purchases, including hardware or software, shall be made according to policies established by Procurement Services. The designated staff person shall work with Procurement Services.
3. Can an employee attach his/her personal communication devices to City systems or be reimbursed if he/she purchases electronic communication equipment that is planned for use with City systems?
No. For the City to support the use of communication equipment with City systems, the purchase of such equipment must be made using City funds and through approved City purchasing processes. Additionally, electronic communication equipment purchased by employees with the intent of using it for City purposes will not be eligible for City reimbursement. .
4. What types of long distance services are provided?
Two options are available for business-related long distance calls: the City's Portland lines or SCAN lines. The Portland lines provide telephone service to the Portland metropolitan area for a flat monthly fee. The SCAN lines should only be used to call long-distance locations outside the Portland area for city-related business. If either of these options results in repeated busy signals, contact the Information Technology Department for assistance.
5. Can collect calls be accepted at work?
Collect calls should only be accepted if the call is being made by a City employee for authorized business use.
6. What are the City's guidelines for personal phone calls at work?
Making and receiving personal calls should be limited. Use of personal cellular telephones and/or City telephone equipment and services should not result in additional costs to the City and should not interfere with performance of official duties or normal business operations. Employees are trusted to exercise good judgment in both the duration and frequency of such calls.
7. What are the rules governing the use of City-owned cellular phones?
Employees should not use cellular phones to place or receive calls when a less costly alternative is safe, convenient and readily available. Because cellular transmissions are not secure, employees should refrain from using them to relay confidential information.
8. Can an employee simply use his/her own cellular phone and receive reimbursement from the City for business-related calls?
No. The City normally does not reimburse employees for calls made on personal cellular phones.

9. Can employees make or receive personal calls on City cellular phones?

Personal calls on City cellular phones are discouraged. City cellular phones should not be treated as if they are an employee's personal cellular phone. That is, they should not be taken on vacation or used when an employee is off duty unless there is a specific work-related purpose in doing so. As with other City property, minor personal use of cellular phones, while not sanctioned by the City, is not prohibited by this policy. While employees may occasionally take or make personal calls at work, they should not be disruptive to the performance of the employee's or the employee's co-workers' work duties. Further, personal calls made or received on a cellular phone must be reimbursed by the employee.

City-owned cellular phones and services are provided to employees for the conduct of City business only. Employees must reimburse the City for personal usage within 10 days of receiving a detail of usage report.

10. Does the City provide 2-line cellular phones to employees, and what restrictions apply to their use?

Department managers may approve the purchase and use of a 2-line cellular phone for employees. In such cases, the primary line must be used only for City business. The employee is responsible for establishing an account with the cellular vendor for the second line to be used for personal use. The account should be established so the City business portion of the bill is sent to the City and the personal bill is sent to the employee's home address. Employees are financially responsible for the personal line account (as well as for personal calls made on the City account). In cases where the employee has established a personal account for a 2-line cellular phone, personal use of the primary (City business) line is prohibited. Finally, employees may be required to provide the City with personal account records for personal use of a City-issued 2-line cellular phone as part of any investigation related to an employee's use of the cellular phone.

602. EMPLOYEE PERSONNEL RECORDS

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City maintains personnel records for present and past employees to document employment-related information and comply with government record keeping and reporting requirements.

GUIDELINES:

