



Anacortes City Council
Municipal Building Council Chambers
904 Sixth Street

August 1, 2016
6:00 p.m.

PRELIMINARY AGENDA

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Announcements and Committee Reports**
 - a. Planning Commission Appointment (Action)
 - b. Public Works Committee
4. **Public Comment**
5. **Consent Agenda (Action)**
 - a. Minutes of July 25, 2016
 - b. Approval of Claims in the amount of: \$307,490.79
 - c. COA/DNR Memorandum of Agreement: Thompson Parkway Trestle and Causeway Replacement
 - d. Street Fair Applications: Eagles BBQ, Oyster Run, Jingle Bell Dash
 - e. Contract Award: Generator Set Preventative Maintenance (under State Contract)
 - f. Accept as Complete: 2016 Slurry Seal Project (15-077-TRN-002)
6. **Other Business**
 - a. Resolution 1966: City of Anacortes Personnel Policies (Discussion/Possible Action)
7. **Adjournment**

Per Resolution 1949, citizens wishing to comment on items not on the agenda may do so under the Public Comment portion of the agenda. Citizens wishing to comment on agenda items indicated with an asterisk () may do so as those items are considered by Council during the course of the meeting. Citizens wishing to speak will please sign in at the back of the Council Chambers prior to the start of the meeting. The Mayor may limit comments to those who have signed in, and may limit the time allotted to each speaker to facilitate the orderly progress of the meeting.*

The City of Anacortes encourages people with disabilities to participate in public meetings.
For assistance with special needs, please contact Cherri Kahns at 360-299-1950 at least 48 hours prior to this meeting.



Anacortes City Council

Proposed Agenda Items for the Next Eight Weeks Beginning August 8, 2016

Subjects listed below have been tentatively suggested for consideration by the Anacortes City Council on the dates indicated. Items may be added to, removed from or rearranged on this list. Routine business such as approval of minutes, vouchers and consent agenda items is not included. The complete Preliminary Agenda for each meeting is published at 3:00 on the Wednesday prior to the meeting. Published Agendas are subject to change and may be updated following the posting period. For additional information on agenda topics, please contact the City Clerk's office at 360-299-1960 to be directed to the sponsoring staff member.

August 8, 2016

- Resolution 1958: Adopting Emergency Operation Plan
- Public Hearing: Ordinance 2979/Resolution 1963: Stormwater Utility Monthly User Fee Rate and Code Update (Discussion/Possible Action)
- Ordinance 2983: Amending 2015-2016 CFP (Discussion/Possible Action)
- Ordinance 2984: Amending 2016 Budget (Discussion/Possible Action)

August 15, 2016

- Closed Record Public Hearing to Decide on Appeals and Planning Commission's Recommendation on the Haddon Road 13 Lot Plat & PUD, PUD-2016-1001
- Interlocal Agreement with Skagit County: Economic Development Public Facility Project Funding for City of Anacortes Fiber Optic Network (Discussion/Possible Action)

August 22, 2016

September 6, 2016

September 12, 2016

September 19, 2016

September 26, 2016

October 3, 2016

Upcoming City Council Committee Meetings

The public is welcome to attend City Council Committee Meetings.

- Public Works, Monday, Aug 1, 2016, 5:00 PM, Public Works Director's Office
- Housing Affordability & Community Services, Thursday, Aug 4, 2016, 1:30 PM, Main Floor Conference Room (Parks Office)
- Planning, Monday, Aug 8, 2016, 5:00 PM, Main Floor Conference Room (Parks Office)
- Finance, Wednesday, Aug 10, 2016, 5:00 PM, Johnny Picasso's, 501 Commercial Avenue
- Public Works, Monday, Aug 15, 2016, 5:00 PM, Public Works Director's Office
- Public Safety, Monday, Aug 15, 2016, 5:15 PM, Main Floor Conference Room (Parks Office)
- Parks & Recreation, Thursday, Aug 18, 2016, 6:00 PM, Main Floor Conference Room (Parks Office) Meeting Room
- Planning, Monday, Aug 22, 2016, 5:00 PM, Planning Director's Office
- Finance, Wednesday, Aug 24, 2016, 5:00 PM, Johnny Picasso's, 501 Commercial Avenue

**City of Anacortes
Mayor's Office**

Memo

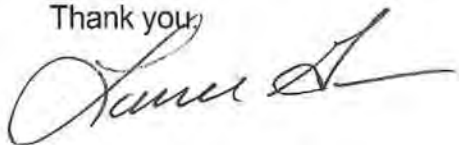
To: Anacortes City Council
From: Laurie Gere, Mayor
Date: 7/26/2016
Re: Appointment to Anacortes Planning Commission

Planning Director Don Measamer and I interviewed three candidates for the vacancy on the Planning Commission. We are recommending the appointment of Geoffrey Mount to the Anacortes Planning Commission to fill the remainder of a term that will expire December 2020.

Mr. Mount stated he has "a strong desire to protect our environment, give back to the community, and serve on the Planning Commission". Geoffrey has an extensive background in economics and in logistics management. Geoffrey is involved with various groups and has volunteered with the Anacortes Arts Festival, Anacortes School District, Lincoln Theatre, Community Emergency Respond, and Community Action of Skagit County. I believe his educational background, skills, and experience would benefit the Planning Commission and our community.

I would like to receive your comments before the August 1, 2016 meeting, when I will ask you to confirm this appointment

Thank you,



RECEIVED
MAY 09 2016CITY OF ANACORTES
EXEC ADMIN6/9/16 2pm
7/20/16 8:30 am
Office of the Mayor
904 6th Street
PO Box 547
Anacortes, WA 98221 info@cityofanacortes.org
360-299-1950

Talent Bank Application for Public Involvement

The City of Anacortes strives to build a productive working relationship between community members and city departments. Community members who serve on boards and commissions help to enhance diversity and ensure quality services to meet the needs of our city. We invite you to learn more about the community members who comprise these groups as they represent the voice of the community. If you would like to become an active part of any of the boards and commissions that the City of Anacortes offers please complete the talent bank application form or contact us with any questions you might have. If you're not selected right away, remember that many people apply and that there are not always openings available. The city keeps all letters of application on file and reviews them whenever there is an opening. Most appointments are made by the Mayor and confirmed by the City Council. Thank you for your interest.

What position(s) are you interested in being considered for (check all that are applicable):

☐	Ad Hoc Community Advisory Committee	☐	Anacortes Art Commission
☐	Board of Adjustment	☒	Anacortes Improvement Board
☐	Civil Service Commission	☒	Forest Advisory Board
☐	Historic Preservation Board	☒	Housing Authority Board
☒	Library Board of Trustees	☐	Museum Advisory Board
☒	Parks & Recreation Board	☒	Planning Commission
☐	Other ()	☐	

Applicant Information

Name MOUNT GEOFFREY WILLIAM
Last First Middle

Address 2421 SUNDOWN COURT ANACORTES WA 98221
Street Apt. # City State Zip Code

Home Phone (614) 327-2055 Cell Phone (614) 327-2055

E-Mail Address GWMOUNT2HOTMAIL.COM

Biography/ Resume attached? ☒ Yes ☐ No

Please describe your reasons for wanting to volunteer with the City of Anacortes:

I BELIEVE THAT PEOPLE WHO HAVE BEEN GIVEN A LOT HAVE AN OBLIGATION TO GIVE BACK. ALSO,
AS A NEW RESIDENT OF ANACORTES I AM WILLING TO INVEST TIME IN HELPING MAKE THE CITY
BETTER FOR EVERYONE TO LIVE IN.

Education/Skills/Training

Please summarize your education, job-related skills, specialized training, or volunteer experience:

- BACHELOR'S DEGREE IN ECONOMICS, TWENTY FIVE YEARS EXPERIENCE IN LOGISTICS MANAGEMENT
- VOLUNTEERED WITH ANACORTES ARTS FESTIVAL, ANACORTES SCHOOL DISTRICT, LINCOLN THEATER,
COMMUNITY EMERGENCY RESPONSE, AND COMMUNITY ACTION OF SKAGIT COUNTY

List professional, trade, business, or civic associations and any offices held:

List any additional information you would like us to consider:

HAPPY TO HELP IN ANY WAY NECESSARY

I BELIEVE THAT A COMMUNITY'S RESPONSE TO HOMELESSNESS IS THE BEST
MEASURE OF ITS VALUES.

References

Give the name and telephone number of two references who are knowledgeable about your qualifications and skills relative to volunteering at the City.

RICK WALLACE	COMMUNITY EMERGENCY RESPONSE	DIRECTOR	360-202-3106	
Name	Organization	Title	Work Phone	Other Phone
ELIZABETH JENNIFER	COMMUNITY ACTION	COMM ENGAGEMENT MGR	360-588-5719	
Name	Organization	Title	Work Phone	Other Phone

Acknowledgements

My signature affirms that all information contained herein is true to the best of my knowledge, and I understand that any misstatement of fact or misrepresentation of credentials may result in this application being disqualified from further consideration.

	5/9/16
Signature	Date

GEOFFREY WILLIAM MOUNT

2421 Sundown Court
Anacortes, Washington 98221
Phone 614-327-2055
gwmount@hotmail.com

OBJECTIVE

To have a significant impact upon the growth and profitability of my employer by using the problem solving and analytical skills I have developed by successfully managing people, projects, and resources.

WORK EXPERIENCE

Sutphen Corporation, April 2010 to September 2014. Warehouse Supervisor, Bill of Materials Coordinator for fire apparatus manufacturer

- Responsible for shipping, receiving, and inventory control functions.
- Part of core group implementing Microsoft AX inventory management system
- Reconciled truck bills of materials with actual parts used by hands-on inspection and document verification

Data House, August 2009 to April 2010. Warehouse Manager

- Consolidated warehouse space by 50% to facilitate inclusion of additional tenants
- Implemented inventory management system to allow JIT ordering of stock

Liberty Casting, December 2008 to May 2009. Compliance Manager.

- Responsible for EPA permitting for three iron foundries totaling 30,000 tons of iron melted annually
- Completed RCRA and DOT hazardous waste compliance training
- Implemented sand recycling program resulting in thousands of dollars in annual savings

Sterling Paper, October 2005 to December 2007. Warehouse Manager.

- Streamlined routing structure to decrease transportation costs by 25%
- Developed matrices for measuring productivity and accuracy to enhance accountability and implemented incentive program to improve employee performance

Yokkaichi America, September 2002 to October 2005. Operations Supervisor.

- Responsible for hiring and training of staff for startup operation; executed changeover with no interruption of service
- Upgraded WMS inventory control program, leading to 90% decrease in lost parts
- Participated in ISO quality audits and received training for compliance with standards

Northeast Cooperatives. August 1994 to June 2002. Warehouse Manager, Operations Manager.

- Played pivotal role in restoring near-bankrupt natural foods wholesaler to profitability by controlling costs and increasing emphasis on customer satisfaction
- Directed multiple expansions of warehouse space, transportation fleet, and sales territory while decreasing costs as a percentage of sales
- Designed and implemented performance- and profitability-based incentive programs in every department, leading to dramatic improvements in order fulfillment, on-time delivery

EDUCATION

The Ohio State University. Earned Bachelor's degree in Economics.

City Council Minutes – July 25, 2016

Mayor Laurie Gere called to order the regular Anacortes City Council meeting of July 25, 2016 at 6:00 p.m. Councilmembers Eric Johnson, Erica Pickett, Brad Adams and Matt Miller were present. Councilmembers Ryan Walters, Liz Lovelett and John Archibald were absent. The assembly joined in the Pledge of Allegiance.

Announcements and Committee Reports

Mayor's Award of Merit to Brandon Krause: Mayor Gere read a statement awarding the Mayor's Award of Merit to Facilities Maintenance Technician Brandon Krause for outstanding service. The mayor presented Mr. Krause with a certificate in honor of the award and announced that his name would be added to the Award of Merit plaque on display at City Hall.

Planning Committee: There was no report.

Public Comment

Merrilee Huffman, 806 Commercial Avenue, addressed Council regarding a February 1, 2016 email between members of the Anacortes Housing Authority Board of Commissioners that Ms. Huffman received in response to a public records request to that agency. Ms. Huffman acknowledged that City Council has no direct authority over the Anacortes Housing Authority but asked Mayor Gere what the original Board of Commissioners guidelines were and if the mayor thought the email was proper. Mayor Gere advised that she was only made aware of the document that evening and would need more background information to comment. The mayor clarified that the city's only role in relation to the Anacortes Housing Authority was for the mayor to appoint board members.

Gayle Kersten, representing Skagit County Coalition Against Human Trafficking, invited the public to attend a program on August 23, 2016 at 9:30 a.m. at the Anacortes Public Library regarding the Nordic Model adopted by King County to protect victims of prostitution. Ms. Kersten asked for support from Council, local law enforcement and prosecutors.

Consent Agenda

Mr. Adams removed Item 5c, Contract Award: 2016-2017 Landscape Maintenance, from the Consent Agenda.

Mr. Johnson moved, seconded by Mr. Miller, to approve the following Consent Agenda items. The motion passed unanimously by voice vote.

- a. Minutes of July 18, 2016
- b. Approval of Claims in the amount of: \$523,810.35
- d. Contract Award: M Avenue Sanitary Sewer I&I Reduction

The following vouchers/checks were approved for payment:

Voucher (check) numbers: 81348 through 81433, total \$501,630.46
EFT numbers: 205478 through 206292, total \$27,410.88

- c. Contract Award: 2016-2017 Landscape Maintenance

Mr. Adams said he had disagreed with the majority of the Council when it directed contracting this work instead of hiring a 75% parks position during the 2016 budget hearings. He said it did not appear that the \$60K annual contract would save the city any money particularly once staff oversight of the contract was considered. Mr. Adams asked Parks Department staff to comment. Mayor Gere confirmed that the

contract was pursued in response to Council direction in the 2016 budget. Mr. Miller argued that contracting the work would in fact save the city money when benefit costs and the flexibility to control ongoing costs were considered. Ms. Pickett said she had agreed with Mr. Adams during the budget hearings but now felt that a 75% staff position could not handle the extensive scope of work in the contract. Parks Operations and Forestlands Manager Jonn Lunsford responded to Mr. Adams, noting the extensive scope of work and the contract flexibility to adjust that scope. Mr. Lunsford advised that the cost effectiveness of the contract would depend on how much administrative time was required to refine expectations with the contractor during the first year using the new outsourcing model. Mr. Adams moved to deny the contract and pursue an in house position instead. The motion died for lack for a second. Mr. Miller moved, seconded by Mr. Johnson, to approve Consent Agenda Item 5c, Contract Award: 2016-2017 Landscape Maintenance. Vote: Ayes – Miller, Johnson and Pickett. Nays – Adams. Motion carried.

PUBLIC HEARINGS

Public Hearing: Ordinance 2979/Resolution 1963: Stormwater Utility Monthly User Fee Rate and Code Update

Assistant Public Works Director Matt Reynolds shared a slide presentation recommending adoption of Ordinance 2979 to update City code related to stormwater utilities and Resolution 1963 to increase stormwater utility rates. His presentation was made part of the packet materials for the evening. Mr. Reynolds summarized the extent of the utility's components and customers. He reported that rates were last adjusted effective 2008 and that current revenue was \$702K per year. Mr. Reynolds displayed net operating revenue for the utility for 2013-2016, noting that the utility had run at a deficit for 2015 and 2016 and that a rate increase was necessary to support capital expenditures required to maintain the system in compliance with the city's NPDES permit. He recommended a rate increase of \$5/month/ERU. Mr. Reynold displayed and explained the Stormwater Capital Improvement Plan for 2017-2036. He summarized the financial impact of the proposed rates to a typical residential customer and to the top 15 commercial accounts.

Ms. Pickett observed that the rate structure was not very business friendly. Mayor Gere asked if there had been any discussion about different rates for commercial customers. Mr. Miller said he was more concerned about the residential customers and asked if the Public Works Committee had considered a rate offset for implementing Low Impact Development (LID) improvements. Mr. Johnson said no but that the committee did discuss General Facilities Charges. Mr. Johnson offered a comparison of utility rates in Anacortes and Bremerton and noted that Anacortes rates for every utility were significantly lower. Ms. Pickett was not concerned with the proposed doubling of residential rates but said she was stunned that business customers would face double rates. Mr. Reynolds explained that the stormwater rates had always been based on impervious surface area. Mr. Miller asked what accounted for the net operating revenue change between 2014 and 2015. Finance Director Steve Hoglund explained that in 2015 the utility began making up deferred equipment replacement reserve funding and that it had been using cash reserves to cover the deficit in net operating revenue.

Mr. Johnson called AMC 13.10.020(D) almost too business friendly by charging only 20% of the standard rate to customers in the HM and LM1 zones. He asked to continue discussion on that issue. Mr. Hoglund explained that section of the code was based on a phased implementation of the stormwater utility rates after annexation of the SR20 corridor and agreed that it bore further discussion. Ms. Pickett asked that "ISU" be spelled out in the ordinance. Mr. Reynolds said that Impervious Surface Unit was defined elsewhere in the code. Mr. Miller suggested sending the ordinance and resolution back to the Public Works Committee to consider the discount language in 13.10.020(D) and said basing rates on ISUs was the most equitable way to structure stormwater rates. Ms. Pickett wondered if the commercial rate increase could be phased in. Mr. Adams observed that the residential rate was already proposed to step up in two phases and urged more discussion of the commercial rates. Mr. Miller again suggested that steps taken to reduce stormwater runoff on a property should offer a rate savings. Mayor Gere observed that some residential properties have more far impervious surface than others and that the flat residential rate is not based on ISU. Mr. Reynolds summarized that staff would bring back more information about the SR20 corridor rates and the potential for rate incentives to reduce impervious surface area.

Mayor Gere invited members of the audience to comment on this agenda item. No one present wished to address the Council.

OTHER BUSINESS

Washington State Parks Clean Vessel Program Presentation

Planning Director Don Measamer reported that staff had been working with the Port of Anacortes and Washington State Parks to explore provision of free pumpout boat service in the San Juan Islands that would deliver sanitary sewage to the Anacortes Wastewater Treatment Plant among other locations. Mr. Measamer introduced Alan Wolslegel from Washington State Parks to describe the program.

Mr. Wolslegel shared a slide presentation which was included in the packet materials for the evening. He traced the history of the Clean Vessel Act program and its nationwide operation and funding sources. Mr. Wolslegel explained that federal grants can fund 75% of construction, renovation, operation and maintenance of pump out stations for recreational boaters and educational programs to inform boaters of the importance of the proper disposal of sewage. He said the San Juan Islands was identified as the #1 target for the 2016 coastal grant, then described the proposed free service for pumping boats at remote locations that would bring sewage back to Anacortes for offload and treatment at the sewage treatment plant. He shared pumping statistics for the region. Mr. Wolslegel reported on the discussions held to date with regional players in preparation for grant applications and implementation. He said that having offload locations at a reasonable distance was a critical element of the program and estimated 100,000 gallons coming to Anacortes for processing annually. He added that the program would increase the chance of the San Juan Islands being included in a No Discharge Zone (NDZ). Mr. Wolslegel closed by asking Council to consider allowing the program to use the Anacortes Wastewater Treatment Plant as an offload location.

Mayor Gere confirmed that staff had assured her that the WWTP had plenty of capacity to accommodate that request. She asked Mr. Wolslegel to address the financial implications of the program for the city. Mr. Wolslegel said the program would pay the city 75% of its cost based on metered sewage offload and that the 25% absorbed by the city could qualify as part of the 25% match for the federal grant.

Mayor Gere invited members of the audience to comment on this agenda item. No one present wished to address the Council.

Mr. Measamer displayed an aerial photo annotated by the Port of Anacortes to show a potential location for the offload facility. He said if Council was agreeable, staff would continue working with the Port to draft an agreement to bring back to Council for consideration. Mayor Gere confirmed that councilmembers concurred with that course of action.

Ordinance 2985: Medical Marijuana Moratorium Extension

City Attorney Darcy Swetnam presented draft Ordinance 2985 to extend the moratorium on medical marijuana cooperatives established by Ordinance 2964 on December 7, 2015. Ms. Swetnam reported from the stakeholders meeting on held on May 10, 2016 at which attorneys from the Washington State Department of Health and Washington State Liquor and Cannabis Board advised that the state rulemaking process was still underway. Ms. Swetnam added that as of that date no communities in the state had yet adopted final regulations on cooperatives, pending finalization of the state rulemaking process. Ms. Swetnam recommended waiting another six months to re-evaluate the issues. Mr. Johnson observed that the work plan adopted by Council on February 1, 2016 by Resolution 1944 called for adoption of regulations by November 2016 and asked if the ordinance could be extended to May 2017 rather than "six (6) months from the date of enactment unless duly extended." Ms. Swetnam concurred.

Mayor Gere invited members of the audience to comment on this agenda item. No one present wished to address the Council.

Mr. Johnson moved, seconded by Ms. Pickett, to adopt **Ordinance 2985** extending the moratorium on medical marijuana cooperatives to May 2017. Vote: Ayes – Adams, Miller, Johnson and Pickett. Motion carried.

Finance Update

Finance Director Steve Hoglund presented an update on the city's financial position after the first half of 2016. His presentation was included in the packet materials for the evening. Mr. Hoglund reported that tax revenue was right on target, license and permit revenue was significantly ahead of budget, and that all revenue streams were healthy. Mr. Hoglund reviewed General Fund expenditures by department, explaining the apparent anomalies due to expenditures incurred disproportionately early rather than spread evenly across the year. He reviewed sales tax, real estate excise tax and Transportation Benefit District revenues in some detail and observed that all three were trending at or ahead of budget. Mr. Hoglund then reviewed revenues and expenditures in all other funds and concluded that all were on target pending grant funding and year end budgeted cash transfers.

Mayor Gere invited members of the audience to comment on this agenda item. No one present wished to address the Council.

Ordinance 2983: Amending 2015-2016 CFP

Mr. Hoglund introduced draft Ordinance 2983 to amend the 2015-2020 Capital Facilities Plan to include re-roofing the Operations Shop building as discussed at the July 18, 2016 City Council meeting. Mr. Hoglund advised that Anacortes School District #103 owns 40% of the building and that the city's agreement with ASD 103 in 1985 established that the District would pay 40% of contracted maintenance including specifically roofing. He explained that the CFP amendment was necessary to allow the city to use REET to fund the project. Mr. Adams requested a written agreement with the District confirming the payment terms but supported amending the CFP to allow use of REET. Ms. Pickett agreed but pointed out that REET should only be used for the city's portion of the expense. Mr. Miller suggested bringing the ordinance back after confirmation that the District was expecting the expenditure. Mayor Gere asked Mr. Hoglund to proceed accordingly.

Mayor Gere invited members of the audience to comment on this agenda item. No one present wished to address the Council.

Ordinance 2984: Amending 2016 Budget

Mr. Hoglund presented draft Ordinance 2984 to amend the 2016 budget and reviewed the line items listed in the budget amendment. Councilmembers agreed that the revised ordinance would come back for action after the Operations Shop roof funding was resolved. Mr. Hoglund confirmed that councilmembers were generally supportive of pursuing the VOIP project.

Mayor Gere invited members of the audience to comment on this agenda item. No one present wished to address the Council.

Mayor Gere confirmed that Mr. Hoglund would bring revised versions of both Ordinances 2983 and 2984 back to Council for consideration at a future meeting.

Ms. Pickett thanked the Anacortes Police Department for working with very difficult case over the weekend and said she was very proud of the department. Mayor Gere thanked Public Defender Rob Jones for his on site assistance in the same matter.

There being no further business, at approximately 7:45 p.m. the Anacortes City Council meeting of July 25, 2016 was adjourned.

The following claims against the City of Anacortes have been preaudited and certified by the Clerk-Treasurer as ready for City Council approval at the August 1, 2016 City Council meeting:
[Download this file in OpenDocument spreadsheet format.](#)

Invoice Doc #	Transaction Date	Invoice #	Vendor #	Vendor Full Name	Description	Total Amount
206401	7/18/2016	0542005-001	02835	UNUM LIFE INS CO OF AMERICA	AUGUST, 2016 - LEOFF LONG-TERM CARE PREMIUM	\$527.76
206406	7/20/2016	101412	00244	ASSN OF WASHINGTON CITIES	AUGUST, SUPPLEMENTAL LIFE INSURANCE	\$323.41
206363	7/25/2016	1154635597	08896	WILSON DDS, NICHOLAS J	MEAD, DAVE, DENTAL SERVICES, 3/2, 6/7, 6/29 & 7/20	\$2,000.00
206432	6/13/2016	0039583-IN	02753	TMG SERVICES	ANNUAL CHLORINE SYSTEM MAINTENANCE & SERVICE	\$7,859.53
206440	7/7/2016	206866	02063	PCE PACIFIC INC	FREE CHLORINE MEMBRANES, SENSOR FILL SOLUTIONS	\$3,182.39
206357	7/22/2016	50091061, 062, 075	04057	THE SEMINAR GROUP	WATER RIGHTS TRANSFERS TRAINING NOV 9/10	\$1,470.00
206356	7/22/2016	548636	01765	MISTER T'S AWARDS/EMBROIDERY	MAYORS AWARD OF MERIT NAME PLATE	\$22.72
204501	5/25/2016	Veh licensing	00765	DEPARTMENT OF LICENSING	LICENSING VEHICLE #609	\$182.00
205080	6/2/2016	2502084389	01232	HEWLETT PACKARD ENTERPRISE CO.	NETWORK SWITCHES	\$8,699.51
205367	6/21/2016	Contract 7314	09740	DUMAS BAY CNTR	2016 WA STATE LIBRARY DIRECTORS MTG ROOM RENTAL	\$66.60
206202	6/30/2016	0669067	08811	AMAZON.COM	LAMINATING POUCHES, OOS TAGS	\$57.00
206107	7/1/2016	7612687	02896	VISA	SUPPLIES - CARNEGIE	\$92.38
206199	7/4/2016	7/4/16	02342	SAFEWAY INC	PARADE CANDY	\$57.39
206200	7/4/2016	7/4/16	09391	WALGREENS	PARADE CANDY	\$37.68
205835	7/5/2016	116-6931803-5981025	08811	AMAZON.COM	BOOK FOR ERIC SHJARBACK	\$28.33
206204	7/5/2016	9994643	08811	AMAZON.COM	FOLDER LABELS, OFFICE CHAIR FLOOR MAT,	\$67.00
205861	7/6/2016	107-0282562-3493860	08811	AMAZON.COM	BREAK ROOM SUPPLIES: COCOA	\$32.34
205907	7/7/2016	88777	00777	DEPT OF ENTERPRISE SVCS	2016 WSDOT SPEC BOOK FOR TIM	\$27.22
205923	7/7/2016	OJI142D00101C3	08879	PARTY CITY	BALLOONS FOR KIDS R BEST FEST	\$36.46
205924	7/7/2016	OJI142D00101D4	08879	PARTY CITY	SURVIVOR CAMP SUPPLIES	\$10.84
206322	7/12/2016	140284	06196	AUTOMOTIVE TRAINING GROUP INC	EVAPORATIVE EMISSIONS TRAINING	\$209.00
206124	7/12/2016	62296D	07655	DEPT OF LICENSING	VEHICLE LICENSING FOR #207A	\$49.25
206179	7/12/2016	95055138274961940097	02807	UNITED STATES POSTMASTER	MAILING OF SPRAY PARK DOCUMENTS	\$10.69

Invoice Doc #	Transaction Date	Invoice #	Vendor #	Vendor Full Name	Description	Total Amount
206122	7/12/2016	E9938-455373	02916	WASHINGTON FIRE CHIEFS	TRAINING FOR SCOTT PARRETT / DAN MARTIN	\$1,080.00
206175	7/15/2016	1015758947	02932	WASHINGTON STATE BAR ASSN.	REAL PROPERTY DESKBOOK SERIES FOR CITY ATTORNEY	\$231.32
206201	7/18/2016	486900	08811	AMAZON.COM	DEWALT DRILL	\$64.89
206303	7/19/2016	6659HR	02896	VISA	WELLNESS GRANT PURCHASES	\$420.70
206248	7/19/2016	95055138274762010086	02807	UNITED STATES POSTMASTER	MAILING OF SPRAY PARK PLANS	\$10.00
206185	7/21/2016	77715366	10088	GOTOCITRIX.COM	MONTHLY GOTOCITRIX PAYMENT 7/21-8/20/16	\$53.17
206397	5/5/2016	200006970160	02192	PUGET SOUND ENERGY	SKYLINE PUMP STATION ENERGY BILL -	\$2,820.53
206436	6/16/2016	435577	05523	PACIFIC POWER BATTERIES	ROTORK BATTERIES	\$185.58
206433	6/20/2016	O5193177	01004	FOWLER COMPANY INC, H D	FREIGHT CHARGE FOR FILTER #8 BAY B DRAIN VALVE - DOC #204639	\$117.39
206438	6/21/2016	2265	07844	NW COMMUNICATIONS, INC	RADIO REPEATER LEASE	\$520.80
206437	6/23/2016	47756/2	06246	H.B. JAEGER	HAND PUMPS FOR SAMPLE STATIONS	\$127.14
206446	6/23/2016	IN-000594541	08163	INDEPENDENT STATIONERS	CLEANING GOODS, BOOK TAPE, ETC - LIBRARY	\$444.76
206392	6/24/2016	WAANA83680	00939	FASTENAL CO	BRASS ROD FOR ANTIQUE ENGINE	\$13.40
206403	6/30/2016	06/30/16	01364	ISLAND HOSPITAL	JUNE AMBULANCE SUPPLIES, O2, LINENS	\$3,028.99
206412	6/30/2016	108012	10177	INFOSEND	JUNE UTILITY BILLS PRINT/MAIL	\$5,832.53
206384	7/1/2016	JUNE 2016	10256	HUMANE SOCIETY OF SKAGIT VALLEY	ANIMALS TO HUMANE SOCIETY; LIZARDS; APD CASE 16-A04553	\$175.00
206347	7/6/2016	001-340975	02109	PISTON SERVICE OF ANACORTES	GAS & OXYGEN TANKS	\$72.19
206345	7/6/2016	1416	06528	ECCOS DESIGN LLC	STORVIK SPRAY PARK DESIGN	\$1,379.50
206395	7/7/2016	200006942441	02192	PUGET SOUND ENERGY	MAINT PLANT POWER JUNE/JULY	\$10,340.98
206398	7/7/2016	200006943001	02192	PUGET SOUND ENERGY	ENERGY BILL FOR PS 12 - JUNE/JULY	\$59.55
206400	7/7/2016	7/7/16	01364	ISLAND HOSPITAL	CHEST XRAYS: BYER	\$90.00
206373	7/11/2016	17952	02525	SKAGIT BUSINESS & STAFFING LLC	HADDON ROAD PUD TRANSCRIPTS	\$1,185.00
206386	7/11/2016	192619	02389	SEAWESTERN FIRE APPARATUS & EO	BUNKER PANTS: VOLUNTEER DEGROOT	\$882.38
206374	7/12/2016	005690931	00368	GALLS LLC - DBA BLUMENTHAL UNIT	UNIFORM PANTS; OFC ALVES	\$56.41
206369	7/12/2016	S16-071209	00890	ENVIRO CLEAN EQUIPMENT INC	PART FOR VEH #303	\$922.40
206335	7/13/2016	0034174-IN	02199	PUGET SAFETY EQUIPMENT	FACTORY REPAIRS TO THE RETRACTALOCK	\$1,125.78
206439	7/13/2016	007H3757	01196	HARRINGTON INDUSTRIAL	CHEMICAL TUBING REPLACEMENTS	\$131.08
206366	7/13/2016	0101067	06543	PACIFIC TIRE	TIRES FOR SHOP STOCK	\$703.96
206394	7/14/2016	1117006	02681	SURETY PEST CONTROL	JULY SERVICE @ 29-2	\$44.49
206422	7/14/2016	293826	02440	SHOWCASES	CD CASES WITH BOOKWELLS	\$36.68
206421	7/14/2016	94144614	10089	MIDWEST TAPE	DVDS	\$93.25
206368	7/15/2016	0101177	06543	PACIFIC TIRE	SERVICE FOR VEH #510	\$187.71