1. What information is maintained in personnel records?
The City tries to balance its need to obtain, use and retain employment information with a concern for each individual's privacy. Therefore, it attempts to maintain the personnel information that is necessary for the conduct of its business or required by law. This personnel information includes, but is not limited to, employment application forms, offer letters, certain pay and benefit information, performance evaluations and expectations, documentation of disciplinary taken, job change information, reasons for termination of employment and other job related information. Safety records, leave records, domestic partner information, background and/or reference information, investigation materials regarding misconduct, and medical information are not part of the personnel files and are maintained separately.
2. Where are the personnel files kept?
The files are maintained in the Human Resources office in secure storage.
3. May an employee review his/her personnel file?
Yes. All requests to review a personnel file should be made to the Human Resources office. The requested file will be made available in Human Resources within a reasonable period of time following the request. A Human Resources staff member will be present at all times while the employee is reviewing the file. Under no circumstances may an employee remove his/her file, or any information contained in the file, from Human Resources.
4. May an employee make copies of information in his/her own personnel file?
An employee may request that copies be made of any or all information in his/her own personnel file. Human Resources will provide copies of the requested information.
5. May an employee add information to his/her own personnel file?
Employees who believe that any file material is incomplete, inaccurate or irrelevant may submit a written request for file revisions to Human Resources. If the request is not granted, the employee may place a written statement of disagreement in the file. Nothing may be inserted, removed or changed without authorization from Human Resources.
6. Do employees have a responsibility to maintain accurate information in their own personnel file?
Yes. Employees must notify Human Resources in writing of any changes in name, address, telephone number, marital status, domestic partner status, number of dependents, beneficiary designations, and persons to be notified in case of emergency within 30 days of such change.
7. May employees view the personnel file of other employees?
No. However, supervisory, management and other individuals who have an employment-related need to know may inspect the personnel file of that employee.
8. Will information from personnel files be disclosed to individuals outside the City?
As a general rule, no. Information from personnel files will only be provided as required by a subpoena, litigation or court order, with written authorization and an acceptable release from the employee, or as required under public records law.

603. PUBLIC RECORDS REQUESTS

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: City public records shall be made available for public inspection and copying pursuant to the state Public Records Act (PRA), Ch. 42.56 RCW. When allowed by law, the City may choose not to release certain public records, or portions of records, including those pertaining to the right of privacy or other information exempted by law.

GUIDELINES:

1. What are “public records”?

State law defines public record as “any writing containing information relating to the conduct of government or the performance of any governmental or propriety function.” A “writing” is defined as any means of recording or form of communication including documents, pictures, computer tapes or disks, sound recordings, etc., and includes electronically stored information (such as e-mail, CDs, DVDs, electronic bulletin board postings, etc.). Examples of public records include, but are not limited to:

- Correspondence or memoranda related to official public business
- Original reports
- Policy and procedure directives
- Agenda and minutes of meetings
- Documents related to legal or audit issues
- Messages documenting agency actions, decisions, operations and responsibilities
- Documents that initiate, authorize or complete a transaction
- Appointment calendars

2. Is there a time limit for responding to requests for public records?

Yes. The law requires that the City respond to requests within five working days. This response must either include the records or state a reasonable time within which the records will be provided. If a response is not made in a timely manner, the City may be subject to penalties. Therefore it is essential that departments respond within five working days of receipt of a public records request.

3. Are all requests for “information” within the PRA?

A simple question or request for information is not governed by the state’s public records and disclosure laws. Employees are frequently asked for a wide variety of information, some of which may be contained in public records. An employee should clarify when they are not certain whether a customer is asking to inspect and/or copy a public record, or just being asked for information.

4. What should an employee do if he or she receives a request for public records?

Each department should have a Public Records Coordinator who is familiar with City public record disclosure procedures and who is responsible for coordinating responses to routine verbal and written requests for public records for their department. For example, the Police Department has procedures and a Coordinator who deals with requests for police reports. Any questions that are not answered by the department/division Public Records Coordinator should be forwarded to the City Records Officer and/or the City Attorney’s office before responding to the request.

The City maintains general procedures for responding to routine and non-routine requests for public records, which are interpreted and updated as needed by the City Attorney’s Office and the City Records Officer.

The City Attorney’s Office or City Records Officer should always be contacted for advice before an employee informs a member of the public that a record or any portion of a record they have requested is not subject to public disclosure.

5. Is the City required to provide copies of all public records as requested?

Yes. The City must provide copies unless the records are exempt under the PRA. State law provides a specific list of exemptions for which the City may – but is not required to – withhold records or portions of records from disclosure. Any questions about what should or should not be disclosed should be addressed first to your department or division Public Records Coordinator, or if the Coordinator is not available, contact the City Records Officer and/or the City Attorney's Office.

6. Can electronically stored information be exempt from public disclosure?

Just as with paper documents, electronically stored information that is a public record may be exempt from disclosure.

604. PUBLIC RECORDS RETENTION

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: State law requires retention of most public records, including the archiving and storage of such records. The Secretary of State's office and the City establish schedules for retention of public records. Employees are required to comply with the established retention schedules.

GUIDELINES:

1. What are "public records"?

State law defines public record as "any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function." A "writing" is defined as any means of recording or form of communication including documents, pictures, computer tapes or disks, sound recordings, etc., and includes electronically stored information (such as e-mail, CDs, DVDs, electronic bulletin board postings, etc.). Examples of public records include, but are not limited to:

- Correspondence or memoranda related to official public business
- Original reports
- Policy and procedure directives
- Agenda and minutes of meetings
- Documents related to legal or audit issues
- Messages documenting agency actions, decisions, operations and responsibilities
- Documents that initiate, authorize or complete a transaction
- Appointment calendars

2. Is the City required to retain copies of all public records?

In general, yes. Employees should consult their department Public Records Coordinator for any questions regarding what records need to be retained and for how long they should be kept before being destroyed.

3. May employees delete electronically stored information that is a public record if they have printed copies for storage?

No. Electronically stored information is subject to retention in the same manner as a paper record. Employees should retain and store all electronically stored information falling within the definition of a public record in the same manner as they would a printed document.

605. USE OF COMPUTERS, EMAIL, INTERNET AND OTHER TECHNOLOGICAL RESOURCES

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The City of Vancouver maintains computer systems, network utilities, internet and intranet access, e-mail and other technology resources to assist in conducting City business. This policy and these guidelines apply to the access or use of the City's network and technology resources at any location, at any time, from any device, via wired or wireless connection. They apply to all users of City technology resources regardless of employment status. The City authorizes the use of computing and network resources by City staff, temporary employees, contractors, volunteers and others to carry out legitimate City business. All users of City computing and network resources will work in an ethical, legal, and responsible manner, and the City will conduct audits of employee usage to ensure compliance with this policy. All use of technology resources must be consistent with the intent and requirements of all City policies, Operating Principles, and work rules.

GUIDELINES:

1. For what reasons can employees use computer, e-mail, internet and other technology resources?
These resources, like paper files and notebooks, are to be used to assist in the efficient performance of City business, and use of these resources must therefore be able to withstand public scrutiny without embarrassment to the City. If an employee is uncertain whether his/her use is proper, he/she should err on the side of caution by foregoing the use.
2. Can employees install their own software on the City's system?
No. Employees may not make changes to or install hardware or software on any component of the City's systems without the prior approval of the Information Technology Department (IT). All requests for new hardware or software are to be sent to the IT Department.
3. What are an employee's responsibilities for maintaining the security, confidentiality, and efficiency of the City's data, networks, and computer systems?
Each employee is required to maintain a confidential password for his/her own use of the City's network systems. Employees must respect the confidentiality of other individuals' electronic communications. Except in cases in which explicit authorization has been granted by a supervisor or manager, employees are prohibited from engaging in, or attempting to engage in:
 - Monitoring or intercepting the files or electronic communications of other employees or third parties;
 - Actual or attempted hacking or accessing systems or accounts they are not authorized to use;
 - Sharing or using other employees' log-ins or passwords;
 - Creating or forwarding e-mail chain letters; or
 - Breaching, testing, or monitoring computer or network security measures.

Employees must not use e-mail or other electronic communications in a manner that attempts to conceal the identity of the sender or represent the sender as someone else (except for a valid law enforcement investigation). Electronic media and services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system.

4. If an employee is authorized to access another employee's e-mail or voicemail, how can it be done without sharing a password?
The Outlook system allows employees to delegate authority to other users, and this is how e-mail sharing should occur. Unfortunately, there is no similar way to access the City's voicemail system. If it is essential for an employee to check another's voicemail, the expectation is that the employee whose voicemail has been accessed by a delegate will change his/her password as soon as possible after it has been accessed. If there is a need for one employee to routinely check another's voicemail, the Message Manager program, which allows voicemail messages to be accessed through Outlook, should be utilized.

5. Can e-mail and voicemail messages be accessed for an employee who is off unexpectedly for a long period of time?

Yes. For situations like this, Human Resources staff should be consulted to assess the situation and coordinate authorization with Information Technology.