Invoice Doc #	Transaction Date	Invoice #	Vendor #	Vendor Full Name	Description	Total Amount
206360	7/18/2016	001-342177	02109	PISTON SERVICE OF ANACORTES	PART FOR VEH #603	\$21.49
206370	7/18/2016	6276	06498	COASTAL WEAR PRODUCTS	PART FOR VEH #303	\$444.85
206377	7/18/2016	855493-0	09557	KEENEY'S	OFFICE SUPPLIES; FINGERPRINT WIPES	\$40.66
206378	7/18/2016	REIMB	09143	RAY, SCOTT	PATROL SUPPLIES; K9 GROOMING	\$50.00
206362	7/19/2016	001-342329	02109	PISTON SERVICE OF ANACORTES	PARTS FOR VEH #512	\$47.21
206341	7/19/2016	0516303	00932	FERGUSON ENTERPRISES, INC	METER FOR HIGH SCHOOL PROJECT	\$3,445.82
206411	7/19/2016	108478	10177	INFOSEND	SNIPER FOR NEW BILL	\$560.00
206364	7/19/2016	109719	01022	FRONTIER FORD	PART FOR VEH #012A	\$385.33
206435	7/19/2016	20160801	08563	CHOWANEC, BILL	STA 3 RENT: AUGUST	\$1,976.00
206346	7/19/2016	237455	01023	FRONTIER BUILDING SUPPLY	POWERLOCK RULE, SPIKES - ACFL	\$36.42
206313	7/19/2016	674 400 00000 7	00494	CASCADE NATURAL GAS CORP.	STA 1:	\$39.46
206416	7/19/2016	I4273246	01004	FOWLER COMPANY INC, H D	MARKING PAINT FOR UTILITY LOCATING	\$231.28
206361	7/20/2016	001-342443	02109	PISTON SERVICE OF ANACORTES	PART FOR VEH #012	\$35.81
206379	7/20/2016	038 200 0000 2	00494	CASCADE NATURAL GAS CORP.	NATURAL GAS	\$189.94
206396	7/20/2016	07-2016	09816	FIRE SERVICE ENTERPRISE LLC	JULY VOLUNTEER RECRUITING CONTRACT	\$2,220.83
206320	7/20/2016	107-4425587-6003433	08811	AMAZON.COM	OFFICE SUPPLIES - KLEENEX TISSUES	\$45.99
206328	7/20/2016	121	10141	SARAH SIBLEY	QUARTERLY POSTS FOR PW WEB PAGE	\$600.00
206429	7/20/2016	154 700 0000 9	00494	CASCADE NATURAL GAS CORP.	NATURAL GAS 1220 10TH STREET	\$25.92
206399	7/20/2016	16940000009	00494	CASCADE NATURAL GAS CORP.	STA 2: 6/18 - 7/19	\$20.35
206383	7/20/2016	17968	02525	SKAGIT BUSINESS & STAFFING LLC	HADDON ROAD PUD TRANSCRIPTS	\$765.00
206404	7/20/2016	19886988721	06718	ARAMARK	MAT SERVICE @ 29-3: 7/20	\$21.70
206350	7/20/2016	26003738221	00494	CASCADE NATURAL GAS CORP.	GAS SERVICE - DEPOT	\$16.50
206428	7/20/2016	5039295MB	01530	LAKESIDE INDUSTRIES	DUMP FEES - STREET DEPT.	\$136.22
206423	7/20/2016	5104032MB	01530	LAKESIDE INDUSTRIES	WA CLASS G ASPHALT	\$2,020.09
206351	7/20/2016	53800000001	00494	CASCADE NATURAL GAS CORP.	GAS SERVICE - CEMETERY	\$17.17
206352	7/20/2016	63800000000	00494	CASCADE NATURAL GAS CORP.	GAS SERVICE - CEMETERY	\$10.00
206353	7/20/2016	8564	02144	PORT SUPPLY	OIL ABSORB SHEETS - SAILING	\$4.10
206331	7/20/2016	98980000008	00494	CASCADE NATURAL GAS CORP.	NATURAL GAS FOR WWTP	\$10.00

Invoice Doc #	Transaction Date	Invoice #	Vendor #	Vendor Full Name	Description	Total Amount
206348	7/20/2016	A113126	02405	SEBO'S DO-IT CENTER	TOOLS	\$44.46
206390	7/20/2016	A1131347	02405	SEBO'S DO-IT CENTER	REFLECTOR TAPE AND STRETCH CORD	\$36.31
206367	7/20/2016	AFD Q316	02505	SKAGIT- 911	3RD QUARTER USER FEE, 3RD QUARTER INFRASTRUCTURE	\$3,691.96
206381	7/20/2016	AFD WS Q@16	02505	SKAGIT- 911	WEST SIDE PROJECT 2ND QTR	\$8,092.24
206409	7/20/2016	C16021250	10257	ZULLO, ALBERT D.	REFUND AMBULANCE OVERPAYMENT	\$50.00
206408	7/20/2016	C16022503	10258	HAYWOOD, MILDRED L.	REFUND AMBULANCE OVERPAYMENT	\$73.96
206349	7/20/2016	cash&carry72016	09946	CASH & CARRY	GATORADE & PAPER CUPS - ART DASH	\$175.27
206354	7/20/2016	MV142320	01801	MOTOR TRUCKS INC	MT KIT FOR #513	\$615.80
206388	7/20/2016	MV142337	01801	MOTOR TRUCKS INC	PARTS FOR VEH #219	\$9.30
206359	7/21/2016	001-342538	02109	PISTON SERVICE OF ANACORTES	PART FOR VEH #133	\$9.17
206358	7/21/2016	1092655979	02193	FERRELLGAS	PROPANE REFILL FOR SHOP	\$189.33
206431	7/21/2016	1116969	02681	SURETY PEST CONTROL	PEST CONTROL	\$66.19
206434	7/21/2016	13556	09617	FRONTLINE CLEANING SERVICES	JANITORIAL SERVICE FOR JULY- OPERATIONS	\$336.00
206336	7/21/2016	15025	10250	FLOORING CONNECTIONS INC	RE-FLOORING AT SENIOR CENTER	\$7,491.93
206337	7/21/2016	15031	10250	FLOORING CONNECTIONS INC	RE-FLOORING AT ANACORTES FIRE STATION #1	\$5,253.57
206405	7/21/2016	1988700908	06718	ARAMARK	STA 2 MAT SERVICE: 7/21	\$16.28
206407	7/21/2016	1988700909	06718	ARAMARK	STA 1 MAT SERVICE: 7/21	\$21.70
206375	7/21/2016	1988700913	06718	ARAMARK	NYLON MATS CLEANED	\$16.28
206380	7/21/2016	201126765	02920	CRIMINAL JUSTICE TRAINING	TRAINING; BASIC LE ACADEMY 735; TREVINO	\$1,891.17
206365	7/21/2016	300-10010878	05987	ALL BATTERY SALES & SERVICE	PARTS FOR SHOP	\$81.81
206332	7/21/2016	300000003909	02192	PUGET SOUND ENERGY	PUMP STATION & FERRY TERMINAL ENERGY BILLING	\$1,266.98
206334	7/21/2016	3353979	01221	HENRY PRATT COMPANY	HYDRO GATES FOR M AVE	\$1,709.96
206425	7/21/2016	9436	09617	FRONTLINE CLEANING SERVICES	CUSTODIAL SERVICE	\$1,314.78
206338	7/21/2016	Dated 6/29/2016	02360	SAVAGE ROOFING	ROOF OVER FIRE STATION #1	\$13,942.25
206071	7/21/2016	I4276050	01004	FOWLER COMPANY INC, H D	3/4" FORD PTF-1 FIP X INSERT ADAPTER	\$4,152.88
206385	7/21/2016	LTAC Reimburse	10255	DOYLE, STACY	LTAC VINTAGE MARKET	\$7,000.00
206424	7/22/2016	001-342606	02109	PISTON SERVICE OF ANACORTES	PART FOR VEH #133	\$39.58
206420	7/22/2016	147	09690	PRECISION TREE SERVICE	TREE REMOVAL OF ALDER AND WILLOW PER	\$2,387.00
206376	7/22/2016	160585	04831	T-SHIRTS BY DESIGN	T-SHIRTS, SHORTS, HAT FOR BYER	\$139.97
206389	7/22/2016	273852	09522	U.S. MOWER	PARTS FOR VEH #704	\$234.51
206355	7/22/2016	A1132139	02405	SEBO'S DO-IT CENTER	KEY FOR CASHIER SAFE	\$1.37

Invoice Doc #	Transaction Date	Invoice #	Vendor #	Vendor Full Name	Description	Total Amount
206402	7/22/2016	LTAC Reimburse	02141	PORT OF ANACORTES	LTAC PORT ROCK THE DOCK 2016	\$5,500.00
206430	7/22/2016	TM-159906	00095	ALPINE PRODUCTS INC	BLUE 4X4 MARKERS - ROAD REPAIRS SLURRY SEAL PROJECT	\$301.55
206382	7/23/2016	00005W5A83306	02817	UNITED PARCEL SERVICE	UPS SHIPPING CHARGES	\$83.64
206410	7/25/2016	16-047-WTR-001	07603	NUTTER SR, LOUIS	RELEASE 50% CONTRACT RETAINAGE	\$3,750.00
206413	7/25/2016	1988705101	06718	ARAMARK	LAUNDRY SERVICE FOR WWTP	\$73.83
206418	7/25/2016	238153	01023	FRONTIER BUILDING SUPPLY	SANDPAPER	\$32.42
206393	7/25/2016	5003404	00145	ANACORTES AMERICAN	ANACORTES AMERICAN YEARLY SUBSCRIPTION	\$43.00
206417	7/25/2016	C274057	02405	SEBO'S DO-IT CENTER	SOD CUTTER RENTAL - STORVIK	\$32.55
206391	7/25/2016	I6008768	02930	WASHINGTON STATE PATROL	BACKGROUND CHECK ON JAMES HENDRIX -	\$12.00
206444	7/26/2016	381072062	00531	CH2M HILL ENGINEERS INC	WWTP INCINERATOR SCRUBBER 3/5/16-7/8/16	\$32,533.00
206445	7/26/2016	Pay Application 2	06115	C JOHNSON CONSTRUCTION INC	2016 AC WATRLINE REPLACEMENT	\$126,757.17
206441	7/26/2016	Quote 10289	06119	GRANITE PRECASTING & CONCRETE	2 MAN HOLES M AVE SS PROJECT	\$7,000.42
206419	7/26/2016	refundwapk	10260	JENISON, TROY	REFUND BOAT TRAILER PARKING @ RESIDENT	\$114.00

Total

\$307,490.79



City Council Agenda Item

Meeting Date: 8/1/2016

Agenda Item: 5c

Subject: COA/DNR Memorandum of Agreement to collaboratively look into the potential removal/replacement of the Tommy Thompson Parkway trestle and/or causeway.

Staff Contact: Gary Robinson

Approved for Submittal to Council by	
x	Laurie Gere, Mayor
x	Darcy Swetnam, City Attorney

Action Type	
x	Memorandum of Agreement

Summary Statement: The Department of Natural Resources would like to work with the City of Anacortes in looking into the possibility of removing and replacing the existing trestle and causeway of the Tommy Thompson Trail with a less environmentally damaging trestle with non-creosote piles.

Background: We discussed this issue with Council in a study session back in February and are now looking for formal approval. Staff is supportive of this project in that it will likely have long term positive environmental impacts and the trestle and causeway are likely to require some kind of repair / replacement with the next 10 – 20 years. Staff has a few concerns about the cost of the project and how it might affect our other trail efforts but feels that we can work with the DNR staff and avoid those issues. The DNR has assured us that the cost to the City will be very minimal if any at all. There is significant supporting documentation at the following link that has a couple of memos from the DNR about the potential costs for the project(s), a Fidalgo Bay Causeway Feasibility Study Report prepared for the Samish Indian Nation, Fidalgo Bay Salt Marsh Restoration Feasibility prepared for the Samish Indian Nation, and a Limited Survey Report of the T. Thompson Causeway prepared for the Samish Indian Nation.

<http://www.cityofanacortes.org/TrestleCausewayReplacementFeasibility.pdf>

Previous Council/Committee Action: This was discussed at a Council study session in February where it received general support and we are now bringing it back to Council for formal action.

Competing Viewpoints Considered: I believe that we will consider competing views as to how best to accomplish this task as the project progresses.

Recommended Motion: I move that Council authorize the Mayor to execute the Memorandum of Agreement with the Department of Natural Resources regarding work on the Tommy Thompson Parkway Trestle and Causeway.

Alternative Actions: Don't execute the agreement.

Attachments (listed in order presented): Memorandum of Agreement

MEMORANDUM OF AGREEMENT

Agreement No. 16-297

This Agreement is between the City of Anacortes, referred to as the City and the Washington State Department of Natural Resources, referred to as the DNR.

The DNR is under authority of RCW Chapter 43.30 of Washington State, Department of Natural Resources. DNR and City of Anacortes enter into this agreement under Chapter 39.34, Interlocal Cooperation Act.

The purpose of this Agreement is to: Develop a long term plan for restoration of Fidalgo Bay and continuing to provide public access. This includes the city owned Tommy Thompson Trail and trestle that bisects the Fidalgo Bay Aquatic Reserve.

We agree to the provisions and statements outlines below:

1.01 Definitions:

DNR – an agency of the State of Washington

City – the City of Anacortes

SOAL – State-owned aquatic lands

Memorandum of Agreement - The DNR and the City enter into this Agreement, in good faith, to collaborate on and/or coordinate projects, and to define institutional linkages along areas of concern. Memorandums of Agreement are not legal contracts and do not strictly obligate the resources of the Department or the City.

2.01 Objectives

- Create a formal cooperative agreement between DNR and the City that encourages joint planning, public outreach, and implementation of Fidalgo Bay restoration.
- DNR and the City agree to work cooperatively to develop a specific restoration plan for the city-owned Tommy Thompson Trail trestle and causeway and aquatic land in Fidalgo Bay.
- DNR and the City both understand that the City is working on a very significant trail linkage from Washington Park to Marches Point Park and Ride and that this project will not compete for any funds that might be available for that project and will make sure that this project does not have a negative impact on that trail effort.

- The plan will include recommendations for potential removal or encasement of creosote pilings and replacing the public trail infrastructure with a non-toxic and functional replacement that seeks to avoid and minimize impacts to aquatic vegetation and fish and wildlife habitats, restores sediment transport processes, and protects water quality. This plan will form the basis of future grant applications and complementary partnerships with additional organizations. Details regarding tasks for the agreement are included in Attachment A.

2.01 Functions/Roles/Tasks.

DNR Shall:

- Work with an engineering firm to develop cost estimates for the project design phase, and estimates for removal / encasement of current trestle and causeway and completing trail re-construction. (As available budget permits)
- Make DNR staff with scientific and creosote removal / encasement expertise available for the project development.
- Help coordinate meetings with partners, permitting agencies and funding sources.

The City of Anacortes Shall:

- Project lead, including future contracts to remove and rebuild the trestle.
- Coordinate public meetings, supported by DNR staff, to discuss future of trail and trestle crossing the aquatic reserve.
- Coordinate with partners and DNR to seek funding, build support, and implement first steps of the project.

3.01 Terms and Conditions

- 1) Effective Dates. The effective date of this Agreement shall begin on January 1 2016, and end on December 31, 2018 unless terminated sooner as provided herein. This agreement will be reviewed every two years.
- 2) Amendments. This Agreement may be amended by mutual agreement of the parties. Amendments shall be in writing and signed by personnel authorized to bind each of the parties.
- 3) Termination. Either party may terminate this Agreement by notifying the other party, at the addresses given, of the termination and specifying the termination date. The

terminating party shall deliver the notice at least fifteen (15) days prior to the termination date.

4.01 Project Coordinators.

- (1) The Project Coordinator for the Agency is Gary Robinson, Telephone Number 360-293-1918.
- (2) The Project Coordinator for the DNR is Birdie Davenport. Telephone Number 360-902-1073.

IN WITNESS WHEREOF, the parties have executed this Agreement.

CITY OF ANACORTES

Dated: _____, 2016__

By: _____

Laurie Gere

Title: Mayor, City of Anacortes

Address: P.O. Box 547, Anacortes, WA 98221

Phone: 360.299.1900

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES

Dated: _____, 2016__

By: _____

Kristin Swenddal

Title: Aquatic Resources Division Manager

Address: PO BOX 47027 Olympia WA 98504

Phone 360.902.1100

Attachment A

Statement of Work

The City of Anacortes and the Department of Natural Resources (DNR) agree to work cooperatively to develop a plan for the restoration of Fidalgo Bay in the vicinity of the trestle.

Background:

The City owns a railroad right of way that includes a railroad trestle that terminates at the eastern shoreline of Fidalgo Bay. The Tommy Thompson Trail is a popular multiple use trail that starts at the Port of Anacortes, borders the waterfront and across Fidalgo bay, ending at Marches Point. The portion of the trail that bisects the Bay is built on a causeway and trestle that follows a railroad right of way owned by the city of Anacortes. The well-used trail provides a scenic view of the bay. The trestle portion of the trail is 2020' and supported by existing creosote pilings. The causeway section is on fill protected by riprap armoring and extending 2360' across the bay. The right of way is generally 100 feet wide. The citizens of Anacortes and surrounding communities are devoted to the trail and have personally invested funds to repair and maintain it, and must be an integral part of any plan for replacement. The City is working to extend the trail to the west and has existing commitments and priorities for funding trail construction.

DNR has designated 780 acres of state-owned aquatic land within Fidalgo Bay as an Aquatic Reserve. The reserve protects herring spawning habitat, as well as surf smelt spawning habitat (an important forage fish for salmon and other species.) The reserve also supports extensive eelgrass beds that provide juvenile salmon habitat and is the basis for a complex estuarine ecosystem. The reserve program has sponsored several restoration projects to restore spawning substrate to Fidalgo Bay beaches, led debris cleanup work parties, and worked cooperatively with partners on monitoring forage fish and nearshore environments. Native shellfish restoration is also underway near the trestle. The railroad trestle and causeway bisects the reserve, and the elevated trail is a prominent feature at the site. The trestle also contains hazardous materials that could be removed / isolated from the aquatic environment of the reserve. DNR has an aquatic restoration program that works in conjunction with the aquatic reserve program on major restoration projects such as this one, and will be involved with plan development. The Samish Tribe has completed feasibility studies on the trestle which could help inform this project as well.

Actions proposed for the Agreement:

DNR proposes to take the lead on developing cost estimates for the design phase of the trestle removal and replacement project, which will be an initial phase of the project. DNR is not making a financial commitment as part of this agreement, but will undertake this step with the understanding that the reserve program has sufficient funding to support it. This design phase may include additional feasibility work, such as sediment contaminant studies, creosote isolation studies, etc. The basic project concept information can be used to initiate a public discussion about the need and opportunity to remove and replace the creosote structure with an appropriate, non-toxic alternative. The public meeting(s) will be hosted by the City with support from DNR and other partners. In conjunction with or following the initial public process, discussions with potential funding sources, permitting agencies and partners will take place. DNR will commit staff time to support these discussions.

The initial objective of acquiring grant funds will be to complete the design and engineering phase of the project. Additional public meetings with the designer may be considered as part of this agreement if the project is successfully funded.



City Council Agenda Bill

Meeting Date: 8/1/2016 **Agenda Item:** 5-4E

Subject: Street Fair Applications, Eagles BBQ, Oyster Run and Jingle Bell Dash

Staff Contact: Don Measamer, Fred Buckenmeyer

Approved for Submittal to Council by	
	Laurie Gere, Mayor
	Steve Hoglund, Finance Director
	Darcy Swetnam, City Attorney
X	Don Measamer

Action Type	
	Ordinance No.
	Code Revision?
	Resolution No.
	Contract
	Public Hearing
	Staff Report

Summary Statement: Street fair applications attached for the annual Eagles BBQ, Oyster Run and the Jingle Bell Dash.

Background: These are annual events reviewed on a yearly basis. The Oyster Run, with the Anacortes Police Department, (APD) has been approved for \$10,000 to cover APD overtime costs.

Budget Impact	
Amount Budgeted	
Budget Account (BARS)	
Proposed Expenditure	
Budget Amendment Required?	
Revenue Source	

Proposed Contract	
Contractor	
Amount	
Start Date	
End Date	

Previous Council/Committee Action: Annual events

Competing Viewpoints Considered: NA

Recommended Motion: I move to approve the street fair applications as presented

Alternative Actions: Deny the requests

Attachments (listed in order presented): Eagles BBQ Street Fair Application, Oyster Run Street Fair Application, and the Jingle Bell Dash Street Fair Application



To: City Council Members, Mayor Gere
From: Fred Buckenmeyer, Director of Public Works
CC: Marcia Hunt
Date: 7/25/16
Subject: Eagles Barbecue - Street Fair Application

Subject:

Eagles Barbecue

Location:

901 7th St.

Dates:

August – Friday 8/19/16
Saturday 8/20/16
Sunday 8/21/16

Time:

8:00 AM – 7:00 PM each day for the annual event.

Background:

This is an annual Salmon Barbecue sponsored by the Anacortes Eagles. They have requested to hold this event August 19, 20, and 21 from 8:00 am to 7:00 pm.

Discussion:

Street Closures:

- East half of 7th St. between Commercial Ave. and Q Ave. for tables and chairs.
- Parking strip between 7th St. and 8th St. on the West side of Q Ave. for Barbecues

- The above locations will be barricaded. Applicant will provide cones, pylons and barricades.

Parking Restrictions:

- Parking will be restricted on all of the above closed area
- “No Parking” signs must be posted on all closed and restricted areas 72 hours prior to the event.

Public Works Services:

- City will provide solid waste services as requested by the applicant.
- “No Parking” signs will be provided by the City Building Department.
- Applicant and City Staff have agreed to conditions and services.

Recommendations:

Staff recommends approval subject to applicant’s submitted plan.

Proposed Motion:

Recommend approval.

Contact Info:

David Mooney 360-293-3012



STREET FAIR APPLICATION

Date Received: _____ Received by: _____ City Council Approved: _____

NAME OF EVENT ANACORTES SALMON BBQ

DATES of Event 19 AUG 20 AUG 21 AUG 2016

TIME of Day 8:AM - 7PM

NATURE/PURPOSE of Event FUNDRAISING

PARTICIPANTS/Attendees (estimated number) 500

LOCATION of Event (include locations and dimensions of any structure to be erected, dimensions of street/right-of-way to be used and dimensions of same to remain unobstructed) _____

EAST 1/4 OF 7th ST.
Q AVE PARKING STRIP 7th ST. to 8th ST. WEST SIDE

DESCRIPTION of Event FUND RAISING

FACILITIES requested (street, sidewalk, park, etc.) _____

Parking Strip west side Q^{AVE} 7th to 8th ST.
18 AUG. 6AM to 22 AUG. 6PM.

Dates/hours requested _____

EQUIPMENT requested NONE

Dates/hours requested _____

SERVICES requested (eg. Custodial, traffic control) _____

Dates/hours requested _____

PARKING (include locations and dimensions of parking space to be available/provided) _____

INSURANCE (Certificate of Insurance must be submitted with Application)

Required _____ Not Required _____

FEES (itemize any Admission fees/space rental fees/sale of items/solicitation of funds) _____

APPLICANT/ORGANIZATION (Name) ANACORTES EAGLES

Name of responsible person DAVID MOORAY Phone # 360-293-3012

Address 1315 10th St ANACORTES WA 98221

Date of Birth 04/17/1955

Event and contact information to be included on the City website:

Contact Name ANACORTES EAGLES Phone # 360-293-3012

Contact Address 901 10th St

Email Address _____ Website address _____

Event Address _____ Hours of Event _____

Does your event require vendor(s) or participant(s) to sign up to participate? NO

The undersigned agrees to assume responsibility for the above-described event, and to abide by all conditions stipulated upon acceptance of permit.

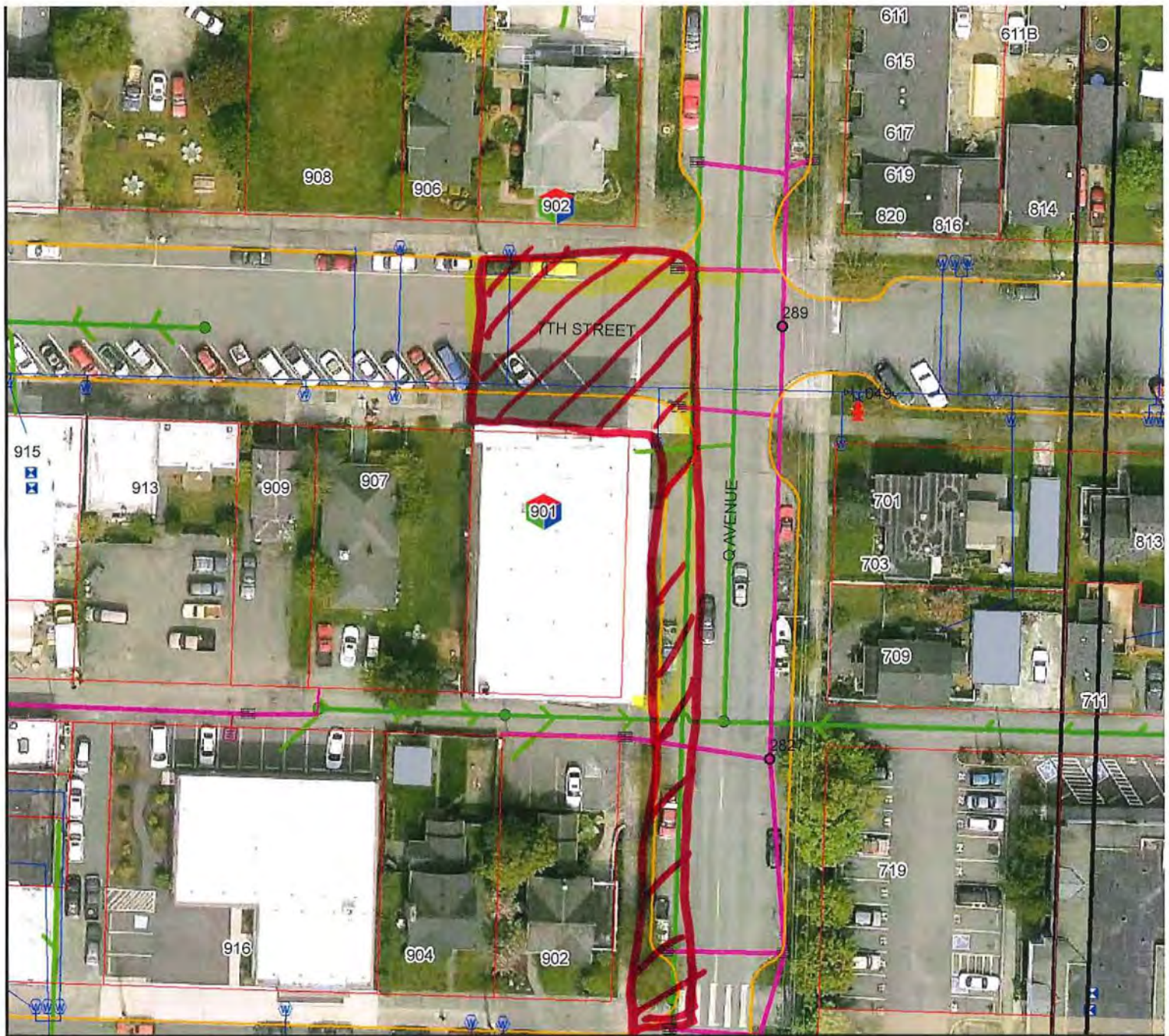
Signature David Mooray Date 7/20/16

* FOR OFFICE USE ONLY *

	Initials	Comments (Stipulate Conditions of Approval on Reverse)
Mayor	_____	_____
Building	_____	_____
Fire	_____	_____
Parks	_____	_____
Police	_____	_____
Public Works	_____	_____
City Council	_____	_____

* PERMIT *

Permit will be issued after review by above Department Heads and City Council subject to the following conditions: Compliance with all City Ordinances, Compliance with Department with Public Works regulations, and Submittal of Certificate of Insurance saving the City harmless from all liability.



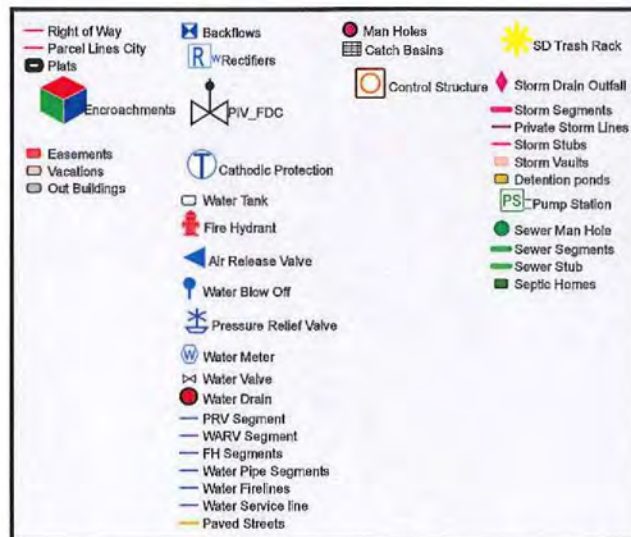
0 30 60 Feet

City of Anacortes Utilities

Parks also



Revised
July 2016



Area proposed



To: City Council Members, Mayor Gere
From: Fred Buckenmeyer, Director of Public Works
CC: Marcia Hunt
Date: July 25, 2016
Subject: Oyster Run Street Fair Application

Subject:

Oyster Run

Location:

Downtown Anacortes

Dates:

September 25, 2016

Time:

6:00 AM – 6:00 PM

Background:

Annual motorcycle run, music stage and vendors.

Discussion:

Street Closure:

- O Ave 3rd St. to Railroad Ave.
- Commercial Ave. from Port Dock to 10th St.
- All side streets between O Ave. and Commercial Ave. from Port Dock to 10th St. (including 10th St.) will have limited access.
- All side streets between Q Ave. and Commercial Ave. from Port Dock to 10th St. will have limited access.
- Limited access streets will be posted and supervised by the applicant's staff.

- 4th St. will be open for emergency access
- All intersections on Commercial Ave. will be unobstructed.

Parking Restrictions:

- Both Sides of R Ave. from 9th St. to the 4th St.
- Parking will be restricted on all closed streets and limited access streets.
- The applicant will post no parking signs 72 hours prior to the event.

Public Works Services:

- The City Solid Waste Dept. will provide garbage service according to the applicant's submitted plan.
- The City Building Department will supply "No Parking" signs.
- The parking lot behind City Hall will be used for handicap parking.
- The parking lot across the street from City Hall (City Lot) will be used for trailer parking.
- All cones, barricades and pylons will be supplied by applicant.

Police Services:

- Police services will be provided as arranged by the applicant and the City Police Dept.
- The Lodging Tax Advisory Committee and City Council approved \$10,000 in funding for APD overtime to go directly to the APD.

Recommendations:

Staff recommends approval subject to applicant's submitted plan.

Proposed Motion:

Recommend approval.

Emergency Contact:

Angie Haynes	(425) 508- 8524
Lee Ashbach	Cell (425) 220-2773
LJ Agnew	Cell (425) 501-5365
Jéff Arnold	Cell (360) 826-4340

Received
2/1/16

Mailed 1/24/16
PO Box 547
Anacortes WA
98221

STREET FAIR APPLICATION

NAME OF EVENT Oyster Run
DATES of Event 9/25/2016
TIME of Day 6Am-6pm
NATURE/PURPOSE of Event Motorcycle Rally w/ Vendors, Band & Drill team
PARTICIPANTS/Attendees (estimated number) 15,000
LOCATION of Event (include locations and dimensions of any structure to be erected, dimensions of street/right-of-way to be used and dimensions of same to remain unobstructed) Commercial & Side Streets 1 blk east & 1 block west
DESCRIPTION of Event Motorcycle Rally w/ Vendors, band & drill team
FACILITIES requested (street, sidewalk, park, etc.) Commercial & Side Streets 1 block East & 1 block West
Dates/hours requested 6Am-6pm 9/25/16
EQUIPMENT requested -
Dates/hours requested -
SERVICES requested (eg. Custodial, traffic control) Traffic Control
Dates/hours requested 9/25/16 6Am-6pm
PARKING (include locations and dimensions of parking space to be available/provided) both Sides of Ave from 9th to 4th & East & West sides of O between 4th & 5th
INSURANCE (Certificate of Insurance must be submitted with Application)
Required Not Required
FEES (itemize any Admission fees/space rental fees/sale of items/solicitation of funds) _____
APPLICANT/ORGANIZATION (Name) Oyster Run
Name of responsible person Angie Haynes Phone # 425-508-8524
Address 201 Morgan Rd
Everett WA 98203 Date of Birth 8/27/69
The undersigned agrees to assume responsibility for the above described event, and to abide by all conditions stipulated upon acceptance of permit.
Signature Angie Haynes Date 1/23/16

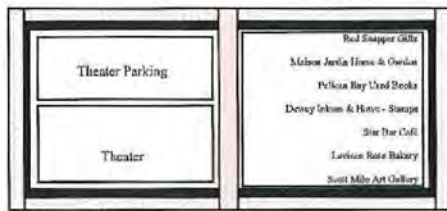
* FOR OFFICE USE ONLY *

	Initials	Comments (Stipulate Conditions of Approval on Reverse)
Mayor	_____	_____
Building	_____	_____
Fire	_____	_____
Parks	_____	_____
Police	_____	_____
Public Works	_____	_____

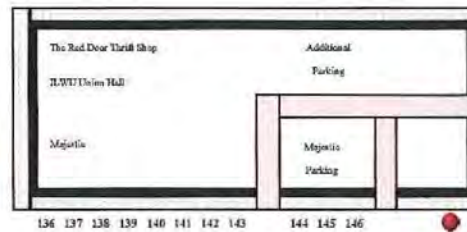
* PERMIT *

Permit will be issued after review by above Department Heads subject to the following conditions:
Compliance with all City Ordinances
Compliance with Department with Public Works regulations
Submittal of Certificate of Insurance saving the City harmless from any and all damages which may accrue to any person or property as a result of this event.
Compliance with special stipulations stated on Permit issued, signed by Mayor.