6. Can employees use City computer, e-mail, internet or other technology resources for personal reasons?

These resources are City property and they are therefore generally not to be used for personal reasons, during either work or non-work hours. Personal use is allowed if:

- There is little or no cost to the City;
- The use does not interfere with the employee's performance of duties or productivity;
- The use does not disrupt or distract from the conduct of City business; and
- The use otherwise complies with all other City policies and the Operating Principles, and will not lead to embarrassment of the City. Examples of prohibited uses include, but are not limited to:
 - Creating, distributing, downloading or viewing any material that is offensive, obscene, pornographic, profane, sexually oriented, harassing and/or in violation of the City's employment policies and/or the City's Operating Principles;
 - Distributing, downloading or modifying copyrighted materials, trade secrets, proprietary information, or confidential, privileged, or similar materials without prior authorization;
 - Creating, distributing, downloading or viewing any material that is threatening or related to violence or hate that is in violation of the City employment policies and/or the City's Operating Principles;
 - Engaging in any activities for personal business or gain; or
 - Using systems in any manner that violates any local, state or federal law

Individual departments may establish the acceptable level of personal use for their employees. The City, however, retains sole authority to determine whether an employee's personal use is consistent with this policy.

7. Will the City monitor employee use of the City's computer, e-mail, internet and other technology resources?

Yes. The City may monitor use of these resources at any time, without notice, and without the employee's permission. Such monitoring may include auditing employee use to ensure compliance with all City policies and Operating Principles, including but not limited to whether an employee has engaged in the types of prohibited uses listed in number 6 above.

8. Is use of the City's computer, e-mail, internet and other technology resources private and confidential?

No. These resources are for official business use and employees should not have any expectation of privacy in any message, file, image, or data created, sent, viewed, retrieved, or received through City resources. Use of City systems may also be subject to public disclosure or discovery in the event of a lawsuit.

In addition, information related to City business that is created on a personal computer, personal electronic communication device, or through a personal e-mail account will not be treated as private. Personal computers, electronic communication devices, and/or e-mail accounts will also be subject to public disclosure or discovery in the event of a lawsuit.

606. USE OF CITY PROPERTY AND SYSTEMS

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: Employees may not use City property or systems for personal reasons or for any other reason that may violate City policy and/or state law.

GUIDELINES:

1. What are City property and systems?
City property and systems include all City buildings, facilities, supplies, equipment and services. This includes, but is not limited to, computer networks, electronic mail, on-line services such as the Internet, computer files, bulletin boards, telephones, cellular phones, fax machines, video equipment, pagers, copy machines, City stationery and envelopes, inter-office mail, courier services, the City address (for receiving personal mail), mail services, vehicles, buildings, furniture, tools, and recreational equipment.
2. Can employees use City property or systems for personal reasons?
Generally, no. However, some minor personal use, while not sanctioned, is not prohibited by this policy. Examples of minor use include short telephone calls or using the copy machine to make one or two copies. The City retains sole discretion to determine what use is minor. Questions about the use of City property or systems contained in each department should be directed to the appropriate manager or supervisor.
3. Will employees be disciplined for personal use of City property and systems?
Yes. Employees may be disciplined for violation of the Use of City Property and Systems policy. However, employees will not be disciplined for minor personal use of City property and systems if the employee reimburses the City for any charges incurred.
4. What guidelines should be followed in use of City property?
Employees are held accountable for their use of City property and systems just as they are for other conduct and communications in the workplace. Therefore, when using City property or systems, employees should follow expected standards of behavior as well as any applicable City policy.
5. Will exceptions be made to this policy?
Exceptions may be made in rare instances when emergency or extenuating circumstances warrant it. If possible, written authorization should be obtained from the appropriate manager. Under all circumstances, employees will be expected to reimburse the City for any user charges incurred.
6. Does the City monitor employee use of City property and systems?
All City property and systems, including computers, telephones, other electronic equipment, and City work spaces and lockers are the sole property of the City and the City reserves the right to monitor or search such equipment as it considers appropriate.