(Open Street)

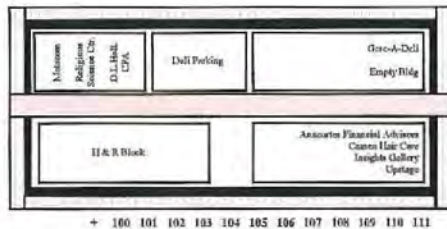


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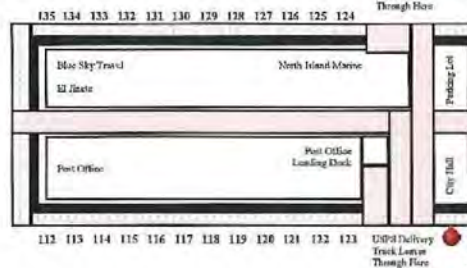


5th Street

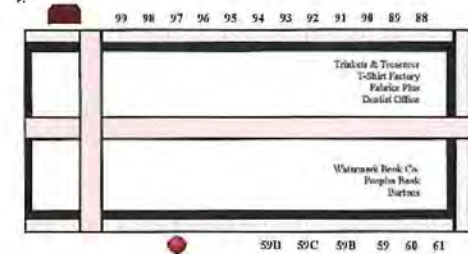
Drill Teams



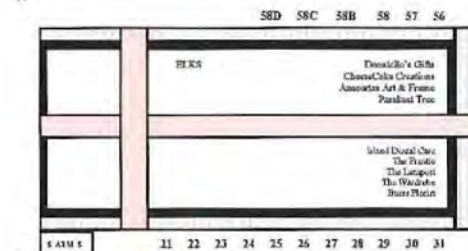
COMMERICAL
AVE



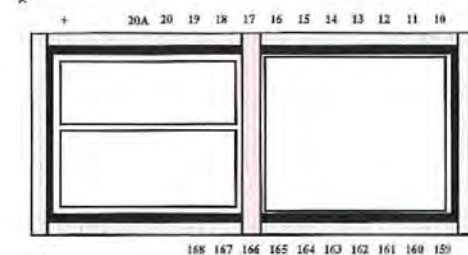
6th Street



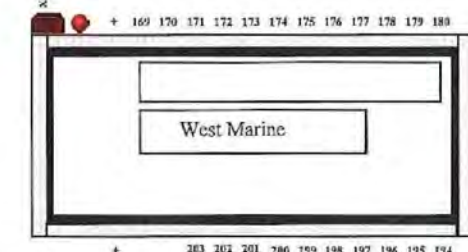
7th Street



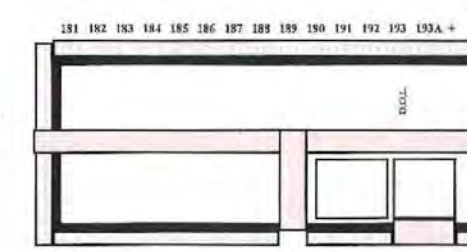
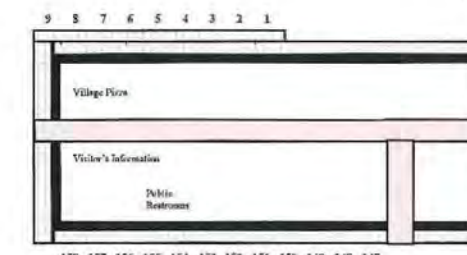
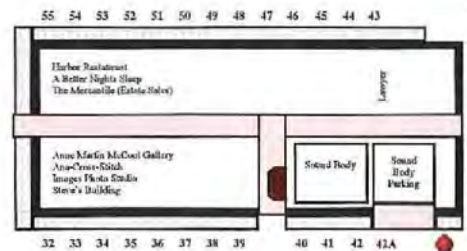
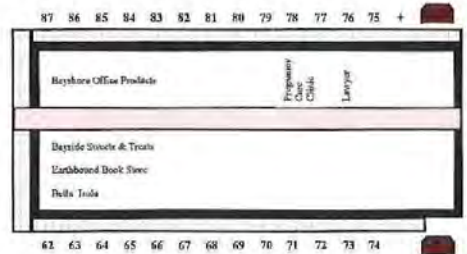
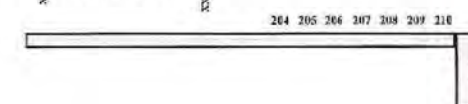
8th Street



9th Street



10th Street



Open Street

 Dumpsters

 Sani Cans

Radio Shack



To: City Council Members, Mayor Gere
From: Fred Buckenmeyer, Director of Public Works
CC: Marcia Hunt
Date: 7/25/16
Subject: Jingle Bell Dash 5K Run/Walk and Kids Dash to Santa

Jingle Bell Dash

When: December 17, 2016

Time: 7:00 am – 2:00 pm

Location: Downtown Anacortes, See attached route map.

Background:

- Fund raiser for AAUW- Anacortes Stem Programs, which provides Tech Trek camp scholarships to 7th grade girls from AMS; four science and math awards to AMS 8th grade girls; 3 science/math/technology scholarships to AHS

Discussion:

Event will start at the Seafarers Memorial Park, parking at The Marine Tech Center and the adjacent gravel parking lot.

Street Closure:

Streets are not proposed to be closed

Event is from 7:00 am – 2:00 pm

Parking Restrictions:

Parking is on site.

Public Works Services:

NA

Discussion

The applicant will work with the Auxiliary Patrol and volunteers for traffic control .

Recommendations

Staff recommends approval subject to applicant's submitted plan.

Contact Information

Beth Meenaghan 360.391.3188



STREET FAIR APPLICATION

Date Received: _____ Received by: _____ City Council Approved: _____

NAME OF EVENT Jingle Bell Dash 5k Run/Walk and Kids Dash to Santa

DATES of Event Saturday December 17th, 2016

TIME of Day morning/early afternoon (race begins 11 am, kids dash at 10:45, registration at 9)

NATURE/PURPOSE of Event fund raiser for AAUW-Anacortes STEM programs, which provides Tech Trek camp scholarships to 7th grade girls from AMS; four science and math awards to AMS 8th grade girls; and 3 science/math/technology scholarships to AHS seniors

PARTICIPANTS/Attendees (estimated number) 500 max (may be capped at a lower level)

LOCATION of Event (include locations and dimensions of any structure to be erected, dimensions of street/right-of-way to be used and dimensions of same to remain unobstructed) Seafarer's Memorial Park. I am renting the building there, and will erect a tent if necessary if attendance exceeds capacity of building for registration and post-race activities. We will provide additional port-a-potties if needed.

DESCRIPTION of Event I would like to establish a fun community event that is also a fund-raiser for our organization. A typical 5k run/walk, plus the 100 yd dash for children. All of the participants will be provided with Jingle Bells to wear during the event. The start and finish will feature Santa and Christmas music. Cookies and hot chocolate at the end of the event. The 2015 event was well received by the community, a lot of fun, and a successful fundraiser for scholarships.

FACILITIES requested (street, sidewalk, park, etc.) Seafarer's Memorial Park; use of parking @ Marine Tech Center and the adjacent gravel lots, as well as new gravel lot on the corner of 14th Street; Tommy Thompson Trail as indicated on route map; streets as indicated on route map.

Dates/hours requested Dec 17, 7 am – 2 pm

EQUIPMENT requested _____

Dates/hours requested _____

SERVICES requested (eg. Custodial, traffic control) traffic control. Last year Auxialiary Patrol assisted at Commercial and 8th, and maybe a couple other 8th street crossings. Volunteers handled all other intersections

Dates/hours requested Dec 17 11 am – 2 pm

PARKING (include locations and dimensions of parking space to be available/provided) Marine Tech lot; adjacent gravel lots; new gravel lot on corner of 14th street

INSURANCE (Certificate of Insurance must be submitted with Application)

Required ☐ Not Required ☐

FEES (itemize any Admission fees/space rental fees/sale of items/solicitation of funds) race entry fees such as:

pre-registration Youth 7-17, \$20; Adult, \$25; Day of – Youth \$25, Adult \$30

Kids Dash: free, donate non-perishable item for food bank

APPLICANT/ORGANIZATION (Name) AAUW-Anacortes,

Name of responsible person Beth Meenaghan Phone # 360-391-3188

Address 3211 Oakes Ave

Anacortes, WA 98221

Date of Birth 03/09/1964

Event and contact information to be included on the City website:

Contact Name Beth Meenaghan Phone # 360-391-3188

Contact Address PO Box 1564, Anacortes, WA 98221

Email Address BethMeenaghan@gmail.com Website address will provide when available

Event Address Seafarer's Memorial Park, 601 Seafarer's Way Hours of Event 9 am – 2 pm

Does your event require vendor(s) or participant(s) to sign up to participate? Yes

The undersigned agrees to assume responsibility for the above-described event, and to abide by all conditions stipulated upon acceptance of permit.

Signature Beth Meenaghan Date 11 June 2016

*** FOR OFFICE USE ONLY ***

	Initials	Comments (Stipulate Conditions of Approval on Reverse)
Mayor	_____	_____
Building	_____	_____
Fire	_____	_____
Parks	_____	_____
Police	_____	_____
Public Works	_____	_____
City Council	_____	_____

*** PERMIT ***

Permit will be issued after review by above Department Heads and City Council subject to the following conditions: Compliance with all City Ordinances, Compliance with Department with Public Works regulations, and Submittal of Certificate of Insurance saving the City harmless from all liability.

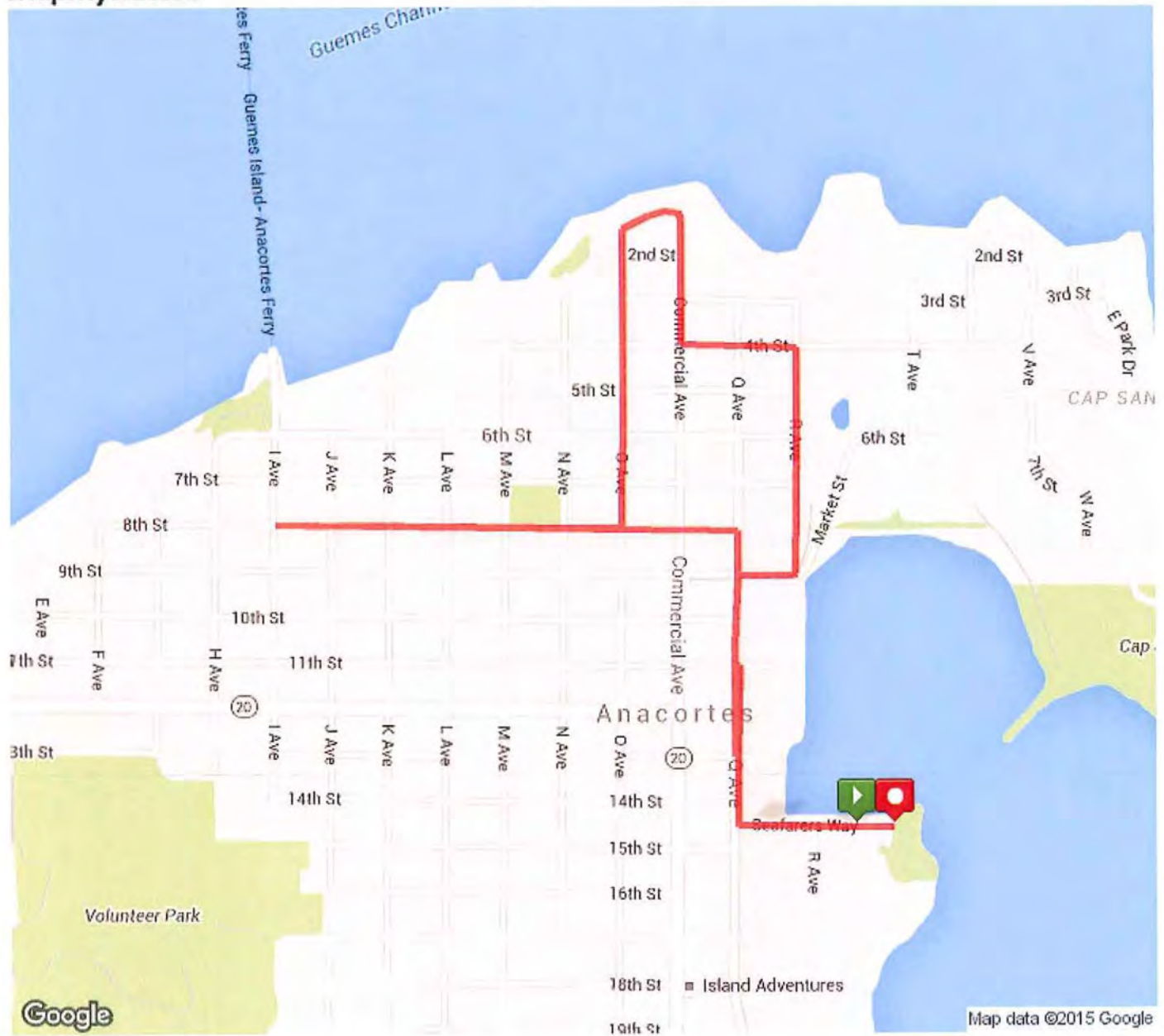


Jingle Bell Dash Final

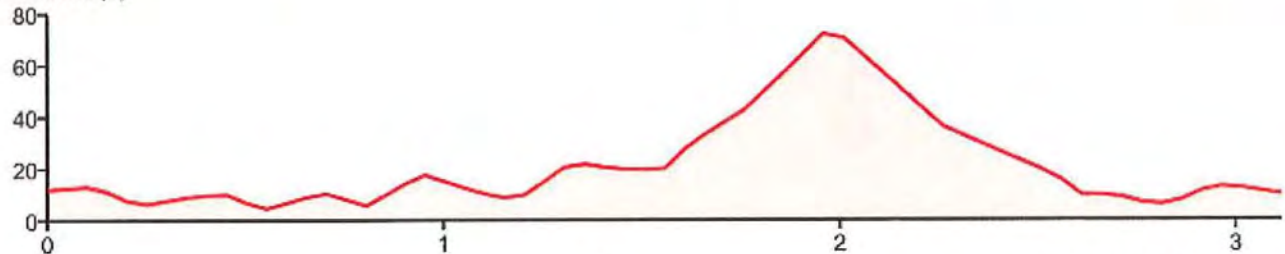
Distance: 3.11 mi

Elevation: 69.55 ft (Max: 74.77 ft)

mapmyfitness



ELEVATION (ft)



Miles

Copyright (c) 2015 MapMyFitness Inc.



City Council Agenda Bill

Meeting Date: 8/1/2016

Agenda Item: 5e

Subject: Approve Contract for Generator Set Preventative Maintenance and Repair

Staff Contact: Fred Buckenmeyer

Approved for Submittal to Council by	
	Laurie Gere, Mayor
	Steve Hoglund, Finance Director
	Darcy Swetnam, City Attorney

Action Type	
	Ordinance No.
	Code Revision?
	Resolution No.
X	Contract
	Public Hearing
	Staff Report

Summary Statement: City staff seeks City Council consent to contract services with Pacific Power Generation under State of Washington Contract 03512 to provide generator set preventative maintenance and repair.

Background: City staff is seeking services for a one-year period. The State contract term is 8/15/2012 through 8/14/2020. The generator sets are listed in the contract.

Budget Impact	
Amount Budgeted	\$192,000.00
Budget Account (BARS)	501.790.548.62.48
Proposed Expenditure	\$36,783.00
Budget Amendment Required?	No
Revenue Source	City Funds

Proposed Contract	
Contractor	Pacific Power Generation
Amount	\$36,783.00
Start Date	1 June 2016
End Date	31 May 2017

Previous Council/Committee Action: N/A

Competing Viewpoints Considered: N/A

Recommended Motion: I move that City Council provide its consent to enter into a contract for Pacific Power Generation to provide generator set maintenance and repair in accordance with State of Washington Contract 03512.

Alternative Actions: N/A

Attachments (listed in order presented): Contract

State of Washington
Current Contract Information

August 6, 2012

Contract number: 03512 (replaces 06605) **Commodity code:** 936-39

Contract title: Generator Set Preventative Maintenance and Repair

Purpose: Contract Award Notice (effective date: 8/15/2012)

Award date: 8/6/2012

Period of performance: 8/15/2012 **through:** 8/14/2013

Contract term: Not to exceed: eight (8) years or 8/14/2020

**SCOPE OF
CONTRACT:**

The purpose of this contract is for the as needed purchase of Generator Set Preventative Maintenance and Repair in the categories as outlined in this contract for an initial term of one (1) year with the option to extend for additional terms.

Preventative Maintenance Agreement: Users of this contract must complete the Preventative Maintenance (PM) Agreement located at the end of this document. Contractors are not to perform any Preventative Maintenance (PM) under the terms and conditions of this contract without a PM Agreement in place.

Primary users: All State Agencies, Institutions of Higher Education, Political Subdivisions, all members of the Washington State Purchasing Cooperative (WSPC) and Non-Profit Corporations may utilize this Contract. This Contract can be made available for use by Oregon's Department of Administrative Services Cooperative Purchasing Program (ORCPP).

Products Available Generator Set Preventative Maintenance (PM) and Repair

Ordering information: See Appendix E

Ordering procedures: See Appendix E

Product Categories: See Categories

Current participation:	\$0.00 MBE	\$0.00 WBE	\$400,000.00 OTHER	\$0.00 EXEMPT
	MBE 0%	WBE 0%	OTHER 100%	EXEMPT 0%

Recovered Material: None

This page contains key contract features. Find detailed information on succeeding pages. For more information on this contract, or if you have any questions, please contact your local agency Purchasing Office, or you may contact our office at the numbers listed below.

Contract Specialist	Corey A. Larson	Assistant:	Christine Schoepfer
Phone Number:	(360) 407-9407	Phone Number:	(360) 407-9404
Fax Number:	(360) 586-2426	Fax Number:	(360) 586-2426
Email:	corey.larson@des.wa.gov	Email:	christine.schoepfer@des.wa.gov

Visit our Internet site: www.des.wa.gov

NOTES:

- I. Best Buy: The following provision applies to state contracts. This contract is subject to RCW 43.19.190(2) & RCW 43.19.1905(7): which authorizes state agencies to purchase materials, supplies, services, and equipment of equal quantity and quality to those on state contract from non-contract suppliers. Provided that an agency subsequently notifies Master Contracts and Consulting (MCC) contract administrator that the pricing is less costly for such goods or services than the price from the state contractor.

If the non-contract supplier's pricing is less, the state contractor shall be given the opportunity by the state agency to at least meet the non-contractor's price. If the state contractor cannot meet the price, then the state agency may purchase the item(s) from the non-contract supplier, document the transactions on the appropriate form developed by MCC and forwarded to the Contracts Specialist administering the state contract. (Reference General Authorities document)

If a lower price can be identified on a repeated basis, the state reserves the right to renegotiate the pricing structure of this agreement. In the event such negotiations fail, the state reserves the right to delete such item(s) from the contract.
- II. State Agencies: Submit Order directly to Contractor for processing. Political Subdivisions: Submit orders directly to Contractor referencing State of Washington contract number. If you are unsure of your status in the State Purchasing Cooperative call (360) 902-7400 or visit <http://www.ga.wa.gov/PCA/SPC.htm>.
- III. Only authorized purchasers included in the State of Washington Purchasing Cooperative (WSPC) may purchase from this contract. It is the contractor's responsibility to verify membership of these organizations prior to processing orders received under this contract. A list of Washington members is available on the Internet <http://www.ga.wa.gov/PCA/SPC.htm> contractors shall not process state contract orders from unauthorized users.
- IV. Contract Terms: This Document includes by reference all terms and conditions published in the original **IFB**, including Standard Terms and Conditions, and Definitions, included in the Competitive Procurement Standards published by MCC (as Amended).

SPECIAL CONDITIONS:

Order placement address: See [Appendix E](#)
Ordering information: See [Appendix E](#)
Minimum orders: None
Delivery time: Various, see [Appendix C](#) section 3.5
Terms of sale: FOB Destination

Payment terms: See [Appendix E](#)
Payment address: See [Appendix E](#)
Contract pricing: See [Appendix D](#)
Estimated term worth: \$400,000.00/2 yrs.

How to use this Contract for Preventative Maintenance (PM)

Step 1. This contract has been awarded by Regions in Washington State. To determine your Region refer to the Region Map in [Appendix D](#).

Step 2. The [Preventative Maintenance \(PM\) Agreement](#) is located in [Appendix F](#). Before contacting your Contractor you must complete an individual agreement form for each of your generator sets.

Please review [Appendix C](#) Specifications. This section describes the specifications that each of the Vendors has agreed to provide.

The generator Set Inspection List is located in [Appendix E](#), these are the tasks that each contractor has agreed to perform at the appropriate service interval.

Step 3. Contact the Contractor for your Region and set up your Preventative Maintenance (PM) Agreement. The Contractor will forward a copy of your agreement to the Department of Enterprise Services for record.

Awarded Vendors by Region

<u>Northwest Region:</u>	<u>Southwest Region:</u>
<u>North Central Region:</u>	<u>South Central Region:</u>
<u>Olympic Region:</u>	<u>Eastern Region:</u>

Contract Pricing By Region

<u>Northwest Region:</u>	<u>Southwest Region:</u>
<u>North Central Region:</u>	<u>South Central Region:</u>
<u>Olympic Region:</u>	<u>Eastern Region:</u>

How to use this Contract for Repair

Pricing for the Repair Category of this contract is located in [Appendix D](#), Category 3 Repair Service Hourly Rate. The price listed for your region is the hourly price for labor only. Please review [Appendix C](#) Specifications [Category 3](#) for details on Repair Services.

APPENDIX E

Contractor: Pacific Power Generation

Awarded Northwest, Southwest and Eastern Regions Only

Federal Identification Number: 931153978 **Supplier #:** W1949
WA State Department of Revenue Registration Number: 602 886 195
Company Website: www.pacificpowergen.com
Shipping Location: FOB Destination
Purchasing Cards accepted: Yes
Purchasing Card Fee: 0% for VISA
Standard Lead Time after receipt of order (ARO): as required

Ordering Contact:

Name: Randy Lukkasson
Telephone: (253) 395-9077 #13120
Toll Free #: (877) 769-7346
Cell #: (253) 736-5042
Territory: Northwest and Eastern Regions
Fax: (253) 395-2408
Email: rlukkasson@pacificpowergen.com

Ordering Contact:

Name: Byron Hoyt
Telephone: (360) 877-5936
Toll Free #: (877) 769-7346 x 5936
Cell #: (360) 773-7569
Territory: Southwest Region
Fax: (360) 887-0942
Email: bhoyt@pacificpowergen.com

Addresses:

Orders to be sent to:
Pacific Power Generation
5808 South 196th Street
Kent, WA 98032

Billing will be from:
Pacific Power Generation
5808 South 196th Street
Kent, WA 98032

Payment to be sent to:
Pacific Power Generation
600 South 56th Street
Ridgefield, WA 98642

APPENDIX C SPECIFICATIONS

CATEGORY 1.

1.	Preventive Maintenance Services (PM)	Check If As Specified	Describe Fully If Not As Specified
1.1	All service personnel performing the electrical tasks related to PM and Repair activities of this contract shall hold the appropriate certificate of competency as required by RCW <u>19.28.161</u> and in accordance with WAC <u>296-46B-920</u>. Certifications and Qualifications: At a minimum, the individual performing any maintenance, service, inspection, etc. on any state equipment MUST meet the minimum RCW/WAC requirements for the task being performed.	√	
1.2	PM services performed under this contract shall be reported to the customer, within five (5) calendar days after completion of work either by submitting hard copies of work order by mail or electronically according to individual customer preference.	√	
1.3	Repair issues detected during a regularly scheduled PM which can be completed in conjunction with the PM performance for less than \$100 shall be accomplished without prior authorization from the customer. Such repairs are to be billed separately from the PM Service.	√	
1.4	The specific PM Service requirements listed in the Generator Set Inspection Sheet shall be performed on each generator twice annually; but at least 120 calendar days apart or as required by equipment service manual. Upon expiration of the manufacturer's warranty, the customer may specify an alternative PM interval.	√	

Customers requiring a Preventative Maintenance (PM) on models over 500 kW must contact the Contractor for price quote.

CATEGORY 2

2.	Load Bank Testing	Check If As Specified	Describe Fully If Not As Specified
2.1	The Load Bank testing shall be conducted in conjunction with a PM visit. Load Bank testing will be in accordance to manufacturer's recommendations or at the request of the customer. Certifications and Qualifications: At a minimum, the individual performing any maintenance, service, inspection, etc. on any state equipment MUST meet the minimum RCW/WAC requirements for the task being performed.	√	
2.2	The Load Bank testing will include providing the resistive load banks, cable, travel as described above and the onsite labor to perform the testing for up to two hours at full rated resistive load.	√	
2.3	If additional Load Bank testing is required to get the units to accept full rated load and to clean up the exhaust smoke, the additional costs will be for the onsite labor time involved in completing the testing. The customer will have staff on site to provide prior approval for cost before performing work. Prior approval must be obtained from the customer for an agreed upon dollar amount.	√	

Note: Pricing for Load Bank tests are based on a maximum cable run of 50 feet. Customers requiring Load Bank tests which include additional cable runs (over 50 feet) must obtain a price quote from the Contractor.

Customers requiring a Load Bank on models over 500 kW must contact the Contractor for price quote.

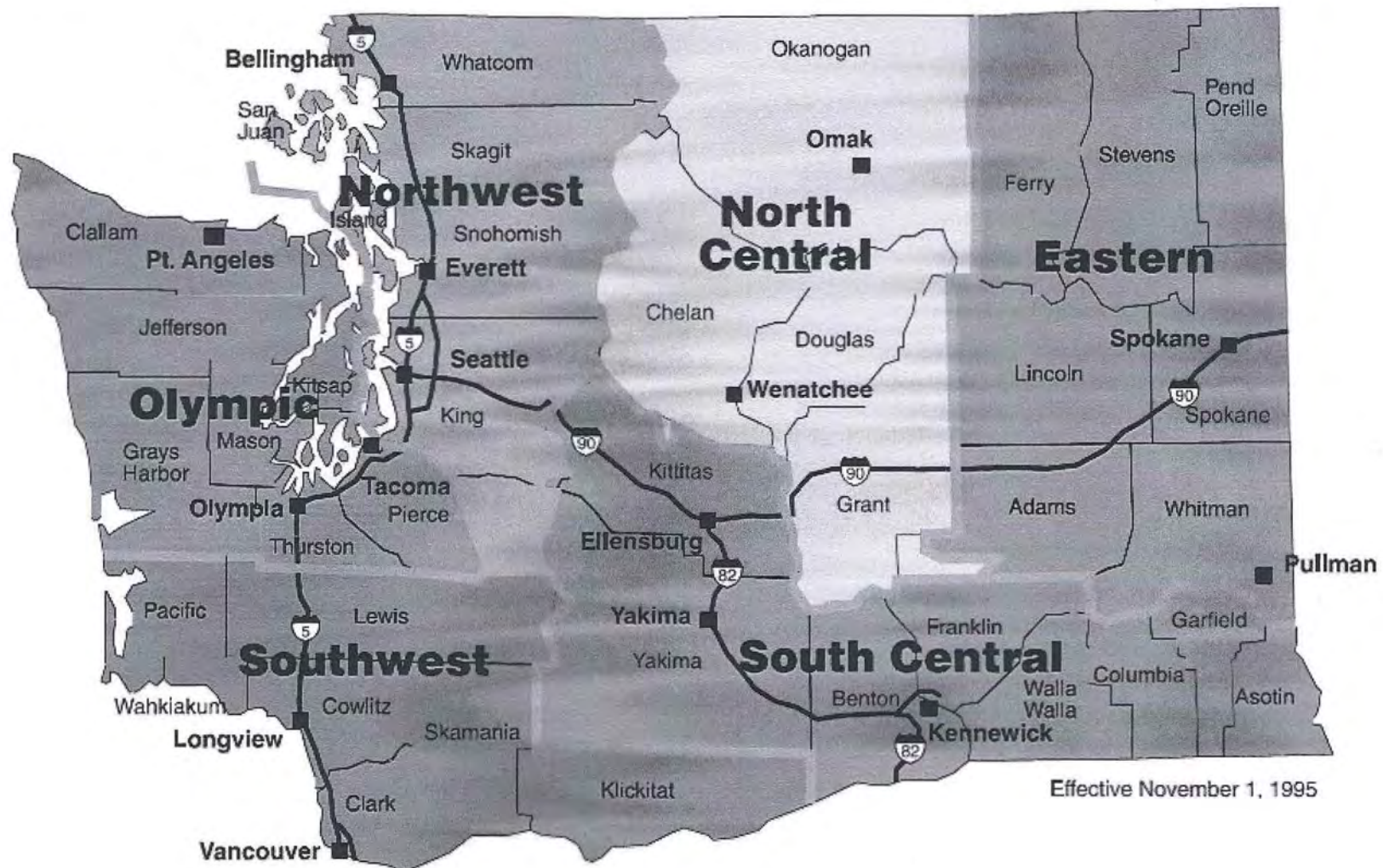
CATEGORY 3

3.	Repair Services	Check If As Specified	Describe Fully If Not As Specified
3.1	Bidders must be capable of providing repair coverage within their awarded Region on a 24 hour a day basis, every day of the year.	√	
3.2	Repair Services performed under this contract shall be reported to the customer within five (5) calendar days after the event's completion.	√	
3.3	Work reporting to the customer may be accomplished either by submitting hard copies of work order by mail or electronically according to customer preference.	√	
3.4	Repair services shall be accomplished on a customer request basis only. Repair issues detected during a regularly scheduled PM, which can be completed in conjunction with the PM performance for less than \$100, shall be accomplished without prior authorization from the customer. Such repairs are to be billed separately from the PM Service.	√	
3.5	After callout, Contractors must be capable of arriving on site and initiating physical generator repairs within their awarded Regions with an "on time" response rate goal of 90% using the following time frames specified: Movable Bridges: 1 hour Ferry Terminals: 1 hour Fish Hatcheries: 1 hour Radio Repeater Sites: 2 hours Correctional Facilities: 2 hours All other Facilities: 3 hours	√	

APPENDIX D

PRICE PAGES

Region Map



Price Sheet for Northwest, Southwest and Eastern Region

Category 1

Preventative Maintenance (PM) Cost Per Single Unit

Generator Categories	Northwest	Southwest	Eastern
5 - 30 kW	\$380.00	\$380.00	\$380.00
31 - 60 kW	\$412.00	\$412.00	\$412.00
61 - 100 kW	\$452.00	\$452.00	\$452.00
101 - 200 kW	\$607.00	\$607.00	\$607.00
201 - 300 kW	\$687.00	\$687.00	\$687.00
301 - 400 kW	\$787.00	\$787.00	\$787.00
401 - 500 kW	\$942.00	\$942.00	\$942.00

Cost for PM includes one (1) Transfer Switch. Multiple Transfer Switches will be invoiced an additional **\$50.00** per switch.

Note: If Preventative Maintenance (PM) or Load Bank Testing is required on models over 500 kW contact the Contractor for a price quote.

Category 2. Load Bank Testing Cost per Single Unit

Generator Categories	Northwest	Southwest	Eastern
5 - 30 kW	\$250.00	\$250.00	\$250.00
31 - 60 kW	\$250.00	\$250.00	\$250.00
61 - 100 kW	\$250.00	\$250.00	\$250.00
101 - 200 kW	\$250.00	\$250.00	\$250.00
201 - 300 kW	\$270.00	\$270.00	\$270.00
301 - 400 kW	\$270.00	\$270.00	\$270.00
401 - 500 kW	\$270.00	\$270.00	\$270.00

Category 3. Repair Service Hourly Labor Rate

Generator Categories	Northwest	Southwest	Eastern
5 - 30 kW	\$110.00	\$110.00	\$110.00
31 - 60 kW	\$110.00	\$110.00	\$110.00
61 - 100 kW	\$110.00	\$110.00	\$110.00
101 - 200 kW	\$110.00	\$110.00	\$110.00
201 - 300 kW	\$110.00	\$110.00	\$110.00
301 - 400 kW	\$110.00	\$110.00	\$110.00
401 - 500 kW	\$110.00	\$110.00	\$110.00

[Back to Categories Page](#)

APPENDIX F

Generator Set Inspection and Preventative Maintenance (PM) Agreement

Note: the attached Preventative Maintenance (PM) Agreement is to be used in establishing PM agreements for specific pieces of equipment. Contact your State Contractor for assistance.

GENERATOR SET INSPECTION

GENERATOR:

- Operate the generator for 1/2 hour with Owner's load (if practical) and observe voltage and for signs of random voltage variation and adjust as necessary
- With unit operating, check operating frequency and adjust as necessary
- Check operation of the Engine control Module, test the over crank, over speed, low oil pressure, high engine temperature and low coolant level shutdown safety features (as applicable to specific model)
- Check for phase unbalance, make recommendations to correct (if observed)
- Log voltage, frequency and ammeter readings on inspection report
- Check alarm annunciator for proper operation
- Clean commutator and slip, or collector, rings if applicable
- Grease bearing (if applicable)
- Clean and inspect voltage regulator and associated control cabinets
- Thermal Scan with infrared gun of control circuits and main conductors

ENGINE:

Note: tasks noted in asterisk (*) are to be performed one (1) time annually.

- * Change lubrication oil and filter
- Check for lubricating oil leaks
- Check lubricating oil pressure
- * Take lubricating oil sample for analysis (to be performed by a certified laboratory)
- * Check air intake system, replace filter(s) as necessary (replacement filter(s) billed additional to preventive maintenance)
- * Clean crankcase breather element
- * Change fuel filters (primary, secondary) and bleed fuel system (if necessary)
- * Drain fuel/ water separators if equipped
- Check for fuel leaks
- Check and record main tank and day tank fuel levels
- * Take fuel sample (diesel only) for visual inspection (fuel laboratory analysis and fuel restoration recommended and billed additional to preventive maintenance)
- Drain oil traps (LPG only)
- Check antifreeze' concentration and freeze point (and diesel coolant additive if applicable)
- Inspect for cooling system leaks
- Check coolant hose condition and connections
- Inspect radiator cap
- * Replace coolant filter (if equipped)
- Check belt drive tension, adjust if necessary

GENERATOR SET INSPECTION

P. 2

- Check exhaust system for leaks
- Check rain cap
- Check engine mounting hardware
- Clean and check spark plugs and ignition system components (if so equipped)
- Check fuel shutdown valve for proper operation (if so equipped)
- Monitor engine temperature and evaluate cooling system performance (during loaded run, if practical)
- Degrease engine and surrounding generator set, as necessary
- Check operation of block heater and thermostat
- Check and service engine starting battery(s), replace if needed (replacement battery(s) billed additional to preventive maintenance)
- Check battery charger operation
- Thermal scan with infra red gun of cooling system

TRANSFER SWITCH:

- Clean and inspect interior of panel
- Monitor operation of linear motor during power transfer, if possible
- Check operation of exercise clock and reset (as designated by owner) if necessary
- Carefully inspect all connections and wiring for signs of overheating or chafing, make recommendations as necessary
- Insure contact alignment in accordance with desired operating characteristics
- Instruct owner personnel in day-to-day upkeep of switch and generator set
- Thermal scan with infer red gun of all connection points internal to ATS
- Thermal Scan with infra red gun of AC distribution panel
- Submit inspection report per Owners standards

Washington State Contract 03512 Preventative Maintenance (PM) Agreement

Contractor Information	
Company:	Pacific Power Generation
Contact:	Randy Lukkasson
Phone:	253-395-9077 #13120
Cell:	253-736-5042
Email:	RLukkasson@pacificpowergen.com

Customer Information	
Customer:	Anacortes Public Works
Contact:	Will Ludemann
Phone:	360 293-1921
Email:	ludemannw@cityofanacortes.org
Account #:	2979

Generator Set Information	
Make:	Generac
Model No:	SD275
Serial No:	2055243
kW Rating:	275
Inventory #:	

Generator Set Physical Location	
Site ID	1-903 Police dept
County:	Skagit
City:	Anacortes
Address:	1218 24 th St.
Elevation:	

Engine Information	
Make:	
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	Diesel

Customer Billing Address	
Name:	Anacortes Public Works
Address:	2201 A 37 th Street
City:	Anacortes
State Zip:	98221

Annual PM \$692.00 Load Bank test \$272.00

The Contractor agrees to perform the tasks outlined in Appendix F, Generator Set Inspection. The PM will be performed at the customer's location for the costs and charges (including travel time, mileage and meals) identified in Appendix D, Price Worksheet and in accordance with Appendix F, Generator Set Inspection.

Customer acknowledges that the inspections performed by the Contractor are intended to provide both the Contractor and the Customer with information about the status of the Generator Set on the date the inspection is performed.

The Contractor shall not be held liable for any pre-existing conditions to the Generator Set prior to this agreement provided; that the same Contractor was not held liable for any pre-existing conditions to the Generator Set from a prior agreement.

The Contractor will perform the tasks of the PM as outlined Appendix F, Generator Set Inspection. This PM involves visual inspection, maintenance and limited operational testing only.

Washington State Contract 03512
Preventative Maintenance (PM) Agreement
P. 2

The Contractor shall not be held liable for conditions that cannot be discovered during the performance of the PM and, through the performance of the PM, the Contractor shall not in any way indicate that the system is free from all performance deficiencies, unusual wear and tear, defects in design, materials and workmanship.

This PM Agreement does not include any tear down or removal of the engine or its components, nor does it access the performance of the system under all operation conditions. However, a condition to the system discovered during the PM which involves repair for \$100 or less may be performed without prior Customer approval.

The Contractor and the Customer agree that the terms and conditions related to the attached appendix are incorporated by reference in this agreement and apply to all services and parts provided by the contractor pursuant to this agreement.

Either party may terminate this Agreement upon thirty (30) days prior written notice to the other party.

The Contractor must provide a copy of new agreements or, notices of cancellation to the Contracts Specialist at Master Contracts and Consulting by fax or in a pdf file.

This Preventative Maintenance (PM) Agreement will be **effective: 1 June 2016 through 31 May 2017. Annual P and load bank test Annual cost of \$36,783.00**

Approved by
Customer:

Approved by
Contractor: Pacific Power Generation

Address: 5808 S 196th Street Kent WA 98032

Signature

Signature

Randy Lukkasson **4/9/16**

Print or Type Name Date

Print or Type Name Date

Service Sales

Title

Title

Generator Set Information	
Make:	Generac
Model No:	92A03625S
Serial No.:	2005092
kW Rating:	100
Inventory #:	

Generator Set Physical Location	
Site ID	2-909 Fire station # 1
County:	Skagit
City:	Anacortes
Address:	1016 13 th St.
Elevation:	

Engine Information	
Make:	
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	Diesel

Annual PM \$455.00 Load Bank test \$252.00

Generator Set Information	
Make:	Generac
Model No:	92A03627S
Serial No.:	2005101
kW Rating:	75
Inventory #:	

Generator Set Physical Location	
Site ID	2-910 Fire Station # 2
County:	Skagit
City:	Anacortes
Address:	5209 Sunset Ave
Elevation:	

Engine Information	
Make:	
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	Diesel

Annual PM \$455.00 Load Bank test \$252.00

Generator Set Information	
Make:	ONAN
Model No:	63T59 G-2
Serial No.:	A980678563
kW Rating:	100
Inventory #:	

Generator Set Physical Location	
Site ID	6-913 The Point
County:	Skagit
City:	Anacortes
Address:	4155 San Juan Hill Blvd.
Elevation:	

Engine Information	
Make:	
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	Diesel

Annual PM \$455.00 Load Bank test \$252.00

Generator Set Information	
Make:	Generac
Model No:	CD150
Serial No.:	2032680
kW Rating:	150
Inventory #:	

Generator Set Physical Location	
Site ID	6-935
County:	Skagit
City:	Anacortes
Address:	2205 37 th St.
Elevation:	

Engine Information	
Make:	
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	Diesel

Annual PM \$612.00 Load Bank test \$252.00

Generator Set Information	
Make:	ONAN
Model No:	500DFCE
Serial No.:	G990944761
kW Rating:	500
Inventory #:	

Generator Set Physical Location	
Site ID	6-938 3 Million Reservoir
County:	Skagit
City:	Anacortes
Address:	301 Blue Heron Circle
Elevation:	

Engine Information	
Make:	
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	Diesel

Annual PM \$949.00 Load Bank test \$272.00

Generator Set Information	
Make:	ONAN
Model No:	DGB100
Serial No.:	H050824590
kW Rating:	125
Inventory #:	

Generator Set Physical Location	
Site ID	6-952 Castelleja Bluff
County:	Skagit
City:	Anacortes
Address:	3802 Marine Heights
Elevation:	

Engine Information	
Make:	
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	Diesel

Annual PM \$612.00 Load Bank test \$252.00

Generator Set Information	
Make:	ONAN
Model No:	DGFA
Serial No.:	G060943046
kW Rating:	150
Inventory #:	

Generator Set Physical Location	
Site ID	6-953 Rock Ridge
County:	Skagit
City:	Anacortes
Address:	2102 Pennsylvania Ave.
Elevation:	

Engine Information	
Make:	
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	Diesel

Annual PM \$612.00 Load Bank test \$252.00

Generator Set Information	
Make:	Caterpillar
Model No:	SR5
Serial No.:	G2N00197
kW Rating:	1250 – 4160 V
Inventory #:	

Generator Set Physical Location	
Site ID	6-966 WTP
County:	Skagit
City:	Mount Vernon
Address:	14489 Riverbend Rd.
Elevation:	

Engine Information	
Make:	Caterpillar
HP Rating:	
Model No.:	3512
Serial No.:	
Fuel Type:	DIESEL

Annual PM \$2,800.00 Load bank Test \$2,700.00

Generator Set Information	
Make:	Caterpillar
Model No:	SR5
Serial No.:	G2N00199
kW Rating:	1250 – 4160 V
Inventory #:	

Generator Set Physical Location	
Site ID	6-967 WTP
County:	Skagit
City:	Mount Vernon
Address:	14489 Riverbend Rd.
Elevation:	

Engine Information	
Make:	Caterpillar
HP Rating:	
Model No.:	3512
Serial No.:	
Fuel Type:	DIESEL

Annual PM \$2,800.00 Load bank Test \$2,700.00

Generator Set Information	
Make:	Caterpillar
Model No:	SR5
Serial No.:	G2N00198
kW Rating:	1250 – 4160 V
Inventory #:	

Generator Set Physical Location	
Site ID	6-968 WTP
County:	Skagit
City:	Mount Vernon
Address:	14489 Riverbend Rd.
Elevation:	

Engine Information	
Make:	Caterpillar
HP Rating:	
Model No.:	3512
Serial No.:	
Fuel Type:	DIESEL

Annual PM \$2,800.00 Load bank Test \$2,700.00

Generator Set Information	
Make:	ONAN
Model No:	40DGBC
Serial No.:	I990984017
kW Rating:	40
Inventory #:	TRAILER

Generator Set Physical Location	
Site ID	7-902 WW Trailer
County:	Skagit
City:	Anacortes
Address:	500 T Ave
Elevation:	

Engine Information	
Make:	Cummins
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	Diesel

Annual PM \$415.00 Load Bank Test \$252

Generator Set Information	
Make:	ONAN
Model No:	40DGBC
Serial No.:	I990984016
kW Rating:	40
Inventory #:	

Generator Set Physical Location	
Site ID	7-903 WW Trailer
County:	Skagit
City:	Anacortes
Address:	500 T Ave
Elevation:	

Engine Information	
Make:	Cummins
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	

Annual PM \$415.00 Load Bank Test \$252

Generator Set Information	
Make:	ONAN
Model No:	80DGDA
Serial No.:	F010252038
kW Rating:	80
Inventory #:	

Generator Set Physical Location	
Site ID	7-904 WWLS #16
County:	Skagit
City:	Anacortes
Address:	500 T Ave
Elevation:	

Engine Information	
Make:	Cummins
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	

Annual PM \$455.00 Load Bank Test \$252

Generator Set Information	
Make:	ONAN
Model No:	230 DFAB
Serial No.:	L000190261
kW Rating:	230
Inventory #:	

Generator Set Physical Location	
Site ID	7-905 WWLS #18
County:	Skagit
City:	Anacortes
Address:	8071 S March Pt. Rd.
Elevation:	

Engine Information	
Make:	Cummins
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	

Annual PM \$692.00 Load Bank Test \$272

Generator Set Information	
Make:	Caterpillar
Model No:	3508
Serial No.:	6MA00968
kW Rating:	700
Inventory #:	

Generator Set Physical Location	
Site ID	7-912 WWTP
County:	Skagit
City:	Anacortes
Address:	500 T Ave
Elevation:	

Engine Information	
Make:	Caterpillar
HP Rating:	
Model No.:	3508
Serial No.:	
Fuel Type:	Diesel

Annual PM \$1850.00 Load Bank Test \$750.00

Generator Set Information	
Make:	ONAN
Model No:	KTA19G2
Serial No.:	L91041793
kW Rating:	400
Inventory #:	

Generator Set Physical Location	
Site ID	7-913 WWLS #15
County:	Skagit
City:	Anacortes
Address:	1200 B Ave
Elevation:	

Engine Information	
Make:	Cummins
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	Diesel

Annual PM \$793.00 Load Bank Test \$272.00

Generator Set Information	
Make:	ONAN
Model No:	NTA855G2
Serial No.:	I910421519
kW Rating:	300
Inventory #:	

Generator Set Physical Location	
Site ID	7-914 WWLS # 14
County:	Skagit
City:	Anacortes
Address:	2100 Ferry Terminal
Elevation:	

Engine Information	
Make:	Cummins
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	Diesel

Annual PM \$692.00 Load Bank Test \$272.00

Generator Set Information	
Make:	ONAN
Model No:	KTA19G2
Serial No.:	H910413858
kW Rating:	500
Inventory #:	

Generator Set Physical Location	
Site ID	7-915 WWLS #13
County:	Skagit
City:	Anacortes
Address:	Skyline Cabana
Elevation:	

Engine Information	
Make:	Cummins
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	Diesel

Annual PM \$949.00 Load Bank Test \$272

Generator Set Information	
Make:	ONAN
Model No:	80DGDA
Serial No.:	L0001800864
kW Rating:	80
Inventory #:	

Generator Set Physical Location	
Site ID	7-917 WWLS # 20
County:	Skagit
City:	Anacortes
Address:	9430 S. March Point
Elevation:	

Engine Information	
Make:	Cummins
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	

Annual PM \$455.00 Load Bank Test \$252

Generator Set Information	
Make:	ONAN
Model No:	35DGBB
Serial No.:	J000166165
kW Rating:	35
Inventory #:	

Generator Set Physical Location	
Site ID	7-918 WWLS # 4
County:	Skagit
City:	Anacortes
Address:	2803 T Ave
Elevation:	

Engine Information	
Make:	Cummins
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	Diesel

Annual PM \$415.00 Load Bank Test \$252

Generator Set Information	
Make:	ONAN
Model No:	35DGBB
Serial No.:	D040632633
kW Rating:	35
Inventory #:	

Generator Set Physical Location	
Site ID	7-919 WWLS #21
County:	Skagit
City:	Anacortes
Address:	2712 Fircrest Dr.
Elevation:	

Engine Information	
Make:	Cummins
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	Diesel

Annual PM \$415.00 Load Bank Test \$252

Generator Set Information	
Make:	ONAN
Model No:	100DGDB
Serial No.:	I040694342
kW Rating:	100
Inventory #:	

Generator Set Physical Location	
Site ID	7-920 WWLS # 5
County:	Skagit
City:	Anacortes
Address:	1118 Edwards Way
Elevation:	

Engine Information	
Make:	Cummins
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	Diesel

Annual PM \$455.00 Load Bank Test \$252

Generator Set Information	
Make:	ONAN
Model No:	40DGHD
Serial No.:	J000166165
kW Rating:	40
Inventory #:	

Generator Set Physical Location	
Site ID	7-921 WWLS # 12
County:	Skagit
City:	Anacortes
Address:	103 5 th Street
Elevation:	

Engine Information	
Make:	Cummins
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	Diesel

Annual PM \$415.00 Load Bank Test \$252

Generator Set Information	
Make:	ONAN
Model No:	866031
Serial No.:	H090021435
kW Rating:	25
Inventory #:	

Generator Set Physical Location	
Site ID	7-923 WWLS # 17
County:	Skagit
City:	Anacortes
Address:	1517 R Ave
Elevation:	

Engine Information	
Make:	Cummins
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	Diesel

Annual PM \$383.00 Load Bank Test \$252

Generator Set Information	
Make:	ONAN
Model No:	100DGDB
Serial No.:	A070005914
kW Rating:	100
Inventory #:	

Generator Set Physical Location	
Site ID	7-902A
County:	Skagit
City:	Anacortes
Address:	2201 37 th St.
Elevation:	

Engine Information	
Make:	Cummins
HP Rating:	
Model No.:	
Serial No.:	
Fuel Type:	Diesel

Annual PM \$455.00 Load Bank Test \$252

End of Document



**Public Works
Engineering and Development Services**

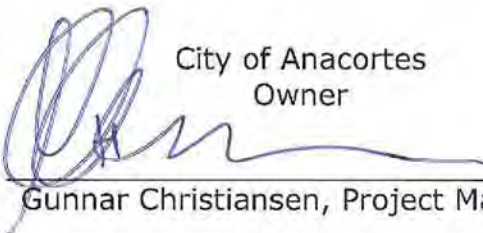
NOTICE OF PHYSICAL COMPLETION

DATE: July 27, 2016
Intermountain Slurry Seal
TO: Mr. Jason Klaumann
1120 Terminal Way, Suite 220
Reno, Nevada 89502
2016 Slurry Seal Project
PROJECT: Contract 15-077-TRN-002

Upon final inspection, the City Engineer determined this work as physically complete on

July 14, 2016.

This does not imply acceptance of the work or that all contractor obligations under the contract have been fulfilled.

By  City of Anacortes
Owner
Gunnar Christiansen, Project Manager

City of Anacortes
Engineering and Development Services
PO Box 547
Anacortes, WA 98221

Telephone 360.293.1920
Fax 360.293.1938



City Council Agenda Bill

Meeting Date: 8/1/2016

Agenda Item:

Subject: City of Anacortes Personnel Policy Update

Staff Contact: Emily Schuh

Approved for Submittal to Council by	
x	Laurie Gere, Mayor
	Steve Hoglund, Finance Director
	Darcy Swetnam, City Attorney

Action Type	
	Ordinance No.
	Code Revision?
x	Resolution No. 1958
	Contract
	Public Hearing
	Staff Report

Summary Statement:

The personnel policies are updated on a regular basis to remain current with rapidly changing employment laws. WCIA retained Kristin Anger, an employment law attorney from Summit Law, to review the proposed changes to the personnel policies.

Updating the personnel policies is a collaborative process. Employees and Union representatives reviewed and commented on the policies from June 8 – July 8. I held a brown-bag lunch session for employees to meet with me to discuss any questions or concerns. I incorporated many of the changes that employees and union representatives discussed with me. On July 18, 2016 the Personnel Committee met and reviewed the proposed changes.

Policy Update Synopsis:

Policy 103- Code of Employer-Employee Relations Updated to reflect protected statuses.

Policy 201- Equal Employment Opportunity Updated to reflect protected statuses and more clear titles.

Policy 202- Productive Work Environment (Complaints of Unlawful Discrimination, Harassment, or Retaliation) Update of protected status classifications. Clarifies the process for filing a complaint.

Policy 304- Pay Procedures Clarification about how a wage/compensation complaints are addressed.

Policy 502- Vacation Vacation maximum accruals will begin being prorated for part time employees. Part time employees who have over the maximum accrual will receive a one-time vacation buyout that brings them to the new maximum accrual.

Once per year employees may elect to have their accrued vacation balance that exceeds 160 hours cashed out and deposited into a deferred compensation account set up through the City of Anacortes. Following staff feedback, this benefit will be prorated for part time employees.

Policy 503a- Holidays Clarifies that holiday pay is 8 hours (specifically for determining regular rate of pay for nonexempt employees).

Policy 606- Tobacco Use Clarifies that smoking is defined to include the use of tobacco contacting products including cigarettes, cigars, and pipes, as well as the use of electronic cigarettes.

Policy 702- Absences Clarifies sick leave buyout is only available to employees who are eligible for retirement under the applicable DRS retirement plan. Unused sick leave is not cashed out for separation for reasons other than retirement. Following staff feedback, this benefit will be prorated for part time employees based on their FTE at retirement.

New Parent leave is updated to include new verbiage of "new parent, but not the parent who was pregnant." It also clarifies that this benefit is available for adoptive parents. Previously this leave was limited to fathers.

Clarification of jury duty process and differentiation from subpoenaed witness duty.

Leave due to Domestic Violence/or Sexual Assault. States that the City complies with Washington State law.

Removes sentence that employees cannot receive an advance of their accrued vacations since we are providing for an annual vacation buyout option.

Policy 807- Disciplinary Procedure Changes verbiage from predisciplinary "hearing" to predisciplinary "meeting".

Policy 808- Drugs, Narcotics and Alcohol All CDL Employees who are subject to the DOT/FMCSA regulations received and acknowledged a separate CDL Drug and Alcohol policy. Minor changes in the general city policies include adding clarifying details such as identifying who to contact with questions, details about what would constitute a failure to comply with testing requirements, and for CDL employees' information about being subject to random testing. Clarifies situations in which the City will require Post Accident testing.

Clarifies that a CDL employee is subject to random testing for controlled substances at any time while performing work for the City.

Addresses the decriminalization of marijuana. The City's policy has not changed as a result of the decriminalization of marijuana in Washington State. Marijuana remains an illegal drug under federal law, and it continues to be a violation of the U.S. Department of Transportation regulations and the City's policy prohibiting employees from testing

positive for marijuana use. City policy requires that the workplace remain drug and alcohol free and prohibits reporting to work under the influence of drugs or alcohol. The City also prohibits the unlawful manufacture, distribution, dispensing, possession, or use of drugs or alcohol on City premises, or while conducting City business whether on or off City premises. City policy requires any employee to submit to drug testing when employee behavior, speech, or appearance gives rise to a reasonable suspicion that drugs or alcohol may be impairing an employee's ability to satisfactorily perform work.

Appendix A- COBRA Benefits Removes appendix. AWC provides annual notice of COBRA rights to all employees who are enrolled in health insurance.

Formatting Cleanup occurs throughout document

Background:

Budget Impact	
Amount Budgeted	
Budget Account (BARS)	
Proposed Expenditure	\$92k if all Teamster and Non union employees participated in the vacation transfer to deferred compensation. Represented Fire and Police employees already have this benefit available to them. <u>As of 4/6/16</u> General Fund \$16,261 Street \$2,905 Water \$10,061 Sewer \$2,750 Garbage \$5,382 ERR \$3,365
Budget Amendment Required?	No.
Revenue Source	Mr. Hoglund determined that each fund could easily absorb these amounts without a budget amendment and without material impact to cash flow. This figures 100% participation which is not expected.

Previous Council/Committee Action: On July 18, 2016 the Personnel Committee met and reviewed the proposed changes.

Competing Viewpoints Considered: There is no need to make changes to the personnel policies.

Recommended Motion: I move to adopt Resolution 1966 adopting the City's Personnel Policies.

Alternative Actions: Do not adopt the revised personnel policies.

Attachments (listed in order presented): Resolution 1966, Personnel Policies (with changes documented), Personnel Policies (clean copy)



RESOLUTION NO. 1966

A RESOLUTION REGARDING PERSONNEL POLICIES AND BENEFITS FOR CITY OF ANACORTES EMPLOYEES AND SUPERSEDING RESOLUTION NO. 1897 IN ITS ENTIRETY, PASSED AND APPROVED ON THE 2nd DAY OF SEPTEMBER 2014.

WHEREAS, the City of Anacortes believes that it is in the best interest of the City and our employees to have written personnel policies to help the City of Anacortes meet our mission statement, to prevent misunderstandings and problems, and to ensure that all employees know what is expected of them.

AND WHEREAS this Manual has been prepared as a guide and reference for employees. Nothing in this Manual creates an express or implied contract or promise concerning the City of Anacortes's policies or practices, including policies or practices it will implement in the future. The City of Anacortes retains the right to establish, change, and abolish these policies, practices, rules, and regulations at will and as it sees fit.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Anacortes, Washington, as follows:

The Mayor and City Clerk are hereby authorized and directed to execute said personnel policies, a copy of which is attached hereto and by this reference made part hereof, as the official act and deed of the City of Anacortes.

PASSED and APPROVED this 1st day of August 2016.

CITY OF ANACORTES

Laurie M. Gere, Mayor

ATTEST

Steven D. Hoglund, City Clerk-Treasurer



Personnel Policies

RESOLUTION No. 1966

Updated July 22, 2016

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POLICY 505 EMPLOYEE COUNSELING

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POLICY 704 MEAL BREAKS

Personal Conduct

POLICY 801 BEHAVIOR OF EMPLOYEES

POLICY 802 PERSONAL APPEARANCE OF EMPLOYEES

POLICY 803 PERSONAL FINANCES OF EMPLOYEES

POLICY 804 USE OF COMMUNICATION SYSTEMS

POLICY 805 CONFLICTS OF INTEREST

POLICY 806 MEDIA INQUIRIES

POLICY 807 DISCIPLINARY PROCEDURE

POLICY 808 DRUGS, NARCOTICS, AND ALCOHOL

Miscellaneous

POLICY 901 PERSONNEL RECORDS

POLICY 902 DISPUTE RESOLUTION PROCEDURE

POLICY 903 WHISTLEBLOWER PROTECTION ACT

RESOLUTION NO. 1966
A RESOLUTION REGARDING PERSONNEL POLICIES AND BENEFITS FOR CITY OF
ANACORTES EMPLOYEES AND SUPERSEDING RESOLUTION NO. 1897 IN ITS
ENTIRETY, PASSED AND APPROVED ON THE 2nd DAY OF SEPTEMBER 2014.

WHEREAS, the City of Anacortes believes that it is in the best interest of the City and our employees to have written personnel policies to help the City of Anacortes meet our mission statement, to prevent misunderstandings and problems, and to ensure that all employees know what is expected of them.

AND WHEREAS this Manual has been prepared as a guide and reference for employees. Nothing in this Manual creates an express or implied contract or promise concerning the City of Anacortes's policies or practices, including policies or practices it will implement in the future. The City of Anacortes retains the right to establish, change, and abolish these policies, practices, rules, and regulations at will and as it sees fit.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Anacortes, Washington, as follows:

The Mayor and City Clerk are hereby authorized and directed to execute said personnel policies, a copy of which is attached hereto and by this reference made part hereof, as the official act and deed of the City of Anacortes.

PASSED and **APPROVED** this 1st day of August 2016.

CITY OF ANACORTES

Laurie M. Gere, Mayor

ATTEST

Steven D. Hoglund, City Clerk-Treasurer

POLICY 100 PERSONNEL POLICIES

RECEIPT OF PERSONNEL POLICIES

All employees should read the following, and then sign, date and return the form to the Human Resource Department. The form will be placed in the employee's personnel file.

Enclosed are the City of Anacortes's personnel policies. It is your responsibility to read these policies, as they will acquaint you with your employee benefits, our personnel practices and rules, and organizational philosophy. The most current personnel policies are always available on the intranet for your review.

It is important to understand that these policies do not create an employment contract or a guarantee of employment of any specific duration between the City and its employees. These policies are general guidelines and do not constitute promises of specific treatment in specific circumstances. Although we hope that your employment relationship with us will be long term, we recognize that at times things do not always work out as hoped, and either of us may decide to terminate the employment relationship.

As the City grows and changes, personnel policies may change. The City, therefore, reserves the right to revise, supplement, clarify or rescind any policy or portion of a policy when deemed appropriate by the Mayor. You will be notified of any such changes.

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

I have read and understand the statement above.

Employee Signature

Employee Printed Name

Date

(Return one signed copy of this form to the Human Resources Department.)

POLICY 101 MAYOR'S LETTER

To: All Supervisors & Managers

Re: Personnel Policies

This Manual has been prepared as a guide and reference for a member of management at all levels of supervisory responsibility. This information is to be used to help guide employer/employee relations. The Manual has the approval of the City Council, Mayor, and Department Heads.

We believe that it is in the best interest of the organization and our employees to have written personnel policies to help the City of Anacortes meet our mission, to prevent misunderstandings and problems, and to ensure that all employees know what is expected of them. It is essential that all members of management understand the role of these policies in meeting the organization's objectives and in limiting our legal exposure.

Any policy, however, is only as good as its implementation. Supervisors and Managers who are in direct contact with, and responsible for, a group of employees are essential to effective policy implementation. You are the individuals who must translate these ideas and principles into action.

Please understand that no supervisor, manager, or representative of the City has the authority to make any written or verbal statements or representations, which are inconsistent with these policies without prior approval from the Mayor. We depend upon you for the successful development of a productive, legal, and harmonious working environment for our employees.

Accordingly, I request that you thoroughly familiarize yourself with the contents of this Manual so that all personnel policies of the organization may be administered appropriately.

Mayor Laurie M. Gere

DATE

POLICY 102 FUNCTIONS OF THIS MANUAL

Policy:

This Manual should be used as an outline of the basic personnel policies, practices, and procedures for the organization.

Comment:

- 1) This Manual contains general statements of City of Anacortes policy and should not be read as including the details of each policy. However, in many cases details are provided and appropriate cross-references are made. This Manual should not be interpreted as forming an express or implied contract or promise that the policies discussed in it will be applied in all cases. The City of Anacortes may add to the policies in the manual, revoke, or modify them from time to time. It will try to keep the Manual current, but there may be times when policy will change before this material can be revised.
- 2) These personnel policies shall apply to all City employees. They shall not apply to independent contractors or elected officials, provided that the policy sections on Reimbursement of Employee Expenses (Policies 401-405) and Employee Benefits (Policy 501, and Policy 507) shall apply to the Mayor, who shall be eligible to participate in City employee benefit programs and subject to applicable policies regarding those benefit programs. In the event of conflict between any provision of this manual and any provision of a valid and effective collective bargaining agreement, employee contract, or applicable Civil Service rules and regulations, the provisions of the contract and/or the Civil Service rules shall govern. In all other cases, these policies shall govern.
- 3) Except as specified below, non-represented employees can be terminated only "for cause." Simply defined, "for cause" generally means that the employer has a valid performance, conduct, or attitude-related reason for disciplining or terminating the employee, or that there is a valid budgetary, operational or other legitimate reason for termination. Introductory employees are "at-will" employees and can be terminated without cause. Employees who have an individual contract designating their employment as "at will" can also be terminated without cause.
- 4) The Human Resource Department is responsible for distribution of the Manuals to employees who, in turn, are responsible for inserting approved changes.
- 5) The Human Resource Department will continue to review and recommend changes to the Mayor in the City of Anacortes's personnel policies. Department heads and supervisors are encouraged to recommend changes or new policies. The Human Resource Department is responsible for disseminating new policy information.
- 6) Department heads and supervisors should refer to the Manual whenever questions of policy interpretation or implementation arise. Issues needing clarification should be referred to the Human Resource Department.
- 7) As used in the Manual:
 - a) Use of the masculine or feminine gender should be interpreted to include persons of both gender;
 - b) "Supervisor" means an individual with the authority to assign, direct, and review the work of one or more subordinates; and
 - c) "Immediate family" means the employee's spouse, registered domestic partner, brother, sister, mother, father, stepmother, stepfather, child, stepchild, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, grandparent, grandparent-in-law, and any other resident member of the employee's household unless otherwise specified.

- i) “Domestic Partner” means a person whom an employee identifies as his or her domestic partner and who together are registered as a Domestic Partnership with the Washington State Secretary’s State Registry.

POLICY 103 CODE OF EMPLOYER-EMPLOYEE RELATIONS

Policy:

The City of Anacortes implements fair and effective personnel policies and requires all employees support the City's best interests.

Comment:

- 1) The City of Anacortes is committed to a mutually rewarding and direct relationship with its employees. Thus, the City of Anacortes:
 - a) Provides equal employment opportunity and treatment regardless of race, religion, color, sex/gender, sexual orientation or gender identification, age, national origin, disability, pregnancy, genetic information, military/veteran status, and any status protected by law(See Productive Work Environment, Policy 202);
 - b) Provides compensation and benefits commensurate with the work performed (See Pay Practices, Section 300);
 - c) Establishes reasonable hours of work based on the City of Anacortes's needs (See Hours of Work, Policy 210);
 - d) Monitors and complies with applicable federal, state, and local laws and regulations concerning employee safety (See Employee Safety and the safety committee, Policy 601);
 - e) Offers training opportunities for those whose talents or needs justify the training;
 - f) Enforces workplace policies in such a manner that does not interfere with, restrain, or prevent employees from engaging in protected activities regarding wages, hours, or other terms and conditions of employment protected under the Public Employees Collective Bargaining Act;
 - g) Is receptive to constructive suggestions about job duties, working conditions, or personnel policies; and
 - h) Establishes appropriate means for employees to discuss matters of concern with their immediate supervisor or department head. (See Dispute Resolution Procedure, Policy 902.)
- 2) The City of Anacortes, as part of its commitment to providing the public with excellent products and services and to creating a productive work environment, expects all employees to:
 - a) Deal with the public and vendors in a professional manner;
 - b) Represent the City of Anacortes in a positive and ethical manner;
 - c) Perform assigned tasks in an efficient manner;
 - d) Be punctual (See Attendance and Punctuality, Policy 701);
 - e) Demonstrate a considerate, friendly, and constructive attitude toward fellow employees; and
 - f) Follow the policies adopted by the City of Anacortes.
- 3) The City of Anacortes retains the discretion to exercise all managerial functions, consistent with the provisions of any governing collective bargaining agreement, employment contract, or Civil Service Commission rules to:
 - a) Dismiss, assign, supervise, and discipline employees;
 - b) Determine and change starting times, quitting times, and shifts;
 - c) Transfer employees within departments or into other departments and other classifications;
 - d) Determine and change the size and qualifications of the workforce;

- e) Determine and change methods by which its operations are to be carried out including contracting out services;
- f) Determine and change the nature, location, goods produced, services rendered, quantity, and continued operation of the municipality; and
- g) Assign duties to employees in accordance with the City of Anacortes's needs and requirements and to carry out all ordinary administrative and management functions.

POLICY 104 ETHICS

Policy:

The City of Anacortes conducts its business fairly, impartially, in an ethical and proper manner, and in compliance with all laws and regulations.

Comment:

- 1) The City of Anacortes is committed to conducting its business with integrity underlying all relationships, including those with citizens, customers, suppliers, and communities, and among employees. The highest standards of ethical business conduct are required of City of Anacortes employees in performance of their responsibilities. Employees will not engage in conduct or activity that may raise questions as to the City's honesty, impartiality, or reputation, or otherwise cause embarrassment to the City. Employees will avoid any action, whether or not specifically prohibited in the personnel policies, which might result in or reasonably be expected to create an appearance of:
 - a) Using public office or public position for private gain;
 - b) Giving preferential treatment to any person or entity;
 - c) Losing impartiality; or
 - d) Adversely affecting the confidence of the public in the integrity of the City of Anacortes
- 2) Every employee has the responsibility to ask questions, seek guidance, report suspected violations, and express concerns regarding compliance with this policy. The City of Anacortes will maintain a program to communicate to employees its commitment to integrity and uncompromising values. The program will inform employees of City policies and procedures regarding ethical business conduct and assist them in resolving questions and in reporting suspected violations. Retaliation against employees who use City reporting mechanisms to raise concerns in good faith will not be tolerated.
- 3) The Human Resource Department is responsible for providing policy guidance and issuing procedures to assist employees in complying with the City of Anacortes' expectations of ethical business conduct and uncompromising values. This policy constitutes the standards of ethical business conduct required of all employees. Managers are responsible for supporting their implementation and monitoring compliance.

POLICY 201 EQUAL EMPLOYMENT OPPORTUNITY

Policy:

The City of Anacortes is an equal opportunity employer. The City of Anacortes does not discriminate in employment decisions or policies in violation of law on the basis of race, religion, color, sex/gender, sexual orientation or gender identification, age, national origin, disability, pregnancy, genetic information, military/veteran status, or any status protected by law. - This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, reduction in force, recall, transfer, leaves of absence, compensation, and training.

Comment:

- 1) Reasonable Accommodation of Disabilities
 - a) The City of Anacortes complies fully with its duty to provide a reasonable accommodation to allow an employee with physical or mental disabilities to perform the essential functions of the employee's job. Employees who have a disability that limits their ability to perform their job should contact the Human Resources Department to inform the City of their disability and request for accommodation.
 - b) In order to provide a reasonable accommodation, the City of Anacortes may seek to communicate with the employee's medical provider to gain a better understanding of any limitations they possess, and given those limitations, the means by which an accommodation would allow the employee to perform the essential functions of a position. Employees may be asked to submit to a medical examination by an independent medical provider to confirm their medical condition and resulting limitations. After returning from a disability-related leave, the City of Anacortes may request that an employee undergo a fitness for duty examination to ensure that they are capable of performing the essential functions of the job.
 - c) If an employee qualifies, the City of Anacortes will work with the employee and their medical providers to provide the employee with a reasonable accommodation so that the employee can continue to perform the job. This may include making changes to the employee's work schedule, changing some of the job duties or transferring the employee to another position that the employee is able to perform.
- 2) Reasonable Accommodation of Religious Beliefs:
 - a) The City of Anacortes complies fully with its duty to provide a reasonable accommodation of any employee's sincerely-held religious beliefs, unless the City of Anacortes believes such an accommodation would create an undue hardship or is contrary to the City's commitment to equal opportunity. For example, if an employee requires a certain work schedule or a particular day off for religious observance, or to dress or attire oneself in a way that vary from any dress code adopted by the City, the employee must contact the Human Resources Department to request accommodation.

POLICY 202 PRODUCTIVE WORK ENVIRONMENT (COMPLAINTS OF UNLAWFUL DISCRIMINATION, HARASSMENT, OR RETALIATION)

Policy:

The City of Anacortes promotes a productive work environment and does not tolerate unlawful discrimination, harassment, or retaliation.

Comment:

- 1) The City of Anacortes is committed to providing a workplace that is free from unlawful discrimination. Unlawful discrimination occurs when an employee is disciplined, terminated, demoted, or suffers some other adverse consequence in their employment on the basis of race, color, national origin, creed, religion, sex, age (over 40), pregnancy, marital status, physical or mental disability, genetic information, gender identification, sexual orientation, gender identity or status as an honorably discharged veteran, or any other class protected by federal, state, or local law.
- 2) The City of Anacortes is committed to providing a work environment which is free from unlawful harassment. The City expressly prohibits any form of unlawful harassment by or against its employees on the basis of race, color, national origin, creed, religion, sex, age (over 40), pregnancy, marital status, physical or mental disability, genetic information, gender identification, sexual orientation, gender identity or status as an honorably discharged veteran, or any other class protected by federal, state, or local law.
- 3) Sexual harassment is conduct that is directed at an employee because of his or her sex, is unwelcome, and is offensive. Each supervisor and manager has a responsibility to keep the workplace free of any form of harassment, and in particular, sexual harassment. No supervisor or manager is to threaten or insinuate, either explicitly or implicitly, that an employee's refusal or willingness to submit to sexual advances will affect the employee's terms or conditions of employment.
- 4) Other sexually harassing or offensive conduct in the workplace, whether committed by supervisors, managers, non-supervisory employees, or non-employees, is also prohibited. Prohibited conduct includes, but is not limited to:
 - a) Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions;
 - b) Verbal harassment of a sexual nature, such as lewd comments, sexual jokes or references, and offensive personal references;
 - c) Demeaning, insulting, intimidating, or sexually suggestive comments about an individual;
 - d) The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects, pictures, or photographs;
 - e) Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.

Any of the above conduct, or other offensive conduct directed at individuals on the basis of race, color, national origin, creed, religion, sex, age (over 40), pregnancy, marital status, physical or mental disability, genetic information, gender identification, sexual orientation, gender identity or status as an honorably discharged veteran, or any other class protected by federal, state, or local law, is strictly prohibited.

- 5) The City of Anacortes is committed to providing a work place that is free from unlawful retaliation. The City of Anacortes prohibits any form of retaliation against any employee for good faith actions in filing a complaint under the City's discrimination and harassment policies, and for participating in the investigation of any complaint of discrimination or harassment. Improper retaliation may include, but is not limited to, discipline, termination, transfers, assignment of unfavorable duties, or treating the employee who made the complaint in a hostile manner when such action or behavior is motivated in substantial part by the employee's participation in protected activity. Employees who bring complaints may be subject to discipline if the investigation reveals that the complaint was made in bad faith.
- 6) Complaint Process. An employee who feels harassed should immediately tell the offending individual how they feel and ask them to stop. If that does not work or if the employee is uncomfortable confronting the offending individual, the employee should report the incident promptly. A complaint can be made verbally or in writing to Human Resources. In the alternative, as the employee may wish, the complaint may be brought to the attention of the Mayor. If an employee brings the complaint to the attention of another manager, the manager is obligated to report the complaint to Human Resources and/or the Mayor.

A harassment complaint generally will be handled as follows:

- a) Every complaint is to be reported promptly, whether by the complainant or by the person receiving the complaint. If reported verbally, the person taking the complaint should produce a written statement for the complainant to review and sign.
 - b) The complaint will be investigated as soon as reasonably practicable. Choice of investigator, level of formality, and the procedures used in the investigation may vary, depending upon the nature of the allegations and full circumstances of the situation, including the context in which the alleged incidents occurred.
 - c) Confidentiality will be maintained throughout the investigatory process to the extent practical and consistent with the need to undertake a full investigation.
 - d) There shall be no retaliation by the City, its officers, managers, or other employees toward any employee bringing a complaint in good faith or cooperating with the investigation of a harassment complaint. Any person who feels they have been retaliated against, should immediately report their concern to the Human Resources department. The City strictly prohibits retaliation under this policy, and any sustained allegations of retaliation will lead to discipline, up to and including termination.
 - e) Where the investigation confirms the allegation of unlawful harassment or retaliation, the City will take prompt corrective action, and, where appropriate, discipline the offending individual. Discipline may include verbal and written reprimands, professional counseling, reassignment, demotion, or other appropriate action, up to and including termination. The affected individuals will be informed of the outcome of the investigation.
- 7) All officers and managers are assigned responsibility for implementing this policy, ensuring compliance with and knowledge of its terms, and for taking immediate and appropriate corrective action if they witness inappropriate behavior or receive a complaint. Managers must open and maintain channels of communication to permit employees to raise concerns of sexual or other workplace harassment without fear of retaliation, stop any observed harassment, and treat harassment matters with sensitivity, confidentiality, and objectivity. A manager's failure to carry out these responsibilities may result in disciplinary action up to and including discharge.

POLICY 203 WORKPLACE VIOLENCE

Policy:

The City of Anacortes is committed to providing a safe workplace for its employees, guests, contractors, vendors, and the public. Therefore, in an effort to help prevent or reduce the possibility of violence here in our workplace, the City of Anacortes has implemented this policy on workplace violence for our employees.

Comment:

- 1) **Workplace Violence Prohibition.** The City of Anacortes strictly prohibits threatened or actual workplace violence. This includes, but is not limited to, any of the following conduct associated in or around the workplace, or otherwise related to employment:
 - a) Threatening injury or damage against a person or property
 - b) Fighting or threatening to fight with another person
 - c) Threatening to use a weapon on City of Anacortes premises (unless such threat is a lawful use of force by an employee required to carry a firearm or weapon as a condition of employment)
 - d) Abusing or injuring another person
 - e) Abusing or damaging property
 - f) Using obscene or abusive language or gestures in a threatening manner
 - g) Raising voices in a threatening mannerBecause of the potential for misunderstanding, joking about any of the above misconduct is also prohibited.
- 2) **"City of Anacortes Premises" Definition:** The term "premises" means all areas within the ownership and/or control of the City of Anacortes, including, but not limited to, buildings, offices, work areas, lounges, parking lots, desks, cabinets, lockers, storage areas, and any other City of Anacortes owned property on which employees may work. The City of Anacortes reserves the right to search all facility premises when the facility management determines that such a search is a reasonable and necessary precaution for work place safety.
- 3) **Reporting Violent Conduct.** Any workplace violence incidents or incidents indicating a potential for violence are to be reported by an employee to the Human Resources Director as soon as possible. Incident reports are to be completed, as appropriate. If the City of Anacortes determines that an employee has violated this policy, the employee will be subject to immediate discipline up to and including discharge. The Human Resource Department and Department Head shall handle concerns with members of the public or other parties as it determines under its policies and procedures.
- 4) **Imminent Danger/Violence Incident Procedure.** Any employee who believes that a situation with an aggressive employee, resident, guest, contractor, vendor, or other party (e.g., any person who uses obscene or abusive language or gestures, makes threats or acts in a violent or threatening manner) may immediately become violent putting the employee or others in imminent danger, the employee should promptly leave the work area and immediately call 911 to request officer contact. No disciplinary action shall be taken against any employee who leaves a work area when the employee has a reasonable belief that an emerging situation with an aggressive person is likely to turn violent at that time. The employee should coordinate the timing and circumstances of possible return by the employee to the area with police and their immediate manager.
- 5) **Security Precautions.** All City of Anacortes security policies and rules must be adhered to at all times. To prevent inappropriate outsider access, facility solicitation and access rules

must be strictly followed. It is especially important that building security rules and procedures are specifically enforced at all times (e.g., doors locked after hours). Failure to comply with these requirements may lead to disciplinary action, up to and including discharge. The following expectations also apply to all employees:

- a) Being familiar with all safety and health procedures relevant to the operations under their supervision;
- b) Inspecting their work areas periodically;
- c) Identifying conditions that are recognized as being unsafe; and
- d) Reporting accidents and injuries to the immediate manager, department head and Human Resources immediately and ensuring that any injured employee is referred to appropriate medical care. (See Medical Procedures, Policy 205.)

POLICY 204 HIRING

Policy:

The City of Anacortes is an equal opportunity employer and hires individuals solely based on their qualifications and ability to do the job to be filled.

Comment:

- 1) The City of Anacortes normally will try to fill job openings above entry level by promoting from within, if qualified internal applicants are available. (See TRANSFER, Chapter 207; and PROMOTION, Chapter 208) In addition, the City of Anacortes normally will give consideration to any known qualified individuals who are on layoff status before recruiting applicants from outside the organization. (See Layoff and Recall, Chapter 212.)
- 2) The City of Anacortes will consider a member of an employee's immediate family for employment if the applicant possesses all the qualifications for employment. An immediate family member may not be hired, however, if the employment would:
 - a) Create either a direct or indirect supervisor/subordinate relationship with a family member; or
 - b) Create an actual conflict of interest or the appearance of a conflict of interest.

These criteria will also be considered when assigning, transferring, or promoting an employee. For purposes of this policy, "immediate family" includes: the employee's spouse, domestic partner, brother, sister, mother, father, stepmother, stepfather, children, stepchildren, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, and any other member of the employee's household.

- 3) Employees who marry or become members of the same household may continue employment as long as there is not:
 - a) A direct or indirect supervisor/subordinate relationship between the employees; or
 - b) An actual conflict of interest or the appearance of a conflict of interest.

Should one of the above situations occur, the City of Anacortes would attempt to find a suitable position within the City of Anacortes to which one of the affected employees may transfer. If accommodations of this nature are not feasible, the employees will first be permitted to determine which of them will resign. If no agreement between the employees can be reached, the City of Anacortes will decide which of the employees will be terminated.

- 4) Former employees who left the City of Anacortes in good standing may be considered for re-employment. Former employees who resigned without advance notice or who were dismissed for disciplinary reasons may not be considered for re-employment. (See Termination of Employment, Policy 213.)
- 5) A former employee who is re-employed will be considered a new employee from the date of re-employment unless the break in service is less than 3 months, in which case the employee will retain accumulated seniority. Length of service for the purposes of benefits is governed by the terms of each benefit plan. (See Health and Welfare Benefit Disclosure, Policy 501.)
- 6) Employees who retire may be eligible, in certain circumstances, to be considered for rehire. (See Retirement, Policy 214.)

POLICY 205 MEDICAL EXAMINATIONS

Policy:

The City of Anacortes may require applicants to whom a conditional offer of employment has been extended, and current employees, to undergo medical tests, procedures, or examinations whenever management determines that these are necessary for the safe or efficient operation of the organization and are job-related and consistent with business necessity.

Comment:

- 1) Successful applicants for employment may be required as a condition of employment to submit to a medical examination to establish their fitness to perform the jobs for which they have applied without endangering the health and safety of themselves or others. If management determines that an examination is appropriate to a particular position, all applicants for the job to whom a conditional offer of employment has been made shall be examined.
- 2) Employees may be required to have a medical examination on other occasions when the examination is job-related and consistent with business necessity. For example, a medical examination may be required when an employee is exposed to toxic or unhealthful conditions, requests an accommodation for a particular disability, returns from a leave due to a medical condition, or has a questionable ability to perform essential job functions due to a medical condition.
- 3) Employees are encouraged, but not required unless it is determined to be a condition of employment, to have physical examinations periodically during their employment. Employees are encouraged, but not required, to participate in wellness programs.
- 4) Medical examinations required by the City of Anacortes will be paid for by the City and will be performed by a physician or licensed medical facility designated or approved by it. Medical examinations paid for by the City of Anacortes are the property of the City of Anacortes, and the examination records will be treated as confidential and kept in separate medical files. However, records of specific examinations, if required by law or regulation, will be made available to the employee, persons designated and authorized by the employee, public agencies, relevant insurance companies, or the employee's doctor.
- 5) Employees who need to use prescription or nonprescription legal drugs while at work must report this requirement to their supervisor if the use might impair their ability to perform their job safely and effectively. Depending on the circumstances, employees may be reassigned, prohibited from performing certain tasks, or prohibited from working if they are determined to be unable to perform their jobs safely and properly while taking prescription or nonprescription legal drugs. (See drugs, narcotics, & alcohol Policy 808)
- 6) The City reserves the right to require acceptable confirmation of the nature and extent of any illness or injury that requires an employee to be absent from scheduled work. The City also may require a second and, if appropriate, third medical opinion regarding an employee's absence because of illness or injury. The City will pay for any additional opinions it requires.
- 7) Employees returning from a disability leave or an absence caused by health problems may be required to provide a doctor's certification of their ability to perform their regular work satisfactorily without endangering themselves or their fellow employees.
- 8) Employees who become ill on the job or suffer any work-connected injury, no matter how minor, must report immediately to their supervisors. The supervisor will arrange referral for examination, treatment, and recording of the incident as necessary. Time an employee

spends waiting for and receiving this medical attention will be considered hours worked for pay purposes.

- 9) The City also may require job applicants and current employees to take a test to determine the presence of drugs, narcotics, or alcohol, unless prohibited by law. For policies and procedures on this type of testing, see (See drugs, narcotics, & alcohol Policy 808).

POLICY 206 INTRODUCTORY PERIOD

Policy:

The City of Anacortes carefully monitors and evaluates all new employees and all present employees transferred or promoted to a new job during an initial introductory period. After satisfactory completion of the introductory period, those employees will be evaluated as provided for in the PERFORMANCE APPRAISALS policy. (See PERFORMANCE APPRAISALS Policy 302.)

Comment:

- 1) Normally, the introductory period should last twelve months or as designated in the appropriate collective bargaining agreements and/or Civil Service Rules and Regulations. Supervisors should observe carefully the performance of each employee in a new job position. Where appropriate, weaknesses in performance, behavior, or development should be brought to the employee's attention for correction.
- 2) Supervisors should prepare a written evaluation of the employee's job performance before the end of the introductory period on the new job. (See Performance Appraisals, Policy 302.) The evaluation should include a recommendation as to whether the employee should continue in the position. Copies of the evaluation should be forwarded to the department head and the Human Resource Department for inclusion in the employee's personnel file. (See Personnel Records, Policy 901.)
- 3) Employees generally will be allowed to continue in their new positions if they are given both a satisfactory evaluation by the end of their introductory period and their supervisor's endorsement to continue in the job. Employees who do not receive a satisfactory evaluation and endorsement may be given additional time in 30-day increments to demonstrate their ability to do the job, if the supervisor feels additional time is warranted in order to achieve acceptable job performance. Supervisors may recommend the termination of a newly hired employee at any time. Introductory employees are at-will employees. A recommendation for termination should be submitted in writing to the Human Resource Department for review and should include an evaluation and a list of actions taken to assist the employee. (See also Termination of Employment, Policy 213.) Action to terminate should have the prior approval of the Human Resource Department.
- 4) At the discretion of management, transferred or promoted employees who are unable to perform satisfactorily in their new jobs may be returned to their original jobs, if a vacancy exists, or may be terminated. (See TRANSFER, Policy 207; and Promotion, Policy 208.)

POLICY 207 TRANSFER

Policy:

The City of Anacortes may at its discretion initiate or approve employee job transfers from one job to another or from one location to another.

Comment:

- 1) The City of Anacortes may require employees to make either a temporary or long-term job transfer in order to accommodate the City's business needs. The City of Anacortes will try to limit the number and duration of temporary transfers that it requests of individual employees in a twelve-month period.
- 2) Employees may request a voluntary job transfer. To be eligible for a voluntary transfer, employees normally must meet the requirements of the new position, have held their current position for at least 12 months, have a satisfactory performance record, and have no disciplinary actions during the same period.
- 3) Job openings for which management solicits candidates from within the City of Anacortes are normally posted on the employee bulletin board and on the City's website. However, as it considers appropriate, management will fill job openings or make transfers without posting notices.
- 4) Internal Job Openings: Eligible employees who request a transfer generally will be considered in the following order:
 - a) Employees in the same department as the job opening;
 - b) Employees who are being considered for layoff because of a reduction in force or because of the elimination of their job (See Layoff and Recall, Policy 210); and
 - c) All other employees.
- 5) Application Process for Internal Job Openings: Requests for transfer normally should be handled as follows:
 - a) The employee should submit an internal job application form to the Human Resource Department. The request should include the reason for the transfer and the department and specific job that the employee wants. Requests based on posted job openings must comply with the procedures described in Promotion, Policy 208, and should be initiated prior to the cut-off date specified in the posting. It is recommended that employees inform their immediate supervisor of their intent to apply for another position.
 - b) The Human Resource Department and hiring manager should determine if the requested job or a suitable job opening exists and whether the employee is eligible.
 - c) If the employee is eligible for a job opening, the hiring manager should arrange an interview with the candidate. The candidate will be allowed time off with pay for job interviews related to the transfer.
 - d) The department head with the job opening will make the final transfer decision, subject to prior approval of the Human Resource Department and Mayor. (See Promotion, Policy 208.)
 - e) Supervisors and department heads may initiate the procedure and propose employees for a position.
- 6) Transferred employees will be subject in their new positions to the provisions of the Introductory Period Policy. (See Introductory Period, Policy 206.). Transferred employees may be required to have a medical examination if the examination is job-related and consistent with business necessity. (See Medical Procedures, Policy 205.)
- 7) Transferred employees will retain their existing job seniority.
- 8) Pay for transferred employees generally will be handled as follows:

- a) Employees transferred to a job within the same salary range will continue to receive their existing rate of pay;
- b) Employees transferred to a job in a higher salary range will be paid at a rate within the higher range to be determined at the time of transfer;
- c) Employees transferred, for management's convenience, to a job in a lower salary range will usually be paid at their former rate. At management's discretion, however, employees may be paid at the rate of the new job; and
- d) Employees who are transferred for disciplinary reasons, lack of work, budgetary reasons, municipal reorganization, or at their own request to a job in a lower salary range will be paid at the lower rate beginning with the start of the new job.

POLICY 208 PROMOTION

Policy:

The City of Anacortes may offer employees promotions to higher-level positions when appropriate. Management prefers to promote from within and may first consider current employees with the necessary qualifications and skills to fill vacancies above the entry level, unless outside recruitment is considered to be in the City of Anacortes's best interest.

Comment:

- 1) All employees are encouraged to seek advancement opportunities and to obtain promotion and career guidance from their supervisor, department head, and the Human Resource Department.
- 2) Employee eligibility for promotion will be determined by the requirements of the new job. In addition, to be considered, employees must have held their current position for at least twelve months, have a satisfactory performance record, and have no disciplinary actions during the same period. Management retains the discretion to make exceptions to the policy.
- 3) Job openings and promotions for which management solicits candidates from within the City of Anacortes normally will be posted on the employee bulletin board and announced on the City's website. However, as it considers appropriate, management may fill job openings or make promotions without posting notices. When job openings or promotion opportunities are posted:
 - a) Interested employees must complete an internal application form and cover letter and forward it to the Human Resource Department prior to the cut-off date specified in the posting;
 - b) Department heads may initiate the procedure within the same time period and propose employees for the position; and
 - c) The Human Resource Department may, at its discretion, solicit outside candidates during or after the posting period.
- 4) Employees who are candidates for job openings and promotions will be considered for the position as outlined in the Transfer policy. (See Transfer, Policy 207.)
- 5) Employee candidates for promotion will normally be screened and selected based on attendance and work records, performance appraisals, and job-related qualifications including, in some instances, aptitude or achievement tests. Seniority will be considered if required by a labor contract. In addition, employees seeking promotion may be required to have a medical examination if the examination is job-related and consistent with business necessity. (See Medical Procedures, Policy 205.)
- 6) Promoted employees will be subject to the provisions of the Introductory Period policy in their new positions. (See Introductory Period, Policy 206.) Seniority and pay for promoted employees will be handled as outlined in the Transfer policy. (See Transfer, Policy 207.)

POLICY 209 HOURS OF WORK

Policy:

The City of Anacortes establishes the time and duration of working hours as required by workload and workflow, customer service needs, the efficient management of employees, and any applicable law or bargaining agreement.

Comment:

- 1) The normal workweek is Sunday through Saturday, beginning and ending at midnight on Saturday, and consisting of forty hours. The normal workday will consist of eight hours of work with an unpaid meal period. Different work schedules, such as in the case of police, fire, water and wastewater employees, may be established by the City to meet job assignments and provide necessary City services. Rest or coffee breaks are considered as time worked.
- 2) Each employee's scheduled work hours will be determined by his or her department head. The department head, or the department head's designee, will inform employees of their daily schedule of hours of work, including meal periods and rest or coffee breaks, and of any changes that are considered necessary or desirable by the City of Anacortes. (See REST BREAKS, Policy 703; and MEAL BREAKS, Policy 704.)
- 3) Department heads may schedule overtime or extra shifts. Supervisors will assign overtime to nonexempt employees (those employees who are subject to the minimum wage and overtime provisions of the Fair Labor Standards Act) as needed. Employees are not permitted to work overtime without the prior approval of their supervisor or department head. For the purposes of overtime compensation, only hours worked in excess of forty during a workweek will be counted.
- 4) Employee attendance at lectures, meetings, and training programs will be considered hours of work, and therefore will be compensated time, if management requires and authorizes attendance.
- 5) Nonexempt employees normally will be granted a minimum of two hours of "reporting pay" and "call-back pay." Reporting pay will be granted when employee reports for work and no work is available. However, reporting pay will not be granted if the lack of work is the result of conditions beyond the City of Anacortes's control or if employees refuse to accept other work that they are qualified to perform. When work is not available, the City of Anacortes will make a reasonable effort before starting time to notify employees not to report to work. Call back pay will be granted when employees are asked to come to work outside of their normal working hours.
- 6) Department heads, at their discretion, may allow nonexempt employees to make-up lost time during a given workweek. However, make-up will not be allowed if the lost time is the result of conditions the employee could control, if there is no work the employee is qualified to do, or if adequate supervision is not available.
- 7) Nonexempt Timesheets: All nonexempt employees are required to complete an individual time record showing the daily hours worked. Time records cover half of one month (1-15th and 16-end of month) and must be completed by dates determined by the Finance Department. The following points should be considered in filling out time records:
 - a) Employees should record their total hours worked for each workday;
 - b) Employees are not permitted to sign in or begin work before their normal starting time or to sign out or stop work after their normal quitting time without the prior approval of their supervisor;
 - c) Employees are required to take scheduled lunch or meal breaks;

- d) Employee time records should be checked and signed by the supervisor involved. Special attention should be given to unworked time for which an employee is entitled to be paid (paid absences, paid holidays, or paid vacation time) and authorized overtime;
 - e) Unapproved absences should not be considered as hours worked for pay purposes. (See ATTENDANCE AND PUNCTUALITY, Policy 701; and ABSENCES, Policy 702.) Supervisors should inform employees if they will not be paid for certain hours of absence; and;
 - f) Timesheet estimation is permitted following established guidelines; however, falsifying any time record is prohibited and may be grounds for disciplinary action, up to and including termination. (See BEHAVIOR OF EMPLOYEES, Policy 801; and DISCIPLINARY PROCEDURES, Policy 807.)
- 8) Compensatory Time Off: Nonexempt employees can earn overtime for hours worked beyond the normal workweek. Nonexempt employees (those not exempt from the provisions of the Fair Labor Standards Act) will be paid overtime compensation, either in cash or compensatory time off, at the rate of one and one-half times their regular hourly rate for work in excess of forty hours during their normal workweek. If an employee elects to accrue compensatory time off in lieu of overtime pay, one and one half-hours of compensatory time-off is earned for one hour of work beyond the normal workweek.
- a) Maximum accruals of compensatory time shall be limited to two hundred-forty (240) hours or per bargaining agreement. After maximum accrual, overtime compensation will be paid to nonexempt employees.
 - b) Employees may use compensatory time after making a request to their department head, unless doing so would unduly disrupt City operations. Compensatory time should be used for short-term absences from work during times mutually agreed to by the employee and the department head.
 - c) Upon termination, employees receive compensation for their accrued compensatory time balance.
- 9) Exempt Timesheets and Exchange Time Off: Personnel employed in executive, administrative, professional, or certain computer-related capacities generally are exempt from the provisions of the Fair Labor Standards Act.
- a) Exempt employees are not required to complete hourly time records but must account for daily attendance and attendance exceptions.
 - b) Exempt employees do not receive overtime compensation. Exempt employees are eligible to receive exchange time off on a one for one basis for work in excess of forty hours during their normal workweek.
 - c) Maximum accruals of exchange time shall be limited to 240 hours. Exempt employees will not continue to accrue exchange time after reaching the maximum.
 - d) Upon termination, accrued exchange time hours are not eligible for payout.
- 10) For policies and procedures regarding pay practices, see PAY PRACTICES, Policy 300.

POLICY 210 OUTSIDE EMPLOYMENT

Policy:

The City of Anacortes allows its employees to engage in outside work or hold other jobs, subject to certain restrictions as outlined below.

Comment:

- 1) Employees are required to disclose outside work or other jobs to their department heads and obtain pre-approval to perform outside work or hold another job.
- 2) The City of Anacortes requires that employees' activities and conduct away from the job must not compete, conflict with, or compromise its interests, or adversely affect job performance and the ability to fulfill all responsibilities to the City of Anacortes. (See Conflicts of Interest, Policy 805.) This requirement, for example, prohibits employees from performing any services for customers on non-working time that are normally performed by City of Anacortes personnel. This prohibition also extends to the unauthorized use of any City of Anacortes resources, including its communication systems, and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working time.
- 3) Employees are cautioned to consider carefully the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If outside work activity causes or contributes to job-related problems, it must be discontinued. If necessary, normal disciplinary procedures will be followed to deal with the specific problems. (See Disciplinary Procedure, Policy 807.)
- 4) In evaluating whether to grant approval for outside work, department heads and the Human Resource Department will consider whether the proposed employment:
 - a) May reduce the employee's efficiency in working for the City of Anacortes;
 - b) Involves working for an organization that does a significant amount of business with the City of Anacortes, such as major contractors, suppliers, and customers; or
 - c) May adversely affect the City of Anacortes's image.
- 5) If employees outside employment job duties are similar or related to their City of Anacortes service, or if they cause the employee to deal with people or entities whom the employee deals with for the City of Anacortes duties, the employee must be prepared to explain why no potential conflict exists between the outside employment and the official duties of the City of Anacortes.
- 6) Employees who have accepted outside employment may not use paid sick leave to work on the outside job. Fraudulent use of sick leave will result in disciplinary action up to and including termination. (See Disciplinary Procedure, Policy 807.)

POLICY 211 EMPLOYEE CLASSIFICATIONS

Policy:

The City of Anacortes classifies employees as full-time, part-time, or temporary and as exempt or nonexempt for the purposes of compensation administration. In addition, the City of Anacortes may supplement the regular workforce, as needed, with other forms of flexible staffing.

Comment:

- 1) The Human Resource Department is responsible for classifying employees. Employees generally may be categorized as follows:
 - a) A **full-time employee** is an individual who works a normal forty-hour workweek and is hired for an indefinite period. (See HOURS OF WORK, Policy 209.) A full-time employee may be classified as either exempt or nonexempt.
 - b) A **part-time employee** is an individual who works less than a normal workweek and is hired for an indefinite period. A part-time employee may be classified as either exempt or nonexempt. Note that a modified definition of part-time employee is used under HEALTH AND WELFARE BENEFIT DISCLOSURE, Policy 501, to align the City's health insurance coverage with the Affordable Care Act.
 - c) A **temporary employee** generally is an individual who is hired either part-time or full-time for a specified, limited period. A temporary employee may be classified as either exempt or nonexempt. A temporary employee who works more than one thousand, forty regular hours (1040) in a work year may be required to join the applicable bargaining unit.
 - d) A **nonexempt employee** generally is subject to the minimum wage and overtime provisions of the Fair Labor Standards Act ("FLSA") and is typically paid either on an hourly or salary basis.
 - e) An **exempt employee** is exempt from the provisions of the FLSA and is not entitled to overtime payments. Exempt employees typically are paid on a salary basis and include administrative, executive, and professional employees, outside sales representatives, and certain highly skilled computer professionals. (See HOURS OF WORK, Policy 209.)
- Other flexible staffing classifications or arrangements may be added as needed.
- 2) For information regarding eligibility for paid absences, vacations, and holidays see ABSENCES, Policy 702; VACATIONS, Policy 502; and HOLIDAYS, Policy 503. An employee whose status changes from full-time to part-time may use any days of paid absence or vacation earned as a full-time employee. An employee whose status changes from temporary or part-time to full-time will be considered as hired on the date of the change of status for purposes of eligibility for paid absences and vacation. Information concerning eligibility for other City of Anacortes benefits, such as the pension plan, is available from the Human Resource Department.

POLICY 212 LAYOFF AND RECALL

Policy:

If the City of Anacortes must reduce employment because of adverse economic or other conditions, layoffs and recall from layoffs generally will be conducted in a manner that is consistent with City of Anacortes requirements and in accordance with the procedures described below.

Comment:

- 1) In the event that a layoff is expected, the City of Anacortes will attempt to communicate information about an impending layoff as soon as possible. However, management reserves the right to alter the layoff procedure and withhold information about the layoff as permitted by law in order to protect the City of Anacortes's interests.
- 2) Layoffs that are expected to be temporary generally will be handled according to the provisions of this policy. Selections for layoffs that are known to be permanent will be made according to this policy and then handled according to policies outlined in TERMINATION OF EMPLOYMENT, Policy 213; and SEVERANCE PAY, Policy 303.
- 3) Evaluation of layoff criteria shall be within the sole discretion of the City. Employees will be selected for layoff, based on the following criteria:
 - a) Promotion potential and transferability of skills to other positions within the unit;
 - b) Demonstrated current and past performance;
 - c) The needs of the City of Anacortes; and
 - d) Length of service with the City of Anacortes.
- 4) An employee's length of service is measured from the original date of employment with the City of Anacortes, as long as there has not been a break in service greater than 30 days. During a layoff, employees with breaks in service greater than 30 days, but less than one year per break, are credited only for their time actually worked, i.e., the break time does not get counted unless required by law. Employees with a break in service greater than one year receive credit for service only from their most recent date of hire with the City of Anacortes.
- 5) Employees selected for layoff will be given as much notice as is required by law or as much as is reasonable under the circumstances.
- 6) Employees who are laid off will be maintained on a recall list for six months or until management determines the layoff is permanent, whichever occurs first. Removal from the recall list terminates all job rights the employee may have. While on the recall list, employees should report to the Human Resource Department if they become unavailable for recall. Employees who do not keep a current home address on record with the Human Resource Department will lose their recall rights.
- 7) Employees will be recalled according to needs of the City of Anacortes, their classification, and their ability to perform the job. Notice of recall will be sent by registered mail, return receipt requested, to the current home address on record with the Human Resource Department. Unless an employee responds to the recall notice within seven days following receipt of the notice, or its attempted delivery, the employee's name will be removed from the recall list and the employee will no longer have any job rights with the City of Anacortes.
- 8) Credit for seniority will continue to accumulate during any layoff of 30 days or less. Employees laid off for more than 30 days and subsequently recalled within one year from the date of layoff will be credited with the years of service accumulated at the time of layoff.

- 9) If the layoff is expected to exceed 30 days, vacation pay equal to the number of unused vacation days accrued will be paid at the time of layoff. Employees who are laid off will not accrue vacation or sick leave during the layoff.

2) POLICY 213 TERMINATION OF EMPLOYMENT

Policy:

The City of Anacortes may terminate employment because of an employee's resignation, discharge, or retirement, the expiration of an employment contract, or a permanent reduction in the workforce. Discharge can be for any reason not prohibited by law. In the absence of a specific written agreement, employees are free to resign at any time and for any reason, and the City of Anacortes reserves the right to terminate employment with cause. The exception to this is with "at will" employees, such as introductory employees and department heads (who have individual contracts with the City of Anacortes) who may be terminated at any time, with or without notice and with or without cause. At will employees, however, cannot be terminated for any reason that would violate anti-discrimination laws or public policy.

Comment:

- 1) Employees are requested to give advance written notice of their intent to resign including the anticipated date of termination. Failure to give advance written notice may result in ineligibility for re-employment. (See HIRING, Policy 204; and VACATIONS, Policy 502.) The following guidelines are suggested:
 - a) Department heads and managerial employees should give at least four weeks' notice; and
 - b) All other employees should give at least two weeks' notice.
- 2) Employees who are absent from work for three consecutive days without being excused or giving proper notice will be considered as having voluntarily quit. (See ATTENDANCE AND PUNCTUALITY, Policy 701.)
- 3) The Human Resource Department is responsible for notifying terminating employees who are covered by the City of Anacortes's group health plan of their right to continue coverage under that plan. (For a special summary of the Consolidated Omnibus Budget Reconciliation Act "COBRA" continuation coverage requirements, see Appendix A).
- 4) Supervisors should send notices of resignation and recommendations for termination to the Human Resource Department for review. This information should be accompanied by any needed supporting documents, such as performance appraisals or disciplinary reports. (See PERFORMANCE APPRAISALS, Policy 302; and DISCIPLINARY PROCEDURE, Policy 807.)
- 5) Requests for employment references should be made in writing to the Human Resource Department and should include an authorization by the employee for the release of the requested information. Generally, the Human Resource Department will not release reference information without the employee's authorization, or will limit the information to verification of the employee's position, job location, and dates of employment with the City of Anacortes. Employees may request that their supervisor provide a letter of recommendation. A copy of the letter of recommendation is to be placed in the employee's personnel file. (See PERSONNEL RECORDS, Policy 901.)

POLICY 214 RETIREMENT

Policy:

The City of Anacortes determines employees who are eligible for normal retirement per the guidelines described in the Washington State Department of Retirement Systems Handbook that is applicable to the employee's job classification. Regular uniformed employees in the police and fire departments are covered by the Law Enforcement Officer's and Firefighter's Retirement System (LEOFF). Regular full-time and eligible part-time non-uniformed employees are covered under the Public Employees Retirement System (PERS). The State of Washington determines eligibility, benefit levels, and contribution rates.

Comment:

- 1) Employees who choose to take normal retirement are requested to give the Human Resource Department as much advance notice of their intent as possible, or at least 90 days. Employees who have given notice of either normal or early retirement may be called upon to assist in the training of their replacements.
- 2) Employees who qualify for retirement under this policy may be eligible to receive limited health and various other benefits in accordance with the provisions of the City of Anacortes's employee benefit plans. (See HEALTH AND WELFARE BENEFIT DISCLOSURE, Policy 501.) Retiring employees are eligible to receive pay for accrued but unused vacation. (See Vacations, Policy 502.) All employee benefit plans and programs are subject to amendment or termination, even after retirement, at the City of Anacortes's and the Washington State Retirement System's discretion.
- 3) The Washington State Department of Retirement Systems (DRS) administers the retirement benefits. Human Resources will post any notices required by law on the City of Anacortes's bulletin boards. DRS contact information is as follows:

DRS Mailing Address

Department of Retirement Systems
PO Box 48380
Olympia, WA 98504-8380

DRS Street Address

6835 Capitol Boulevard
Tumwater, WA 98501

DRS Phone Number

(360) 664-7000 or toll free (outside the Olympia area) 1-800-547-6657

Website: <http://www.drs.wa.gov/>

When contacting the Washington State Department of Retirement Systems the following identifying information is necessary: Your name, retirement system plan, and your Social Security number.

- 4) Retiring employees may be eligible to reapply for employment, and those who are interested in future temporary or part-time employment with the City of Anacortes should make that interest known at their exit interview. (See HIRING, Policy 204; and TERMINATION OF EMPLOYMENT, Policy 213.) Hiring an applicant who is receiving PERS retirement benefits must comply with State of Washington regulations. These include a prohibition of any written agreement for re-employment and an absence of at least one (1) month prior to starting a new job with the City of Anacortes.

POLICY 301

SALARY ADMINISTRATION

Policy:

The City of Anacortes pays compensation that is nondiscriminatory and competitive. However, all compensation policy decisions must take into consideration the City of Anacortes's overall financial condition and competitive position.

Comment:

- 1) New employees generally will be hired at the starting rate assigned to their job grade. Supervisors may recommend higher or lower starting rates depending on an applicant's experience or skill level or other competitive considerations. These recommendations will be reviewed and approved before implementation by the appropriate department head, the Human Resource Department, and the Mayor.
- 2) The Human Resource Department is responsible for coordinating with the Mayor the continuing review of compensation and for making sure that each job is evaluated and assigned a job grade and salary range. This review should determine whether compensation accurately and fairly reflects each position's responsibilities and performance.

POLICY 302 PERFORMANCE APPRAISALS

Policy:

The City of Anacortes will evaluate the job performance of each employee periodically.

Comment:

- 1) Supervisors should complete performance appraisals upon the following occasions:
 - a) By the end of the first twelve months of employment (See INTRODUCTORY PERIOD, Policy 206);
 - b) Then on an annual basis (based on anniversary date or in December of each year).

Between scheduled appraisals, supervisors should discuss with employees on an informal basis any performance issues that require attention and should keep records of any significant incidents. Supervisors may be authorized to retain information to aid in the development on an employees' performance appraisal. These notes are to be destroyed following the performance appraisal.

- 2) In evaluating employees, supervisors should consider factors such as the experience and training of the employee, the job description, and the employee's attainment of previously set objectives and goals. Other factors that normally should be considered include knowledge of the job, quantity and quality of work, promptness in completing assignments, cooperation, initiative, reliability, attendance, judgment, conduct, and acceptance of responsibility.
- 3) Supervisors should prepare a written appraisal of each employee's job performance. The appraisal should include the supervisor's comments and recommendations, an action plan for both the employee and supervisor, and performance goals for the next evaluation period.
- 4) Department heads should review each supervisor's written evaluation to help assure that the evaluation function has been properly completed in as uniform, fair, and objective a manner as possible.
- 5) The supervisor and employee should meet and discuss the evaluation, assess the employee's strengths and weaknesses in a constructive manner, and set objectives and goals for the period ahead. The employee should be given the opportunity to examine the evaluation and make written comments about any aspect of it. The employee and supervisor should then sign and date the evaluation and forward it to the Human Resource Department for review and inclusion in the employee's personnel file. (See PERSONNEL RECORDS, Policy 901.) Employees may have a copy of their completed performance appraisal for their records.
- 6) Information derived from the performance appraisal may be considered when making decisions affecting training, pay, promotion, transfer, or continued employment.

POLICY 303 SEVERANCE PAY

Policy:

The City of Anacortes allows that severance pay may be granted to terminated employees under certain limited circumstances. The City of Anacortes, however, retains the right to amend or terminate its severance policy at any time.

Comment:

- 1) Severance pay is intended to provide extra economic help to certain terminated employees while they adjust to their job loss. Severance pay is not available for temporary employees.
- 2) The Human Resource Department is responsible for administering City of Anacortes policy on severance pay and will handle any employee claims or complaints.
- 3) Employees may be considered eligible for severance pay if they have worked full-time for at least one year and are terminated because of:
 - a) A permanent reduction in force (unless the employee refuses a transfer recommended by the City of Anacortes);
 - b) The elimination of the job or position.
- 4) Employees normally will not be considered eligible for severance pay if their employment is terminated because of:
 - a) An employee-initiated voluntary resignation;
 - b) Conduct or performance issues;
 - c) A layoff that is expected to be short-term (less than 30 days);
 - d) A breach of an employment agreement;
 - e) Normal retirement, permanent disability, or death.
- 5) Eligible employees will be required to sign a release agreement in order to receive severance pay.
- 6) When severance pay is granted, eligible employees normally will receive 4 weeks regular straight-time pay for 1–4 years of continuous service; 5 weeks regular straight-time pay for 5-9 years of continuous service; and 6 weeks regular straight time pay for 10+ years of continuous service. Severance pay is calculated from the most recent date of hire. Unless otherwise provided, payment will be made in a lump sum at the time when final termination pay is provided.

POLICY 304 PAY PROCEDURES

Policy:

The City of Anacortes pays employees by check or direct deposit in a manner so that the amount, method, and timing of wage payments comply with any applicable laws or regulations.

Comment:

- 1) Employees normally will be paid on the fifth (5th) day and the twentieth (20th) of the month. If the regular payday occurs on a Saturday, Sunday, or a holiday, employees will be paid on the last working day before the regular payday.
- 2) Employees may elect to receive payment by direct deposit by providing written authorization and filling out the necessary forms with the Human Resource Department. Direct deposit will remain in effect until revoked in writing by the employee.
- 3) Employees on each payday will receive, in addition to their pay, a statement showing gross pay, deductions, health and welfare benefits (if applicable), and net pay. Local, state, federal, Social Security taxes, and retirement contributions shall be deducted automatically. No other deductions will be made unless required or allowed by law, contract, or employee obligation. Employees may elect to have additional deductions taken from their pay only if they authorize the deductions in writing.
- 4) Employees who discover a mistake in their paycheck, lose their paycheck, or have it stolen should notify their supervisor immediately. In the case of a mistake made by the City the error will be remedied promptly. In the case of loss or theft, the Finance Department will attempt to stop payment on the check and reissue a new one to the employee. However, the employee is solely responsible for the monetary loss, and the City of Anacortes will not be responsible for the loss or theft of a check if it cannot stop payment on the check.
- 5) Nonexempt employees (those not exempt from the provisions of the Fair Labor Standards Act) will be paid overtime compensation, either in cash or compensatory time off, at the rate of one and one-half times their regular hourly rate for work in excess of forty hours during their normal workweek. After maximum accrual, overtime compensation will be paid to nonexempt employees
- 6) Exempt employees are eligible to receive exchange time off on a one to one basis for work in excess of forty hours during their normal workweek. Maximum accruals of exchange time shall be limited to 240 hours. (For a more detailed discussion of exempt and nonexempt status, see EMPLOYEE CLASSIFICATIONS, Policy 211.)
- 7) Employees who wish to authorize another person to pick up their paycheck must complete a "Payroll Warrant Pick Up Authorization Form." A copy of the completed form must be provided to the employee's manager and the finance department. Paychecks will not be distributed without an authorization in place.
- 8) For policies and procedures regarding on-call and reporting pay, see Hours of Work, Policy 209. For policies and procedures governing pay upon termination, see TERMINATION OF EMPLOYMENT, Policy 213.
- 9) Employees are encouraged to discuss any questions or concerns regarding their rate of pay and other compensation issues, including any improper deductions from pay, with their immediate supervisor. If the employee and immediate supervisor are not able to resolve the question, the employee should contact the department head or Human Resources Department. The City will promptly investigate all reported complaints and, if appropriate, take corrective action. The City prohibits and will not tolerate retaliation against any employee because that employee filed a good faith complaint under this policy. Specifically,

no one will be disciplined, intimidated or otherwise retaliated against because that person exercised rights under this policy or applicable law.

POLICY 305 INTERIM ASSIGNMENTS

Policy:

The City of Anacortes may authorize interim assignments during the absence of supervisory employees in specific situations.

Comment:

- 1) Interim assignments provide valuable on-the-job training and allow continuation of a critical workload during an extended absence. Employees may be assigned the responsibilities as an "interim" or "acting" supervisor or department head during times of vacation, sick leave, or other absences that require more than 15 consecutive business days away from work. Interim assignments require pre-approval from the Mayor. Interim supervisors will receive a wage premium of 9% beginning on the 16th consecutive day of the assignment. Interim assignments are limited to 90 business days. Extensions require approval by the Mayor. The interim supervisor must be able to assume the majority of the duties of the higher classification and have the education and/or certificate requirements stated in the job description. If an employee covered by a bargaining unit is assigned to a non-union interim assignment, the City of Anacortes' policy supersedes the bargaining agreement. If an employee covered by a bargaining agreement is assigned to a position within the same bargaining unit, the bargaining agreement procedures take precedence.

POLICY 401 TRAVEL

Policy:

Business travel must be approved in advance and should be engaged in and reimbursed according to the guidelines described in the supplementary Travel Policy Manual. The Finance Department maintains the Travel Policy Manual. The City of Anacortes retains the right to amend or terminate the travel policy at any time.

Comment:

- 1) Employees holding jobs that require extensive travel are expected to travel as a condition of employment. For all other jobs, travel is considered only an incidental function of the position, but may be required.
- 2) Supervisors, Department Heads, the Mayor, and the Council Finance Committee must approve any employee travel in advance.
- 3) The City of Anacortes may issue guidelines specifying or restricting travel booking requirements. Under normal circumstances, employees should use the most appropriate form of transportation available, book the least expensive fares, and stay in and eat at moderately priced establishments.
- 4) Employees should provide their supervisor with a copy of their itinerary before leaving on business travel.
- 5) Employee expenses for approved travel will be paid or reimbursed when properly documented by the employee and approved by the supervisor, the Mayor, and the Council Finance Committee. Examples of expenses normally paid or reimbursed include transportation, meals, lodging, and limited incidental expenses. The Travel Policy Manual describes the per diem method of allowable reimbursement. Employees who know or anticipate that they will have a special request for travel expense reimbursement should ask for approval from their supervisor before incurring the expense. Any travel expenses considered unreasonable under the circumstances will not be paid or reimbursed and are the employee's personal responsibility. Employees will not be reimbursed for the travel (including lodging and meal) expenses of their spouses, domestic partner, or other non-employees who may accompany the employee.
- 6) Employees whose jobs require travel will be issued City of Anacortes credit cards for payment of business expenses. City of Anacortes credit cards are City of Anacortes property, and their use must be properly documented and approved as outlined in Comment (5), above.
- 7) Time spent by nonexempt employees (those covered by the minimum wage and overtime requirements of the Fair Labor Standards Act) in traveling away from home on City of Anacortes business during normal working hours (including what would be normal working hours on a day not usually scheduled to work) are considered hours worked for pay purposes. (See HOURS OF WORK, Policy 209.)
- 8) Employees traveling on City of Anacortes business are representatives of the City of Anacortes and are expected to maintain a high level of professionalism and to follow all of the City of Anacortes's policies and rules. (See BEHAVIOR OF EMPLOYEES, Policy 801.)

POLICY 402 AUTOMOBILE USAGE

Policy:

The City of Anacortes provides vehicles for business use, to allow employees to drive on City of Anacortes business, and to reimburse employees for business use of personal vehicles according to the guidelines below. For further clarification, refer to the Travel Policy Manual. The City of Anacortes retains the right to amend or terminate travel policy at any time. (The term "vehicle" as used in these guidelines includes, but is not limited to, cars, trucks, backhoes, front-end loaders, graders, and any motorized watercraft.)

Comment:

- 1) Employees may not drive any vehicles for City of Anacortes business without prior approval of their supervisor. Employees to whom fuel cards are issued are required to acknowledge the City's fuel card policy and procedures. Periodically, before approving a driver, each supervisor should check the employee's driving record, with the employee's consent; and verify the existence of a valid driver's license and personal auto liability coverage. Employees approved to drive on City of Anacortes business are required to inform their supervisor of any changes that may affect either their legal or physical ability to drive or their continued insurability.
- 2) Employees holding jobs requiring regular driving for business as a condition of employment must be able to meet the driver approval standards of this policy at all times. Employees holding jobs where driving is a condition of employment must inform their supervisors of any changes that may affect their ability to meet the standards of this policy. For example, employees who lose their licenses must report this to their supervisors. For all other jobs, driving is considered only an incidental function of the position.
- 3) If possible, City of Anacortes vehicles will be permanently assigned to departments that have demonstrated a continued need for them. Additional vehicles are maintained in a motor pool for use by individual employees, as needed.
- 4) Employees who need transportation in the course of their normal work may be assigned a City of Anacortes vehicle for their use. All other employees needing transportation for City of Anacortes business may use vehicles assigned to their department or those drawn from the motor pool. When no City of Anacortes vehicles are available, employees may use their own vehicles for business purposes with prior approval of their supervisor.
- 5) Employees who drive a vehicle on City of Anacortes business must, in addition to meeting the approval requirements above, exercise due diligence to drive safely follow all traffic laws, avoid distractions while driving (such as using telephones), and maintain the security of the vehicle and its contents. In addition, because texting while driving is particularly dangerous and illegal in several states, employees specifically are prohibited from texting while driving. Drivers also must make sure the vehicle meets all City or legal standards for insurance, maintenance, and safety. Employees are personally responsible for any driving infractions or fines as a result of their driving a City vehicle and must report them to their supervisors. Employees who drive a City vehicle also should ensure that the vehicle is kept clean and free of litter.
- 6) Non-business passengers are prohibited from riding in City of Anacortes vehicles, i.e., family and friends.
- 7) Employees who use their personal vehicle for approved business purposes will receive a mileage allowance equal to the Internal Revenue Service optional mileage allowance for such usage. A reduced mileage allowance will be utilized when an employee chooses to take a personal vehicle when a City vehicle is available. The allowance is to compensate

for the cost of gasoline, oil, depreciation, and insurance. Employees who operate personal vehicles for City of Anacortes business should obtain auto liability coverage for bodily injury and property damage with a special endorsement for Business Use, when necessary as determined by their personal insurance agent.

- 8) Employees must report any accident, theft, or malicious damage involving a City of Anacortes vehicle to their supervisor and the Personnel Department, regardless of the extent of damage or lack of injuries. Such reports must be made as soon as possible but no later than forty-eight hours after the incident. Employees are expected to cooperate fully with authorities in the event of an accident. However, employees should make no voluntary statement other than in reply to questions of investigating officers.
- 9) Employees who are on call on a 24-hour basis may be allowed to take a City of Anacortes vehicle home so they can respond as soon as possible need to provide written acknowledgment that they fully understand that the vehicle is used only as part of emergency response and not for personal use.
- 10) Employees are not permitted, under any circumstances, to operate a City of Anacortes vehicle, or a personal vehicle for City of Anacortes business, when any physical or mental impairment causes the employee to be unable to drive safely. Additionally, employees shall not operate any City of Anacortes vehicle at any time, or operate any personal vehicle while on City of Anacortes business, while using or consuming alcohol, illegal drugs, or prescription medications that may affect their ability to drive. These prohibitions include circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of impairment, illness, medication, or intoxication.
- 11) In most circumstances, time spent by nonexempt employees (those covered by the minimum wage and overtime provisions of the Fair Labor Standards Act) in driving a City or personal vehicle on City business is considered hours worked for pay purposes. However, under most circumstances, commuting time before the start and after the end of the workday is not treated as work time for pay purposes.

POLICY 403 MEAL REIMBURSEMENT

Policy:

The City of Anacortes provides, pays, or reimburses employees for business-related meals according to the guidelines below. For further clarification, the Travel Policy Manual should be referred to. The City of Anacortes retains the right to amend or terminate the travel policy at any time.

Comment:

- 1) Employees required to travel on City of Anacortes business may charge to the City of Anacortes, or be reimbursed for, the cost of all meals during their travel pursuant to the Travel Policy Manual per diem method of allowable reimbursement (See TRAVEL, Policy 401.). Meal reimbursements that do not include an authorized overnight stay are taxable and reimbursement will be included in the employee's paycheck following submittal to the Finance Department.
- 2) Meal expenses should follow the guidelines set by the Travel Policy Manual.

POLICY 404 MEMBERSHIP IN CLUBS AND CIVIC ORGANIZATIONS

Policy:

The City of Anacortes encourages employees to participate in the activities of community clubs and civic organizations.

Comment:

- 1) Employees are encouraged to seek membership in community clubs and civic organizations where membership will promote the City of Anacortes's business interests and enhance its image in the community. However, employees who participate in clubs or community organizations may not allow their activities to interfere with job performance or harm or conflict with the City of Anacortes's interests. (See CONFLICTS OF INTEREST, Policy 805.)
- 2) The Mayor may identify certain community organizations in which the City wants to be represented and then designate the employees that it will sponsor for membership in them. Employees who are designated for membership act as City of Anacortes representatives in the organization and are expected to promote its interests.
- 3) Employee participation in club and civic organization activities is not considered as hours worked for pay purposes unless it is at the City of Anacortes's request or under its direction and control.
- 4) The Mayor will normally consider the following factors when selecting organizations for representation and designating employees to sponsor for membership:
 - a) The nature and purpose of the club or organization;
 - b) The potential benefit to the City of Anacortes, including the enhancement of the employee's leadership and organizational skills;
 - c) The cost to the City of Anacortes;
 - d) The extent to which the City of Anacortes is already represented in the club or organization; and
 - e) The employee's job responsibilities, length of service, and overall qualifications for membership.

The Mayor will review periodically the City's representation in community organizations and its sponsorship of employees for membership and will make changes as appropriate.

- 5) Employees whose membership is sponsored by the City of Anacortes are encouraged to use the clubs or civic organizations for business purposes.
- 6) Employees who are sponsored for membership in community clubs and civic organizations are eligible for reimbursement for dues only. An expenditure voucher must be completed to claim reimbursement.
- 7) Employees who are not designated and sponsored for membership in community organizations are responsible for their own expenses.

POLICY 405 PARTICIPATION IN TRADE AND PROFESSIONAL ASSOCIATIONS

Policy:

The City of Anacortes encourages employees to participate in certain trade and professional associations where there is a clear benefit to the City of Anacortes.

Comment:

- 1) Employees are encouraged to participate in trade and professional associations that promote City of Anacortes goals, individual skills development, and professional recognition. However, employee participation in those associations must not conflict with the City of Anacortes's interests and must fit within budgetary constraints. (See CONFLICTS OF INTEREST, Policy 805.)
- 2) The City of Anacortes may identify certain trade and professional associations in which representation is desirable and then designate the employees that it will sponsor for membership. Employees who are designated for membership act as City of Anacortes representatives in the association and are expected to promote its interests and to participate accordingly.
- 3) Employee participation in trade and professional association activities will not be considered as hours worked for pay purposes for employees classified as nonexempt under the Fair Labor Standards Act, unless participation is at the City of Anacortes's request or under its direction and control. (See Hours of Work, Policy 209.)
- 4) Department heads are responsible for coordinating representation in trade and professional associations and must receive prior approval from the Mayor. The following factors normally will be considered in selecting associations for representation and in designating employees to be sponsored for membership:
 - a) The nature and purpose of the association;
 - b) The potential benefit to the City of Anacortes, including enhancement of the City of Anacortes's reputation and the development of the employee's leadership and organizational skills;
 - c) The cost to the City of Anacortes;
 - d) The extent to which the City of Anacortes is already represented in the association; and
 - e) The employee's job responsibilities, length of service, and overall qualifications for membership.
- 5) Department heads are responsible for planning, budgeting, and approving the expenses of their employees' participation in association activities within their budgetary authority. The City of Anacortes will pay or reimburse the approved and reasonable expenses of employees sponsored for membership in trade and professional associations. Employees not sponsored for association membership may be eligible for reimbursement for the expenses of special association events, if the Mayor approves participation in the activity in advance.
- 6) Employees must have their supervisor's advance approval before soliciting or accepting any official position in a trade or professional association that will occur during regularly scheduled working hours.
- 7) Employees are encouraged to contribute articles, present papers, and give talks to trade and professional associations. However, employees must obtain prior approval for any communication that might represent the City of Anacortes's position or involve any information that is sensitive. (See MEDIA INQUIRIES, Policy 806.)

POLICY 501 HEALTH AND WELFARE BENEFIT DISCLOSURE

Policy:

The City of Anacortes provides its employees with various health and welfare benefits. Information and summaries intended to explain these benefit plans will be furnished to all plan participants and beneficiaries on a timely and continuing basis. The City reserves the right to modify, amend, or terminate its health and welfare benefits as they apply to all current, former, and retired employees. Additionally, the Administrator of each benefit plan has the discretionary authority to determine eligibility for benefits and to interpret the plan's terms.

Comment:

1) Health Coverage

The City of Anacortes Health Coverage policy is administered in accordance with the Employer Shared Responsibility provisions of the Patient Protection and Affordable Care Act, as amended (PPACA). Under the terms and conditions of this policy and City's health benefits plan, The City provides health coverage to full-time employees and their dependents up to age 26. The benefits, terms, and conditions of City's health benefits plan, including costs owed by eligible employees, are explained in a separate plan document (the "Plan") and/or in applicable collective bargaining agreements. If there are conflicts between this policy, the Plan, and any collective bargaining agreements, the collective bargaining agreement shall control. If the agreement does not satisfy the minimum protections of the PPACA the parties shall negotiate a modification that at least meets the minimum.

2) Definitions and Classifications

Full-time. At time of hire or change in job classification, employee is reasonably expected to work, on average, 30 or more hours per week. Full-time employees are eligible for health coverage and will be enrolled in health coverage as specified in the Plan. In no event shall the date of enrollment be later than 90 days following the date of hire or the date of change in job classification.

Part-time. At time of hire or change in job classification, employee is reasonably expected to work, on average, less than 30 hours per week. Part-time employees are subject to monthly and annual hours limitations and are generally not eligible for health coverage, unless they satisfy the criteria below or are otherwise entitled to coverage under the terms of the Plan or applicable collective bargaining agreement.

Regular part-time employees classified as 50% - 74% FTE (but in all cases below an average of 30 hours per week) are eligible for ½ of the employee-only medical insurance premiums of the lowest cost plan offered by the City. Employees may choose between the two benefit plans, but the City's contribution is limited to half of the lowest cost plan offered. Employees fitting this criterion have the option of enrolling dependents in the City's health benefits plan during open enrollment or for a qualifying event; however, employees are responsible for all premium expenses. Coverage offered to eligible regular part-time employees is provided by the City on a voluntary basis and is not required under the PPACA.

If, based on City prior approval, a part-time employee averages 30 or more hours per week during a measurement period (discussed below), the employee will be deemed a full-time employee, eligible for health coverage during a subsequent stability period (discussed below).

Variable-hour. At time of hire or change in job classification, the City cannot reasonably determine whether employee will or will not average 30 or more hours per week. Variable-hour employees are subject to monthly and annual hours limitations and are generally not eligible for health coverage, unless otherwise specified under the terms of the Plan or applicable collective bargaining agreement. If, based on the City's prior approval, a variable-hour employee averages 30 or more hours per week during a measurement period (discussed below), the employee will be deemed a full-time employee, eligible for health coverage during a subsequent stability period (discussed below).

Seasonal. At time of hire or change in job classification, employee is hired or re-hired into a position for which the customary annual employment is approximately six months or less, beginning in approximately the same season of each calendar year. Seasonal employees are subject to a mandatory annual break in service of approximately six continuous months and are not eligible for health coverage, unless otherwise specified under the terms of the Plan or applicable collective bargaining agreement.

Dependents. Children of full-time employees up to age 26 (including the entire calendar month in which a child turns age 26). Includes biological and adopted children, stepchildren and foster children. Also includes spouses and domestic partners. Dependents of full-time employees are eligible for health coverage.

Volunteers. Individuals who provide services to the City on a voluntary basis and whose compensation is limited to: (1) reimbursement for reasonable expenses incurred in the performance of services as a volunteer; (2) reasonable fringe benefits, excluding health coverage; and/or (3) nominal fees or honorarium provided in connection with services as a volunteer. Volunteers are not employees and are not eligible for health coverage.

3) Work Hours Limitations

For certain employee classifications, the City restricts the maximum annual and/or monthly hours of work.

Full-time employees are not subject to an annual or monthly hours limitation and may work 30 or more hours per week, without limit, unless otherwise limited by City's overtime policy, job description, the terms of any applicable collective bargaining agreement, or the terms of any other City policy or agreement. Full-time employees are not subject to initial or standard measurement, administrative, or stability periods (discussed below).

Part-time employees are subject to an annual hours limitation and may not exceed 1500 hours annually without the City's prior approval. In addition to an annual hours limitation, part-time employees may not exceed 125 hours in any single calendar month without the City's prior approval. Part-time employees are subject to initial and standard measurement, administrative, and stability periods (discussed below).

Variable-hour employees are subject to an annual hours limitation and may not exceed 1500 hours annually without the City's prior approval. In addition to an annual hours limitation, variable-hour employees may not exceed 125 hours in any single calendar month without the City's prior approval. Variable-hour employees are subject to both initial and standard measurement, administrative, and stability periods (discussed below).

Seasonal employees are not subject to an annual or monthly hours limitation and may work 30 or more hours per week, without limit, unless otherwise limited by City's overtime policy, job description, the terms of any applicable collective bargaining agreement, or the terms of any other Employer policy or agreement. Seasonal employees are limited to an annual employment duration of approximately six months and must have an annual break in service of approximately six continuous months before being eligible for re-hire. Seasonal employees may work longer than six months with the City's prior approval. Seasonal employees are subject to initial and standard measurement, administrative, and stability periods (discussed below).

4) Measurement and Administrative Periods – Initial Periods

The City uses a 12-month initial measurement period to measure the hours of new part-time, variable-hour, and seasonal employees.

The City uses an initial administrative period of not longer than two months, divided in two phases. The first phase begins on the date of hire of a new part-time, variable-hour, or seasonal employee and continues until the last day of that calendar month. The second phase begins at the end of the 12-month initial measurement period and lasts for one full calendar month. The purpose of the first phase of the initial administrative period is to reduce administrative complexity by consolidating all new part-time, variable-hour, and seasonal employees hired during a month into the same initial measurement and stability periods. The purpose of the second phase of the initial administrative period is to allow the City to calculate the hours worked by employees during the initial measurement period and to enroll eligible employees in health coverage.

The City uses a 12-month initial stability period for purposes of providing or excluding health coverage to new part-time, variable-hour, and seasonal employees. If an employee works an average of 30 hours or more per week during an initial measurement period, the employee will be deemed a full-time employee and will be eligible for health coverage during the initial stability period, regardless of the hours worked during the initial stability period, so long as the employee remains employed by the City. If an employee works an average of less than 30 hours per week during the initial measurement period, the employee will not be deemed a full-time employee and will not be eligible for health coverage during the initial stability period, regardless of the hours worked during the initial stability period.

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| Initial Administrative Period (Phase 1)– | Begins on date of hire, continues until end of month. |
| Initial Measurement Period | – Begins on first day of first full calendar month following date of hire and continues for 12 months. |
| Initial Administrative Period (Phase 2)– | Begins on first day of first full calendar month following Initial Measurement Period and lasts for the entire month. |
| Initial Stability Period | – Begins on first day of first full calendar month following Phase 2 of Initial Administrative Period and continues for 12 months. |

To determine the average hours worked by each employee during the 12-month initial measurement period, the City will divide the employee's total hours worked during the period by 52.

Example:

- Employee A is hired as a new variable-hour employee on April 2, 2015. Employee B is hired as a new part-time employee on April 15, 2015.
- Under the first phase of the initial administrative period, Employee A is placed into an initial administrative period from April 2, 2015 through April 30, 2015. Employee B is placed into an initial administrative period from April 15, 2015 through April 30, 2015. *[The purpose of the first phase of the initial administrative period is to reduce administrative complexity by consolidating all new part-time, variable-hour, and seasonal employees hired in the same calendar month into the same initial measurement and stability periods.]*
- Employee A and Employee B both have initial measurement periods beginning May 1, 2015 and ending April 30, 2016 (12 months).
- Employee A and Employee B are both subject to the second phase of the initial administrative period, beginning May 1, 2016 and ending May 31, 2016 (one month). During this period, the City calculates Employee A's and Employee B's hours worked during the initial measurement period.
- Employee A and Employee B are both subject to an initial stability period beginning June 1, 2016 and ending May 31, 2017 (12 months). If either employee averaged 30 or more hours per week during the initial measurement period, he/she will be offered and enrolled in health coverage during the initial stability period. If either employee averaged fewer than 30 hours per week during the initial measurement period, he/she will be excluded from health coverage during the initial stability period.

5) Measurement and Administrative Periods – Standard Periods

The City uses a 12-month standard measurement period to measure the hours of all ongoing part-time, variable-hour, and seasonal employees hired on or before the start of a standard measurement period.

The City uses a standard administrative period of 31 days. The purpose of the standard administrative period is to calculate the hours worked by employees during the preceding standard measurement period and to enroll eligible employees in health coverage during the resulting standard stability period.

The City uses a 12-month standard stability period for purposes of providing or excluding health coverage to ongoing part-time, variable hour, and seasonal employees. If an employee works an average of 30 hours or more per week during a standard measurement period, the employee will be deemed a full-time employee and will be eligible for health coverage during the resulting standard stability period, regardless of the hours worked during the standard stability period, so long as the employee remains employed by the City. If an employee works an average of less than 30 hours per week during the standard measurement period, the employee will not be deemed a full-time employee and will not be eligible for health coverage during the resulting standard stability period, regardless of the hours worked during the stability period.

Standard Measurement Period	–	December 1 of each year through November 30 of the following year
Standard Administrative Period	–	December 1 through December 31 of each year.
Standard Stability Period	–	January 1 through December 31 of each year.

To determine the average hours worked by each employee during the 12-month standard measurement period, the City will divide the employee's total hours worked during the period by 52.

Example:

- Employee C is an ongoing variable-hour employee who was hired on or before December 1, 2017 (the start of Employer's standard measurement period).
- Starting in 2017, Employee C's standard measurement period begins December 1, 2017 and ends November 30, 2018 (12 months).
- Employee C's standard administrative period begins December 1, 2018 and ends December 31, 2018. During this period, Employer calculates Employee C's hours worked during the preceding standard measurement period. If Employee C averaged 30 or more hours per week during the preceding standard measurement period, Employee C will be eligible for health coverage during the resulting standard stability period. If Employee C averaged below 30 hours per week during the preceding standard measurement period, Employee C will be excluded from health coverage during the resulting standard stability period.
- Employee C's standard stability period begins January 1, 2019 and ends December 31, 2019 (12 months).
- Employee C's next standard measurement period begins December 1, 2018 and ends November 30, 2019 (12 months).

6) Measurement and Administrative Periods – Overlapping Initial and Standard Periods

The City's standard measurement periods apply to all ongoing part-time, variable-hour, and seasonal employees hired by the City on or before the start date of a standard measurement period. New part-time, variable-hour, and seasonal employees will be measured by both the City's initial measurement period and the first standard measurement period beginning on or after each employee's date of hire.

Example:

- Employee D is a new variable-hour employee. Employee D is hired September 29, 2015.
- Employee D is subject to the first phase of the initial administrative period, beginning September 29, 2015 and ending one day later, September 30, 2015.
- Employee D is subject to an initial measurement period beginning October 1, 2015 and ending September 30, 2016.
- Employee D is subject to the second phase of the initial administrative period, beginning October 1, 2016 and ending on October 31, 2016.
- Employee D is subject to an initial stability period beginning November 1, 2016 and ending October 31, 2017.

- Because Employee D was hired on or before Employer's 2015 standard measurement period, Employee D is concurrently subject to the standard measurement period beginning December 1, 2015 and ending November 30, 2016.
- Employee D is subject to a standard administrative period beginning December 1, 2016 and ending December 31, 2016.
- Employee D is subject to a standard stability period beginning January 1, 2017 and ending December 31, 2017.

Based on the overlapping nature of initial and standard measurement and stability periods, situations will arise where part-time, variable-hour, and seasonal employees will be subject to simultaneous initial and standard measurement, administrative, and stability periods.

If the City determines an employee is eligible for health coverage during an initial measurement period or standard measurement period, the employee must be enrolled in health coverage for the entire associated stability period. This is the case even if the employee is determined to be eligible for health coverage during the initial measurement period but determined not to be eligible for coverage during the overlapping or immediately following standard measurement period. In such a case, the City may exclude the employee from health coverage only after the end of the initial stability period. Thereafter, the employee's eligibility for health coverage would be determined in the same manner as that of other ongoing part-time, variable-hour, or seasonal employees.

In contrast, if City determines an employee is not eligible for coverage during the initial measurement period, but is eligible for coverage based on the overlapping or immediately following standard measurement period, employee will be eligible for health coverage for the entire standard stability period (even if the standard stability period begins before the end of the initial stability period). Thereafter, the employee's eligibility for health coverage would be determined in the same manner as other part-time, variable-hour, or seasonal employees.

7) Rules Concerning Eligibility and Enrollment

To be enrolled in health coverage under the Plan, eligible employees must comply with all applicable application requirements and deadlines. Failure to do so may result in delayed or no enrollment until the next annual enrollment period or upon a qualified change in status.

If an eligible employee's payment for the cost of health coverage is untimely, the terms of the Plan provides when coverage terminates and whether there is a grace period for payment. The City is not required to provide health coverage for the period for which the cost of health coverage is not timely paid and may terminate coverage.

Eligible employees have the right to waive enrollment in the City's health coverage. Employer will provide a written waiver that must be timely completed, signed, and submitted by an eligible employee desiring to waive enrollment. Unless the Plan specifies otherwise, a new waiver must be completed annually. The City will provide otherwise eligible employees who previously waived enrollment in health coverage the opportunity to enroll at least once annually.

Hours for Paid and Unpaid Leave during Measurement Periods

Hours of service for employees during measurement periods include both actual hours of service worked in addition to paid hours for vacation leave, sick leave, holiday leave, or other paid leave.

Periods of unpaid leave, including unpaid FMLA or military leave, are excluded from the hours calculation during any measurement period. *Example:* Employee E is a variable-hour employee subject to a 12-month (52-week) standard measurement period. During the standard measurement period, Employee E takes four weeks of unpaid FMLA leave. The four weeks of unpaid FMLA leave are excluded from the hours calculation. The average is calculated by the total hours worked by Employee E during the standard measurement period (12 months), divided by 48 weeks (instead of 52 weeks).

Administrative periods overlap with measurement and stability periods. Employees offered health coverage during a stability period must remain enrolled in coverage during a subsequent administrative period. Employees excluded from health coverage during a stability period remain excluded from coverage during a subsequent administrative period.

8) Breaks in Service

Employees, regardless of classification, who separate their employment with the City, voluntarily or involuntarily, must have a break in service of at least 13 continuous weeks before being eligible for re-hire. Employees re-hired after a break in service of at least 13 continuous weeks will be treated as a “new” employee, without any consideration given to previous hours worked or previous measurement or stability periods that may have applied prior to separation.

Employees who are re-hired into full-time positions must be enrolled in health coverage no later than the first day of the fourth calendar month following their date of re-hire. Employees who are re-hired into part-time, variable-hour, or seasonal positions are subject to the City’s initial measurement, initial administrative, and initial stability periods.

The City reserves the right to suspend this rule on a case-by-case basis.

POLICY 502 VACATIONS

Policy:

The City of Anacortes grants annual vacations with pay to regular full-time and regular part-time employees in accordance with the guidelines established below.

Comment:

- 1) Vacations are accrued or earned based on the employee's length of service and on the time actually worked. Vacation does not accrue when an employee is on an unpaid leave of absence.
- 2) Full-time employees will accrue paid vacation according to the following schedule:

Service Period	Vacation Accrual	Maximum Accrual
First month through 48 months	8 hours per month	176 hours
Months 49 through 108	10 hours per month	200 hours
Months 109 through 168	14 hours per month	240 hours
169 months and beyond	17 hours per month	240 hours

Vacation cannot be taken until hours are accrued. Employees whose vacation balance exceeds the maximum accrual will no longer accrue vacation benefits until the vacation balance falls below the maximum accrual. Employees are responsible to monitor their accrual balance. If an employee requests vacation that has not accrued and has personal holiday hours available, the personal holiday hours will be utilized.

- 3) Regular part-time employees whose full time equivalency is 50% or more are entitled to vacation on a prorated basis. Regular part-time employees shall earn vacation leave proportionate to the number of hours that they work in a pay period divided by the number of hours a full time employee works in the same pay period. Maximum accrual of hours is prorated for part time employees based on their full time equivalency. Part-time employees working less than 20 hours per week and temporary employees do not receive paid vacation. (See EMPLOYEE CLASSIFICATIONS, Policy 211.)
- 4) Employees who feel that there is a discrepancy in the calculation of their vacation pay or eligibility may request a review of that calculation by the Human Resource Department. (See DISPUTE RESOLUTION PROCEDURE, Policy 902.)
- 5) Vacation pay for full-time and part-time employees will consist of the employee's regular rate of pay for the vacation period.
- 6) Generally, employees should submit vacation plans to their supervisor at least four weeks in advance of the requested vacation date. Management reserves the right to approve when vacations are taken. Supervisors are responsible for ensuring adequate staffing levels and should attempt, when feasible, to resolve vacation scheduling conflicts based on length of service. However, employees who want to change their plans after the vacation schedule has been approved lose their seniority consideration.
- 7) Once per year, employees may elect to have their accrued vacation balance that exceeds 160 hours cashed out and deposited into a deferred compensation account set up through the City of Anacortes. The employee must notify payroll in writing by November 20 of each year for distribution on the December 5 payday. This benefit is prorated for part time employees based on their full time equivalency.

POLICY 503a HOLIDAYS

Policy:

The City of Anacortes designates and observes certain days each year as holidays. Eligible employees will be given a day off with pay for each holiday observed.

Comment:

- 1) The City of Anacortes observes the following holidays (8 hours each) per calendar year:

New Year's Day	January 1st
Martin Luther King Day	3rd Monday in January
President's Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	1st Monday in September
Veteran's Day	November 11th
Thanksgiving Day	4th Thursday in November
Day after Thanksgiving	Day after Thanksgiving
Christmas Day	December 25th
3 Personal Holidays	See below

Employees may select three (3) personal holidays each year. On January 1st each year, 24 hours of personal holiday are added to an employee's record. Personal holidays are prorated for employees who work less than 12 months of the year or a part time schedule. Personal holidays are prorated according to the employee's full time equivalency (FTE) in the payroll accounting system. Personal holiday hours are not carried over from one year to the next. At the end of the year, unused personal holiday hours are forfeited.

In the event of conflict between this provision of the manual and any provision of a valid and effective collective bargaining agreement, employee contract, or applicable Civil Service rules, the provisions of the contract and/or the Civil Service rules shall govern.

- 2) Full-time employees are eligible to receive their regular rate of pay (up to 8 hours) for each observed holiday. Part-time employees who are scheduled to work at least 20 hours per week (1,040 per year) are entitled to holiday pay. The amount of holiday pay is determined on the same basis as for full-time employees, but is based on the employee's FTE budget allocation. For example, an employee allocated at 65% FTE will receive 5.2 hours of holiday pay on each City approved holiday. Temporary employees and employees on unpaid leaves of absence or on layoff are not eligible to receive holiday pay.
- 3) To receive holiday pay, an eligible employee must be at work or taking an approved absence on the workdays immediately preceding and immediately following the day on which the holiday is observed. An approved absence is a day of paid vacation or paid short-term absence. (See Vacations, Policy 502; and Absences, Policy 702.) If an employee is absent on one or both of these days because of an illness or injury, the City of Anacortes may require verification of the reason for the absence before approving holiday pay. (See Medical Procedures, Policy 205.)
- 4) A holiday that occurs on a Saturday will be observed on the preceding Friday. A holiday that occurs on a Sunday will be observed the following Monday. Shift workers observe holidays on the actual day it occurs.

- 5) If a holiday occurs during an employee's vacation period, the employee will be required to record the day as holiday pay on their timesheet.
- 6) The City of Anacortes recognizes that some employees may wish to observe, as periods of worship or commemoration, certain days that are not included in the City of Anacortes's regular holiday schedule. Employees may use personal holidays or accrued vacation for these occasions.
- 7) The City of Anacortes may schedule work on observed holidays as it considers necessary. Normally, work on an observed holiday will be paid as if the day were a regularly scheduled day. Employees will be given the option of receiving additional pay for the day or a "floating" holiday that may be taken, with the prior approval of their supervisor, at another time during the year.

POLICY 503b UNPAID HOLIDAYS FOR REASONS OF FAITH OR CONSCIENCE

Policy:

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

Comment:

- 1) Employees may select the days on which the employee desires to take the two unpaid holidays after consultation with their supervisor. If an employee prefers to take the two unpaid holidays on specific days, then the employee will be allowed to take the unpaid holidays on the days he or she has selected unless the absence would unduly disrupt operations, impose an undue hardship, or the employee is necessary to maintain public safety. The term "undue hardship" has the meaning contained in the rule established by the Office of Financial Management.
- 2) If possible, an employee should submit a written request for an unpaid holiday provided for by this section to the employee's supervisor a minimum of 14 days prior to the requested day. Approval of the unpaid holiday shall not be deemed approved unless it has been authorized in writing by the employee's supervisor. The employee's supervisor shall evaluate requests by considering the desires of the employee, scheduled work, anticipated peak workloads, response to unexpected emergencies, the availability, if any, of a qualified substitute, and consideration of the meaning of "undue hardship" developed by rule of the Office of Financial Management.
- 3) The two unpaid holidays allowed by this section must be taken during the calendar year, if at all; they do not carry over from one year to the next.

POLICY 504 CONTINUING EDUCATION

Policy:

The City of Anacortes attempts to provide employees with flexible work schedules when taking Mayor-approved educational courses.

Comment:

- 1) Flexible work schedules will be considered if the City of Anacortes determines the courses of study are directly related to the employee's present job or that will enhance the employee's potential for advancement to a position within the City of Anacortes and to which the individual in the view of management has a reasonable expectation of advancing.

POLICY 505 EMPLOYEE COUNSELING

Policy:

The City of Anacortes assists employees with referral services that will help in solving personal problems, both on and off the job, financial planning, and career planning.

Comment:

- 1) The City of Anacortes recognizes that personal difficulties can adversely affect job performance. Accordingly, employees experiencing personal problems are encouraged to seek assistance from the Employee Assistance Program (EAP). The Employee Assistant Counselors are available 24 hours a day, seven days a week to arrange an appointment with a qualified counselor. The telephone number for EAP is 1-800-570-9315.
- 2) Supervisors should be alert to signs of the existence of personal problems among their employees. Indications of personal problems include excessive absenteeism, changes in both behavior and employee attitudes, and substandard job performance.
- 3) Supervisors, where appropriate, should try to communicate with employees who seem to be experiencing problems. Depending on the circumstances, the supervisor should proceed as follows:
 - a) If an employee's problem seems to require professional counseling, or does not lend itself to an easy solution, the supervisor should refer the employee to the City's Employee Assistance Program.
 - b) If the employee's problem is an unresolved complaint or grievance, the supervisor should advise the employee of the appropriate steps to be taken in compliance with the Grievance Procedure. (See Dispute Resolution Procedure, Policy 902.)
- 4) Employees needing extended treatment may request a leave of absence in accordance with the City of Anacortes's leave policy. (See Absences, Policy 702.)
- 5) The Human Resource Department will also, to the degree that its resources permit, provide counseling and reference information for employees seeking guidance on education and career planning, relocation, outplacement, and retirement planning. (See Termination of Employment, Policy 213; Retirement, Policy 214; and Educational Assistance, Policy 504.)
- 6) Employees are required to meet satisfactory standards of job performance. Performance appraisals are to be based on factors related to job performance, regardless of whether an employee seeks counseling. (See Performance Appraisals, Policy 302.) In certain circumstances, however, the City of Anacortes may require an employee to participate in counseling as a condition of continued employment. (See Drugs, Narcotics, and Alcohol, Policy 808.)
- 7) Communications between employees, supervisors, the Human Resource Department, the Employee Assistance Program, and professional counselors or agencies as a result of this policy are to be confidential, except to the degree necessary to protect the safety of the employee or others or to protect the security of City of Anacortes property.

POLICY 506 EMPLOYEE RECOGNITION AND SERVICE AWARDS

Policy:

The City of Anacortes recognizes employee contributions and service to the organization by presenting employee recognition and service awards to eligible employees according to the guidelines below.

Comment:

- 1) The City of Anacortes may reward outstanding performance and productivity by presenting recognition awards to eligible employees. Generally, the Mayor will be responsible for setting eligibility requirements and implementing the different programs. Department heads and supervisors may assist in determining award recipients for the Mayor's Award of Merit. In most cases, Mayor's Award of Merit awards will be presented at a City Council meeting following the determination of an award recipient. The Mayor is responsible for identifying the employees who will be honored, notifying the presenter, ordering the awards, and arranging for appropriate announcements and publication of awards, both internally and externally.
- 2) All regular full-time and regular part-time employees are eligible to receive a Pride in Service award upon completion of 1, 5, 10, 15, 20, 25, and 30 years of service. Human Resources is responsible for identifying when employees should be honored, notifying the employees, ordering the awards, and helping management to arrange for appropriate announcements and publications of awards, both internally and externally.
- 3) Regular full time and regular part time employees are eligible to accrue longevity benefits as described in their applicable bargaining agreement. Non-union employees receive \$2.00 per month for each year of service following completion of 5 years of service. The maximum longevity benefit per month is \$40.00.
- 4) The IRS classifies cash and gift certificate awards as taxable income. Payroll withholds taxes accordingly.

POLICY 507 EXERCISE AND WELLNESS PROGRAMS

Policy:

The City of Anacortes encourages employees to participate in exercise and wellness programs.

Comment:

- 1) The Human Resource Department is responsible for administering exercise and wellness programs.
- 2) Participation in City of Anacortes recreational programs is open to regular full-time or regular part-time employees who are regularly scheduled to work 20 or more hours per week. Spouses, domestic partners and other employee dependents who are eligible for the City's medical insurance coverage may participate. Volunteer firefighters are eligible to participate. Temporary employees are not eligible to participate. These programs are voluntary and should take place outside normal working time. In order to be eligible for reimbursement of a portion of the membership dues, the employee, spouse, domestic partner, or eligible dependent must use the fitness facility at least ten times per month. Swim lessons with 8 sessions per month are the only exception to the 10 visit rule.
- 3) Employees, spouses, domestic partners, and eligible dependents are limited to one health club reimbursement per month, per person. Eligible family members are not required to work out at the same facility.
- 4) The extent of City of Anacortes financial support for each program will be determined on an annual basis. The City of Anacortes subsidizes the use of local fitness centers in Skagit County and the benefit is considered taxable income.
- 5) Participation in the City of Anacortes wellness program is limited in some situations to employees who have medical benefits through the City of Anacortes.
- 6) Participating employees may be required to sign waiver of liability forms.
- 7) The City of Anacortes retains the right to change all aspects of its exercise and wellness programs and to discontinue their existence.

POLICY 601 EMPLOYEE SAFETY and the SAFETY COMMITTEE

Policy:

The City of Anacortes complies with all applicable federal, state, and local health and safety regulations and provides a work environment as free as practicable from recognized hazards. Employees are expected to comply with all safety and health requirements whether established by the City of Anacortes or by federal, state, or local law. The Safety Committee maintains an Accident Prevention Manual.

Comment:

- 1) The City of Anacortes has appointed a Safety Committee to oversee the City of Anacortes's safety policies and procedures.
- 2) All employees are responsible for ensuring that they understand and comply with all City of Anacortes safety rules, regulations, and procedures. All employees are responsible for:
 - a) Being familiar with all safety and health procedures relevant to the operations under their supervision;
 - b) Inspecting their work areas periodically;
 - c) Identifying conditions that are recognized as being unsafe; and
 - d) Reporting accidents and injuries to the immediate manager, department head and Human Resources immediately and ensuring that any injured employee is referred to appropriate medical care. (See Medical Procedures, Policy 205.)

Supervisors should complete a Safety Orientation Checklist upon hiring a new employee and before the new employee begins work. This is to ensure that the employee understands and complies with the safety rules, regulations, and procedures within their department. The completed and signed form should be included in the employee's personnel folder.

- 3) Employees should report to their supervisor or the Safety Committee all observed safety and health violations, potentially unsafe conditions, and any accidents resulting in injuries to employees or the public. Employees are encouraged to submit suggestions to the Safety Committee concerning safety and health matters.
- 4) Violations of City of Anacortes safety rules, regulations, or procedures will result in disciplinary action, up to and including termination. (See BEHAVIOR OF EMPLOYEES, Policy 801; and DISCIPLINARY PROCEDURE, Policy 807.)
- 5) **CPR, First Aid, & Blood Borne Pathogen Training** Employees are offered CPR and First Aid training. Depending on the employee's job assignment the training may be mandatory.
 - a) Employees whose job descriptions warrant them to take Blood Borne Pathogen training should, if possible, be scheduled to attend training as soon as possible. The Blood Borne Pathogen Site Specific Plan identifies job titles in which exposure to pathogens may exist and require training. Supervisors are responsible to ensure that their employees Blood Borne Pathogen certification remains current.
- 6) Employees who may be exposed to Hepatitis B as disclosed in their job description have the option to receive Hepatitis B vaccinations paid for by the City of Anacortes. Employees will be advised during orientation of the risks associated with their job classification and given the opportunity to accept or decline the vaccinations.

POLICY 602 PERSONAL PROPERTY

Policy:

The City of Anacortes asks employees to refrain from bringing unnecessary or inappropriate personal property to work.

Comment:

- 1) The City of Anacortes recognizes that employees may bring certain personal items to work such as family photographs, houseplants, or other small decorative items for their work spaces. However, personal property that is not related to the employee's job performance may disrupt work or pose a safety risk to other employees.
- 2) Employees are expected to exercise reasonable care to safeguard unauthorized personal items brought to work. The City of Anacortes is not responsible for the loss, damage, or theft of personal belongings, and employees are advised not to carry unnecessary amounts of cash or other valuables with them when they come to work.
- 3) The City of Anacortes may assign each employee a locker or storage area for safekeeping small personal effects during working hours. In addition, the City of Anacortes will provide and retain keys for file cabinets, desks, and other workstations. Employees may not place their own locks on any storage facility.
- 4) To maintain security and protect against theft, the City of Anacortes reserves the right to inspect when presented with reasonable suspicion all personal property brought onto the City of Anacortes's premises, including vehicles, packages, briefcases, backpacks, purses, bags, and wallets. In addition, the City of Anacortes may inspect the contents of lockers, storage areas, file cabinets, desks, and work stations at any time and remove all City of Anacortes property and other items that violate City of Anacortes rules and policies. (See Security, Policy 605.)
- 5) Articles of personal property found on the premises should be returned to the owner, if known, or turned in to the Facilities Manager. Inquiries regarding lost property should be directed to the Facilities Manager.

POLICY 603 SOLICITATION

Policy:

The City of Anacortes prohibits solicitation and distribution on its premises by non-employees and permits solicitation and distribution by employees only as outlined below.

Comment:

- 1) The City of Anacortes limits solicitation and distribution on its premises because those activities can interfere with its normal operations, reduce employee efficiency, annoy customers or employees, and pose a threat to security.
- 2) The Human Resource Department is responsible for administering this policy and enforcing its provisions. Employees will be subject to disciplinary action for violating this policy. (See Behavior of Employees, Policy 801; and Disciplinary Procedure, Policy 807.)
- 3) Individuals not employed by the City of Anacortes are prohibited from soliciting funds or signatures, conducting membership drives, distributing literature or gifts, offering to sell merchandise or services (except with the Mayor's prior approval) or engaging in any other solicitation, distribution, or similar activity on City of Anacortes premises.
- 4) The City of Anacortes may authorize a limited number of fund drives by employees on behalf of charitable organizations or for employee gifts. Employees are encouraged to volunteer to assist in these drives, but participation is entirely voluntary.
- 5) The following restrictions apply when employees engage in permitted solicitation or distribution of literature for any group or organization, including charitable organizations:
 - a) Soliciting and distributing literature, or selling merchandise or services, during the working time of either the employee making the solicitation or distribution, or the targeted employee, is prohibited. The term "working time" does not include an employee's authorized lunch or rest periods or other times when the employee is not required to be working.
 - b) Distribution of literature is prohibited in work areas at all times.
 - c) Distributing literature in a way that causes litter on City of Anacortes property is prohibited.
 - d) Employees may not use City facilities, resources, or supplies to promote or solicit participation in gambling activities, including but not limited to wagers, bets, or pools.
- 6) The City of Anacortes maintains various communication systems to communicate City of Anacortes information to employees and to disseminate or post notices required by law. These communication systems (including bulletin boards, text messages, cell phones, electronic mail, voice mail, facsimile machines, and personal computers) are for business use only and may not be used for employee solicitation or distribution of literature. The unauthorized use of the communication systems or the distribution or posting of notices, photographs, or other materials on any City of Anacortes property is prohibited. (See Use of Communication Systems, Policy 804.)

POLICY 604 PARKING

Policy:

The City of Anacortes provides parking facilities, when practical, for the benefit and convenience of its employees, customers, and visitors.

Comment:

- 1) The City of Anacortes will provide parking for as many employees as practical. Special spaces will be designated for certain employees, customers, and visitors.
- 2) The City owned parking lots are considered part of the City of Anacortes premises; therefore, all City of Anacortes policies and rules apply to employees and their vehicles while on the lots. (See Behavior of Employees, Policy 801.)
- 3) Employees who use the City of Anacortes parking lots do so at their own risk. The City of Anacortes assumes no responsibility for any damage to, or theft of, any vehicle or personal property left in the vehicle while on the parking lots (See Personal Property, Policy 602 and Security, Policy 605.)

POLICY 605 SECURITY

Policy:

The City of Anacortes makes reasonable efforts to provide for the security of its property, its employees, and visitors to its premises.

Comment:

- 1) Employees (unless required to carry a firearm or weapon as a condition of employment), are prohibited from possessing firearms or other weapons on City of Anacortes property and at events sponsored by the City of Anacortes. Employees (unless required to carry a firearm or weapon as a condition of employment) are further prohibited from carrying weapons in employer-provided vehicles or in personal vehicles while on City business. (Note: While Washington State allows individuals the right to carry a concealed weapon, employers are able to prohibit weapons in the workplace, including in personal vehicles parked on the premises, at worksites, in employer-provided vehicles, or at employer sponsored events. (Cherry v. Metro Seattle, 116 Wn. 2d 794, 808 P.2d 746 (1991). This cited reference indicates that since 1991 municipalities have had the right to prohibit employees from carrying weapons or possessing weapons in the workplace.))
- 2) All personal property brought onto the City of Anacortes's premises, such as vehicles, packages, briefcases, backpacks, purses, bags, and wallets, are subject to inspection with reasonable suspicion. In addition, the City of Anacortes may inspect the contents of lockers, storage areas, file cabinets, desks, and work stations at any time and may remove all City of Anacortes property and other items that are in violation of City of Anacortes rules and policies. (See Personal Property, Policy 602.)
- 3) Employees working in sensitive or high security jobs must meet any applicable special security clearance requirement specified for those jobs (for example, police and fire employees). These requirements may include more extensive background checks, fingerprinting, bonding, or other special security measures. Failure or inability to meet or comply with any special security requirements is grounds for termination of employment or rejection of an applicant.
- 4) Employees may remain at their workplace outside their normal working hours only when authorized to do so by their supervisor.
- 5) Employees are expected to exercise reasonable care for their own protection and for that of their personal property while on the City of Anacortes premises and while away from the premises on business. The City of Anacortes assumes no responsibility for loss, damage, or theft of personal property. (See Personal Property, Policy 602.)
- 6) Employees are expected to know and comply with the City of Anacortes's security procedures and should report any violations or potential problems to the Police Department. Violations of City of Anacortes security rules or procedures will result in disciplinary action, up to and including termination. (See Behavior of Employees, Policy 801; and Disciplinary Procedure, Policy 807.)
- 7) Employees are issued identification badges that must be available for display while working for and representing the City of Anacortes.

POLICY 606 TOBACCO USE

Policy:

The City of Anacortes complies with all applicable federal, state, and local regulations regarding tobacco in the workplace and provides a work environment that promotes productivity and the wellbeing of its employees.

Comment:

- 1) The use of tobacco in the workplace is now in violation of the law in the State of Washington. Accordingly, the use of smoking and smokeless tobacco products are restricted in all of its facilities. Smoking is defined to include the use of tobacco-containing products, including cigarettes, cigars, and pipes, as well as the use of electronic cigarettes.
- 2) Smoking is prohibited inside all City of Anacortes facilities, including City-owned buildings, vehicles, and offices or other facilities rented or leased by the City, including individual employee offices. The smoking policy applies to employees during working time and to customers and visitors while on the City of Anacortes's premises.
- 3) Smoking is only allowed in designated outside areas that are at least 25 feet from building entrances and exits, windows that open, and ventilation intakes. Employees are expected to exercise common courtesy and to respect the needs and sensitivities of coworkers with regard to the smoking policy. Smokers have a special obligation to not abuse break and work rules and to keep smoking areas litter-free. Complaints about smoking issues should be resolved at the lowest level possible but may be processed through the City of Anacortes's grievance procedure. (See Dispute Resolution Procedure, Policy 902.) Employees who violate the policy will be subject to disciplinary action. (See Disciplinary Procedure, Policy 807.)
- 4) Employees may contact the Human Resource Department for information regarding the effects of smoking and the availability of smoking cessation programs.

POLICY 701 ATTENDANCE AND PUNCTUALITY

Policy:

The City of Anacortes requires employees to report for work punctually and to work all scheduled hours and overtime required by business necessity. Excessive tardiness and poor attendance disrupt workflow and customer service and will not be tolerated.

Comment:

- 1) Supervisors should notify employees of their starting, ending, and break times. Employees are expected to be engaged in carrying out their duties during all scheduled work time and should be ready to begin working at their scheduled starting time. (See Hours of Work, Policy 209.) Supervisors should record all absences and, for nonexempt employees (those subject to the minimum wage and overtime requirements of the Fair Labor Standards Act), any tardiness or early departure exceeding ten minutes.
- 2) Employees should notify their supervisor in as far advance as possible whenever they are unable to report for work, know they will be late, or must leave early. The notice should include a reason for the absence and an indication of when the employee can be expected to report for work. If the supervisor is unavailable, notification should be made to the next level of management.
- 3) Employees will be compensated during authorized absences in accordance with the policies contained in Absences, Policy 702. Nonexempt employees will not receive compensation for time missed because of tardiness or early departure if the time missed exceeds 10 minutes after starting time or before quitting time. Failure to notify the City of Anacortes properly of any absence may result in loss of compensation during the absence and may be grounds for disciplinary action.
- 4) Nonexempt employees who are delayed in reporting for work more than 30 minutes and who have not notified their supervisor of their expected tardiness may lose their right to work the balance of the work day. In addition, employees who report for work without proper equipment or in improper attire may not be permitted to work. (See Employee Safety and the safety committee, Policy 601; and Personal Appearance of Employees, Policy 802.) Employees, who report for work in a condition considered not fit for work, whether due to illness, alcohol or drug use, or any other reason, will not be allowed to work. (See Medical Procedures, Policy 205; and Drugs, Narcotics, and Alcohol, Policy 809.)
- 5) Employees generally are expected to report for work during inclement weather conditions unless the Mayor or the Mayor's designee declares an emergency closing. During times of inclement weather or natural disaster, it is essential that the City continue to provide vital public services. Therefore, it is expected that employees make every reasonable effort to report to work, so long as doing so does not endanger their personal safety. An employee who is unable to get to work or leaves work early because of unusual weather conditions may charge the time missed to vacation, personal holiday, compensatory time off, exchange time off, or leave without pay.
- 6) Nonexempt employees will not be required or permitted to work any period of time before or after scheduled starting or quitting times for the purpose of making up time lost because of tardiness, unauthorized absence, authorized absence, or any other reason if the result will be that the employee works more than forty hours during the workweek.
- 7) Employees must report to their supervisor after being late or absent, give an explanation of the circumstances surrounding their tardiness or absence, and, when applicable, certify that they are fit to return to work. (See Medical Procedures, Policy 205.) The supervisor should record the information in the employee's file and forward a copy to the Human

Resource Department. When appropriate, the supervisor should counsel the employee on the importance of good attendance and warn that excessive tardiness or absences will lead to discipline, up to and including termination. (See Absences, Policy 702; and Disciplinary Procedure, Policy 807.)

- 8) Employees who are frequently away from the premises for business reasons should inform their supervisors of their whereabouts during working hours.
- 9) Unauthorized or excessive absences or tardiness will result in disciplinary action, up to and including termination. (See Disciplinary Procedure, Policy 807.) An absence is considered to be unauthorized if the employee has not followed proper notification procedures or the absence has not been properly approved. Generally, absences in excess of those allowed in Absences, Policy 702, and tardiness or early departure (i.e., beyond ten minutes of starting or quitting time) more than three times in a three-month period are grounds for discipline.
- 10) Employees who are absent from work for three consecutive days without giving proper notice to the City of Anacortes will be considered as having abandoned the job. At that time, the City of Anacortes will formally note the termination and advise the employee of the action by certified mail to the employee's last known address. (See Termination of Employment, Policy 213.)

POLICY 702 ABSENCES

Policy:

The City of Anacortes permits employees to be absent from work on an authorized basis for a variety of reasons, including sickness or injury. To help employees maintain their income during certain authorized absences, the City provides compensation according to the guidelines below.

Comment:

1) Sick Leave

- a) Regular, full time employees, accrue paid sick leave at the rate of 8 hours per calendar month of continuous employment. Regular part time employees whose full time equivalency is 50% or more are entitled to sick leave accrual on a pro-rata basis. Temporary employees are not eligible for paid sick leave benefits. Employees do not accrue sick leave benefits during an absence without pay.
- b) The maximum number of hours of sick leave that an employee can accumulate is one thousand four hundred and forty (1440) hours.
- c) Sick leave may be used for any of the following purposes:
 - i) Personal illness or incapacity of the employee;
 - ii) Forced quarantine of the employee by a public health official;
 - iii) To care for the employee's dependent children under age 18 who are ill;
 - iv) To attend the birth of the employee's child;
 - v) Use of a prescription drug that impairs job performance or safety;
 - vi) Medical or dental appointments of the employee or dependent children under the age of 18, when such appointments cannot reasonably be scheduled during off-duty time;
 - vii) For any other purpose described in the WA Family Care policy set forth below.
 - viii) Sick leave may be coordinated with certain other leaves (see Family and Medical Leave policy below.) Employees may be required to provide medical or other documentation to verify the appropriate use of sick leave. A doctor's note will typically be required when an employee is absent for three or more consecutive days, or in other situations as deemed appropriate by the City of Anacortes (e.g., pattern absences on Fridays and/or Mondays.) Excessive tardiness or absences (other than approved FMLA or disability-related leave) may lead to disciplinary action up to and including termination.

- d) An employee who is eligible for retirement under the applicable DRS retirement plan is eligible for a cash out of a portion of their unused sick leave proportionate to their sick leave balance. Sick leave cash out is prorated for part time employees based on full time equivalency at retirement.

Sick Leave Balance at Retirement	Percent Cash out
0-800 hours	0%
801-1251rs	18% of unused sick leave hours
1251-1440 hours	25% of unused sick leave hours

Unused sick leave is not cashed out upon separation other than retirement.

2) Family and Medical Leave

Recognizing the importance of family and out of concern for the wellbeing of our employees, the City of Anacortes family and medical leave program enables employees to take time off, under certain conditions, for health reasons or to care for family members. This policy will be administered in accordance with the federal **Family and Medical Leave Act (FMLA)** and the **Washington Family Leave Act (FLA)**. A notice entitled "Employee Rights and Responsibilities Under the Family and Medical Leave Act" is posted in break rooms and is provided to employees upon hire. Nothing in this policy affects or supersedes any federal or state law or collective bargaining agreement that may provide greater entitlement to medical or family leave than those set forth in this policy.

- a) Eligibility: To be eligible for leave under this family and medical leave policy, an employee must have been employed by the City of Anacortes for at least 12 months, must have worked at least 1,250 hours in the preceding 12 months, and must work at a location where at least 50 employees are employed by the City of Anacortes within 75 miles.
- b) Leave Entitlement: An eligible employee may request up to 12 workweeks of FMLA or FLA leave per "leave year" for one or more of the following reasons:
- To care for the employee's child upon birth, or to care for a child upon the child's placement with the employee for adoption or foster care;
 - To care for a spouse, registered domestic partner (FLA only), son, daughter, or parent who has a serious health condition;
 - To care for self, if the employee has a serious health condition that makes the employee unable to perform the essential functions of the position (including incapacity due to pregnancy, prenatal medical care, or childbirth); or
 - For a "qualifying exigency" arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member who is on active duty, or has been notified of an impending call to active duty in support of a contingency operation. Covered military members are active duty service members deployed to a foreign country, who have been called to active duty or notified of an impending call to active duty. Qualifying exigencies are generally activities related to the active duty or call to duty, including attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions and attending post- deployment reintegration briefings.

- c) The City of Anacortes defines a leave year as the rolling twelve-month period measured backward from the date an employee uses any FMLA leave. FMLA leave for birth or placement for adoption or foster care must conclude within 12 months of the birth or placement. In addition, spouses employed by the City of Anacortes are jointly entitled to a combined FMLA leave of 12 workweeks of family leave for the birth or placement of a child for adoption or foster care, or to care for a parent with a serious health condition. Each spouse is, however, eligible for the full 12 weeks of leave in the 12-month leave period to care for a child, spouse with a serious health condition, or for either employee's own serious health condition. Registered domestic partners employed by the City of Anacortes share leave under the FLA but not the FMLA.
- d) An eligible employee may also take up to 26 weeks of leave during a single 12-month period to care for an injured service member who is the employee's spouse, parent, child, or next of kin. A covered service member is a current member or veteran of the Armed Forces, including National Guard or Reserves members, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation or therapy; or in outpatient status; or is on the temporary disability retired list. This benefit applies to current service members or veterans who are undergoing medical treatment, recuperation, or therapy for a serious injury or illness that occurred any time during the five years preceding the date of treatment. For purposes of this kind of leave, the 12-month period begins the first day the employee takes leave. The combined total of leave for all purposes described in this policy may not exceed 26 weeks in the applicable leave year.
- e) Serious Health Condition: A serious health condition is an illness, injury, impairment or physical or mental condition that involves
 - i) Any period of incapacity or treatment connected with inpatient care (i.e. an overnight stay) in a hospital, hospice, or residential medical care facility;
 - ii) A period of incapacity of more than three consecutive, full calendar days from work, school, or other regular daily activities that also involves
 - iii) two visits to a health care provider, OR
 - iv) a single visit to a health care provider plus continuing treatment by (or under the supervision of) a health care provider;
 - v) A period of incapacity due to pregnancy or for prenatal care;
 - vi) A period of incapacity or treatment due to a chronic serious health condition, for which a permanent or long-term condition for which treatment may not be effective, or to receive multiple treatments for restorative surgery after an accident or injury or for a condition that would likely result in an incapacity of more the three full, consecutive calendar days in the absence of medical treatment (e.g. chemotherapy for cancer or dialysis for kidney disease.)
- f) Intermittent or Reduced Work Schedule Leave
 - i) In certain circumstances, eligible employees may take FMLA/FLA intermittently (for example, in smaller blocks of time) or by reducing their work schedule. If the FMLA/FLA leave is because of the employee's own serious health condition or to care for a family member, the employee may take the leave intermittently on a reduced work schedule if it is medically necessary. Eligible employees may also take FMLA/FLA leave on an intermittent or reduced schedule basis when necessary because of a qualifying exigency arising from a family member's military service. If FMLA/FLA leave is to care for a child after the birth or placement for adoption or

foster care, employees may take their FMLA/FLA leave intermittently or on a reduced work schedule only with the City of Anacortes's permission.

- ii) Where intermittent leave or reduced-schedule leave is needed for planned medical treatment, an employee must make a reasonable effort to schedule the treatment so as not to disrupt unduly the City of Anacortes's operations. Where an employee needs intermittent or reduced-schedule leave based on planned medical treatment, the City of Anacortes may transfer the employee to an alternative position with equivalent pay and benefits that can better accommodate such recurring leave.

g) Notice and Certification

- i) Employees who want to take FMLA/FLA ordinarily must provide the City of Anacortes with at least 30 days' notice of the need for leave, if the need for leave is foreseeable. If 30 days' advance notice is not possible, notice must be provided as soon as practical (which is generally the same day or next business day after the need for leave becomes known.) Absent unusual circumstances, employees are required to follow the City of Anacortes's regular procedural requirements when requesting FMLA/FLA leave. (See ATTENDANCE AND PUNCTUALITY, Policy 701.) When requesting leave, employees must provide sufficient information for the City of Anacortes to determine whether the leave may be FMLA/FLA qualifying, and the anticipated timing and duration of requested leave. Employees must also inform the City of Anacortes if the requested leave is for a reason for which FMLA/FLA leave was previously taken or certified.
- ii) When leave is requested in connection with planned medical treatment, the employee must make a reasonable effort to schedule treatment in order to prevent disruptions to the City of Anacortes operation.
- iii) In addition, employees who need leave for their own or a family member's serious health condition must provide medical certification from the health care provider of the serious health condition. The City of Anacortes may require a second or third opinion (at the City of Anacortes's expense,) periodic recertification of the serious health condition, and when the leave is for an employee's own serious health condition, a certification that the employee is fit to return to work.
- iv) Employees who need leave for a qualifying exigency arising from a family member's military leave must provide a certification confirming the need for leave.
- v) The City of Anacortes may delay leave to employees who do not provide proper advance notice of the foreseeable need for leave. The City of Anacortes also may delay or deny approval of leave for lack of proper certification establishing the need for leave.
- vi) Please contact Human Resources to obtain further information and forms relating to FMLA/FLA leave requests.

h) Continuation of Pay and Benefits

- i) FMLA leave is unpaid leave; however, employees are required to use accrued sick leave for sick leave qualifying events as part of their 12 weeks of FMLA leave.
- ii) During all leave under this family and medical leave policy, the City of Anacortes will continue to pay the employer's portion of health insurance premiums, provided that the employee continues to pay their share of the insurance premiums, if any. Failure of the employee to pay their portion of the premium may result in cancellation of health insurance. Under certain circumstances, if an employee fails to return to work at the end of the leave, the employee may be responsible to pay back the City of Anacortes for the employer portion of the health insurance premiums. Leave such

as vacation and sick leave will continue to accrue during paid leave, but not during unpaid leave.

i) Job Restoration Upon Return from Leave

- i) Upon return from family and medical leave, an employee will be entitled to return to the employee's former position or a position with equivalent pay, benefits, and conditions of employment, unless unusual circumstances have arisen (e.g., the employee's position or shift was eliminated for reasons unrelated to the leave). If the employee chooses not to return to work for any reason, the employee should notify the City of Anacortes as soon as possible.

j) Leave for Pregnancy Disability and to Care for a Newborn

Note: The pregnancy disability leave does not apply when the qualifying event is the placement of a newborn by adoption or foster care.

- i) Under *Washington State Law*, regardless of whether the employee meets the FMLA and FLA eligibility requirements above, pregnant employees are entitled to additional unpaid leave for the period of time that the female employee is physically disabled due to the pregnancy and/or childbirth. The period of temporary disability normally lasts six to eight weeks if the pregnancy and childbirth are without complications. With complications, such as required bed rest before childbirth, the period of temporary disability can last longer.
- ii) The pregnancy disability leave runs concurrent (at the same time) with the FMLA, and does not extend the 12 weeks of leave allowed under federal law.
- iii) The pregnancy disability leave runs consecutive (one begins after the other ends) with the FLA, and does extend the 12 weeks of leave allowed under state law for the duration of the physical disability. Thus, a pregnant employee with no complications in the pregnancy and childbirth is likely entitled to 18 weeks to 20 weeks of leave (6 to 8 weeks of physical disability leave, plus 12 weeks of leave under the FLA.) The FLA is unpaid leave unless the employee has accrued vacation and/or sick leave available (and the reason for the leave is sick leave qualifying).
- iv) An employee who is a new parent, but not the parent who was pregnant may use 80 hours of paid sick leave during the birth and immediately following the birth of the employee's child. This policy also applies to adoptive parents.
- v) *For more information on any of these leave policies, or if you think you may need to take a Family and Medical Leave, please contact Human Resources. The leave laws, particularly those applicable to pregnancy and childbirth, can be confusing. Employees are encouraged to contact Human Resources with any questions about how the various laws are coordinated in a particular situation.*

3) Jury or Witness Duty

- a) Employees who are required by law to render jury service will be granted paid time off during a period of jury duty up to ten workdays per calendar year. Employees should notify their supervisors as soon as possible after receipt of a juror summons so that operational adjustments can be made as needed during the employee's absence. A copy of the juror summons must be provided to the supervisor. If an employee is summoned for jury service during a critical work period, the City of Anacortes may ask the employee to request a waiver from duty; in such cases, the City of Anacortes will provide documentation to the relevant court supporting the waiver request. Employees should contact their supervisor for instruction if there is a break greater than four hours during jury duty where the employee is not required to report to the court; depending on the circumstances, an employee may be required to return to work during such a period.

- b) An employee subpoenaed to testify in court will be granted time off for the period served as a witness. In general, leave for witness duty is unpaid unless the employee has been called as a witness by the City of Anacortes.

4) Military Leave

- a) Every employee who is a member of the Washington National Guard or of the U.S. Army, Navy, Air Force, Coast Guard or Marine Corps, or of any organized reserve of the United States, will be granted military leave in accordance with state and federal law. Employees who take military leave will have whatever rights to reinstatement, seniority, vacation, layoffs, and compensation as are provided by applicable law.
- b) Paid Leave of 21 Days Per Year Washington State Law provides 21 days of paid military leave per year. A public employee is entitled to a paid military leave of absence for a period not to exceed 21 working days during each year beginning October 1st and ending the following September 30th. According to guidance from the Attorney General's office, a day is calculated according to the number of days the employee would have worked, but for the military leave. Military leave beyond the 21 days of paid time off will be unpaid. The employee may elect to use accrued vacation, compensatory time, exchange time, or other available paid time off during the period of military leave.
- c) Employees should notify their supervisor as soon as they receive notice of the need to report for military duty, and provide the supervisor with a copy of the military orders.

5) Leave for Spouses of Military Personnel (Non-FMLA)

- a) During a period of military conflict declared by the President or Congress, an employee who is the spouse of a member of the Armed Forces, National Guard or Reserves is entitled to up to 15 days of unpaid leave while their spouse is on leave from deployment, or before and up to deployment. (This reason for leave may also be covered under FMLA leave for a qualifying exigency, although an employee need not meet the more stringent FMLA eligibility requirements in order to take this spousal military leave.) The purpose of this leave is to support the families of military personnel serving in military conflicts by permitting them to spend time together before a family member is deployed or while the family member is on leave from a deployment. An employee must work an average of 20 hours per week to be eligible for this family military leave.
- b) An employee who seeks to take family military leave must provide the City of Anacortes with notice of their intent to take the leave within five business days of receiving official notice that the employee's spouse will be on leave or of an impending call to active duty. The employee may substitute available accrued vacation, compensatory time, or exchange time leave for any part of this family military leave.

6) Family Care/Use of Accrued Leave to Care for Sick Family Member

- a) Consistent with the **Washington Family Care Act**, employees may use their choice of any accrued leave that they have available for their own use in order to care for their child, spouse, domestic partner, parent, parent-in-law, or grandparent as described below.
- b) An employee may use available paid time off to care for their child where the child has a health condition requiring treatment or supervision, or where the child needs preventative care (such as medical, dental, optical, or immunization services).
- c) An employee may use available paid time off when a spouse, domestic partner, parent, parent-in-law, or grandparent has a "serious or emergency health condition" which are conditions:

- i) Requiring an overnight stay in a hospital or other medical-care facility
- ii) Resulting in any period of incapacity or treatment or recovery following inpatient care
- iii) Involving continuing treatment under the care of a health services provider that includes any period of incapacity to work or attend to regular daily activities; or
- iv) Involving an emergency (i.e. demanding immediate action)
- d) Where the need for family care leave is unexpected, the City of Anacortes understands that advance approval of the use of leave (as is required for certain kinds of accrued leave) may not be possible. Employees are required, however, to notify their supervisor of the need to take time off to care for a family member as soon as the need for leave becomes known. The City of Anacortes reserves the right to require verification or documentation confirming that a family member has or has had a “serious or emergency” health condition when available leave is used to care for that family member.

7) Bereavement Leave

- a) In the event of the death of an employee’s immediate family member, time off with pay for employee’s regular scheduled workday will be granted to regular full time employees. The phrase “immediate family” for the purposes of the bereavement policy includes the employee’s spouse, domestic partner, brother, sister, father, mother, stepfather, stepmother, grandparent, children, stepchildren, grandchildren, father-in-law, mother-in-law, grandparent-in-law, sister-in-law, brother-in-law, daughter-in-law, and son-in-law.
 - i) Three consecutive workdays off with pay will be approved to attend the funeral or memorial service. (Maximum 24 hours)
 - ii) Two additional consecutive work days off with pay will be approved for travel from the employee’s home to the funeral or memorial service if the travel exceeds two hundred (200) miles each way. (Maximum 16 hours)
 - iii) Regular part-time employees who are scheduled to work twenty or more hours per week are eligible to receive Bereavement Leave. The amount of leave allowed will be pro-rated for regular part time employees.

8) Leave due to Domestic Violence or Sexual Assault

- a) In compliance with Washington law, the City authorizes leave for employees who are victims of domestic violence, sexual assault, or stalking. It is also available to employees with a family member (child, spouse, domestic partner, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship) who is a victim of domestic violence, sexual assault, or stalking. The leave may be taken in blocks, intermittently, or on a reduced leave schedule. The amount of leave that an employee may take is limited to a “reasonable” amount. Domestic violence/sexual assault leave is unpaid, although an employee may elect to use the employee’s accrued paid leave (e.g. vacation, compensatory time, exchange time, or sick leave if it qualifies) in connection with such leave.
- b) Domestic Violence/Sexual Assault Leave may be taken for the following purposes:
 - i) To seek law enforcement or legal assistance or to prepare for or participate in any legal proceeding related to domestic violence, sexual assault or stalking;
 - ii) to seek health care treatment for physical or mental injuries from domestic violence, sexual assault, or stalking, or attend to such health care treatment for a family member;
 - iii) To obtain (or assist a family member in obtaining) mental health counseling related to domestic violence, sexual assault, or stalking; or

- iv) To participate in safely planning, to temporarily or permanently relocate, or to take other actions to increase the safety of the employee or family member relating to domestic violence, sexual assault, or stalking.
- c) When possible, employees must give advance notice of the intention to take leave. If advance notice is not possible, employees (or their designees) must give notice of the need for this leave no later than the end of the first day the employee takes the leave.
- d) The City of Anacortes may require verification to support the need for the leave. Depending on the situation, verification can take the form of police reports, court documents, or the employee's own written statement of the need for the leave. Except where disclosure is authorized or required by law, the City of Anacortes will maintain confidentiality of all information provided by the employee in conjunction with the Domestic Violence/Sexual Assault Leave.

9) Organ and Bone Marrow Donation Leave

- a) Employees may take paid leave, not to exceed five days in a two-year period, as needed for the sole purpose of participating in life-giving procedures as defined below. Such leave shall not be charged against sick leave or vacation leave, and use of leave without pay shall not be required.
- b) Departments may take into account program implementation and staffing replacement requirements in the scheduling of such leave time. Employees are required to provide reasonable advance notice of a desire to take paid leave time.
- c) When planning for and granting paid leave, department heads shall take into account provisions of collective bargaining agreements that cover leave usage. Any additional leave time needed for life-giving procedures shall be subject to the City of Anacortes Personnel Policies and Collective bargaining agreements.
- d) Employees must provide written proof from an accredited medical institution, physician or other medical professional that the employee participated in a life-giving procedure.
- e) "Life-giving procedure" shall mean a medically supervised procedure involving the testing, sampling, or donation of organs or bone marrow for the purposes of donation, without compensation, to a person or organization for medically necessary treatments.
- f) This does not create any entitlement or other right that may be converted to cash, other compensation, or any other benefit. It is intended only to encourage altruistic life-giving procedures, and to allow paid leave to participate in such procedures.

10) Leave Share Program

- a) Eligible employees may donate excess sick or vacation leave for use by another employee who is suffering from an extraordinary medical emergency. Employees are eligible to receive shared leave when the severity of the emergency would cause the employee to take leave without pay or to terminate employment without shared leave. Employees who donate leave waive all rights to the donated leave.
- b) Employees may request a leave donation when they have or expect to use all of their accrued leave (including vacation, sick, personal days, compensatory time, and exchange time) and would otherwise be on a leave without pay and has been found to be ineligible to receive industrial insurance benefits. The employee receiving a sick leave donation is required to provide medical justification and documentation both of the necessity for the leave and the length of time the employee reasonably can be expected to be absent due to the condition. While an employee is receiving shared leave, the employee continues to be classified as a City employee and shall receive the same treatment in respect to salary, wages, and employee benefits as the employee would

normally receive if using the employee's own accrued leave except that the shared hours received are not eligible for retirement benefits.

- c) The maximum number of days an employee can receive of donated leave is 90 per calendar year. The Mayor and Human Resource Department retain discretion to determine the eligibility to receive donated leave.
- d) The maximum amount of sick leave an employee can donate per request, per calendar year is 40 hours. The donating employees' sick leave balance may not fall below 480 hours. Donations and use of leave are on an hour-for-hour basis, without conversion for differentials between rates of pay received by the donors and the recipients.

11) **Coordination of Wages with Worker's Compensation** Worker's Compensation provides partial wage replacement for injured employees. Employees receiving Worker's Compensation as a result of a Labor and Industries Claim may choose to use their accrued sick leave or vacation leave to supplement the Worker's Compensation wage replacement. If an employee elects to use accrued leave while receiving Worker's Compensation benefits, the City will pay the employee his/her regular wages using accrued sick or vacation leave. If an employee elects this option, when the employee receives time loss payments from the Department of Labor and Industries, the employee must turn such payments over to the Finance Department. The Finance Department will use the worker's compensation payment to replenish the employee's sick leave or vacation leave balance that was drawn down at the employee's current hourly wage rate. Comp time, exchange time, and shift trades are not eligible for buyback and may not be used following a work related injury or illness while an employee is receiving Worker's Compensation pay.

12) **Other Unpaid Leave** Subject to operational and other considerations, the Mayor may grant a leave of absence without pay for an absence not covered by any other type of leave. Any available accrued leave must be exhausted before an unpaid leave will be approved. An example of an absence that may qualify is a prolonged illness or medical condition for which an employee needs reasonable accommodation.

13) **Administrative Leave** On a case by case basis, the Mayor may place an employee on administrative leave with or without pay for an indefinite period of time. Administrative leave may be used when it is in the City of Anacortes' best interest, such as during the pendency of an investigation.

14) **Benefits During Leave** Employees who are on a paid leave of absence shall continue to receive benefits they were entitled to prior to the start of their leave, including the accrual of vacation, sick leave, holidays, retirement, and health insurance benefits. Unless stated otherwise in these policies, benefits that accrue according to length of service, such as paid vacation, holiday, and sick days, do not accrue during periods of unpaid leave or during periods in which the employee receives workers' compensation. In certain cases, self-payment of insurance premiums may apply. (See HEALTH AND WELFARE BENEFIT DISCLOSURE, Policy 501.)

15) **Outside Employment** Employees who are on an approved leave of absence may not perform work for any other employer during that leave, except when the leave is for military service or explicitly approved by the Mayor.

- 16) Employee will only receive paid time off if they have accrued balances in the leave banks prior to the leave being taken. In addition, authorized days off for short-term absences will not be considered as working time for calculating weekly overtime compensation. (See HOURS OF WORK, Policy 209.)

POLICY 703 REST BREAKS

Policy:

The City of Anacortes provides rest breaks during the course of each workday.

Comment:

- 1) Nonexempt employees (those covered by the minimum wage and overtime requirements of the Fair Labor Standards Act) should receive, unless job conditions do not permit, a rest break of fifteen minutes at approximately the middle of every four hours of work not interrupted by a meal period. (See Meal Breaks, Policy 704.)
- 2) Supervisors are responsible for scheduling the time for nonexempt employees' rest breaks and should consider the workload and the nature of the job performed. Whenever necessary, the frequency and time of rest periods may be changed.
- 3) Time spent on rest breaks will be compensated as working time. (See Hours of Work, Policy 209.) However, employees are expected to be punctual in starting and ending their breaks and may be disciplined for tardiness. (See Attendance and Punctuality, Policy 701.)
- 4) Employees are expected to take their rest breaks. Employees who choose to remain at their work stations during rest breaks are expected to take their rest break shortly thereafter, and are not entitled to arrive later than the scheduled starting time or leave before the normal quitting time.
- 5) Mothers who choose to breastfeed their infants may express and collect breast milk during work hours. The City provides private space for breastfeeding. Each employee choosing to breastfeed can work with their supervisor or the human resource department to identify private space for the mother to express and collect breast milk. This space, other than a bathroom, will be shielded from view and free from intrusion by co-workers or the public. Employees may take reasonable breaks during work hours to express and collect breast milk. Break time which extends beyond normal paid breaks will be unpaid.
- 6) Employees on rest breaks may not interfere with other employees who are continuing to work. (See Solicitation, Policy 603)

POLICY 704 MEAL BREAKS

Policy:

The City of Anacortes provides meal breaks during the course of each workday.

Comment:

- 1) Full-time employees are allowed a meal break near the middle of the workday. In departments operating on single shifts, the break will be sixty minutes. In departments operating on two or three shifts, the meal break will be thirty minutes, depending on operating requirements.
- 2) Part-time employees scheduled to work more than five consecutive hours during any workday will receive a meal break of the same duration as full-time employees in their department.
- 3) Supervisors are responsible for balancing workloads and scheduling meal breaks and should take into consideration the workload and the nature of the job performed. Whenever necessary, the duration and time of meal periods may be changed.
- 4) Employees required to work more than ten hours in any workday will be allowed a second meal break no later than six hours after returning from their first meal break.
- 5) Nonexempt employees (those covered by the minimum wage and overtime requirements of the Fair Labor Standards Act) will not be compensated for their meal breaks unless they are required to work during their breaks. (See Hours of Work, Policy 209)
- 6) Employees on meal breaks are not permitted to interfere with other employees who are continuing to work. (See Solicitation, Policy 603)

POLICY 801 BEHAVIOR OF EMPLOYEES

Policy:

The City of Anacortes finds that certain rules and regulations regarding employee behavior are necessary for efficient business operations and for the benefit and safety of all employees. Conduct that interferes with operations, discredits the City of Anacortes (with the exception of a proper exercise of First Amendment or whistleblower rights), or is offensive to customers or coworkers will not be tolerated.

Comment:

- 1) Employees are expected at all times to conduct themselves in a positive manner in order to promote the best interests of the City of Anacortes. Appropriate employee conduct includes:
 - a) Treating all customers, visitors, and coworkers in a courteous manner;
 - b) Refraining from behavior or conduct that is offensive or undesirable, or which is contrary to the City of Anacortes's best interests (See productive work environment, Policy 202);
 - c) Reporting to management suspicious, unethical or illegal conduct by coworkers, customers, or suppliers (See Security, Policy 605);
 - d) Reporting to the Human Resource Director any threatening or potentially violent behavior of coworkers;
 - e) Cooperating with City of Anacortes investigations (See productive work environment, Policy 202; and Security, Policy 606);
 - f) Complying with all City of Anacortes safety and security regulations (See Employee Safety and the safety committee, Policy 601; and Security, Policy 606);
 - g) Wearing clothing appropriate for the work being performed (See Employee Safety and the safety committee, Policy 601; and Personal Appearance of Employees, Policy 802);
 - h) Performing assigned tasks efficiently and in accord with established quality standards;
 - i) Reporting to work punctually as scheduled and being at the proper work station, ready for work, at the assigned starting time (See Attendance and Punctuality, Policy 701);
 - j) Giving proper advance notice whenever unable to work or report on time (See Attendance and Punctuality, Policy 701);
 - k) Smoking only at times and in places not prohibited by City of Anacortes rules or local ordinances (See Smoking, Policy 606); and
 - l) Maintaining cleanliness and order in the workplace and work areas.
- 2) The following are examples of conduct that is prohibited. Individuals engaged in it will be subject to discipline, up to and including termination (See Disciplinary Procedure, Policy 807):
 - a) Possessing firearms or other weapons on City of Anacortes property (unless employee is required to carry a firearm or other weapon as a condition of employment);
 - b) Fighting or assaulting a coworker or customer;
 - c) Threatening or intimidating coworkers, customers, or guests;
 - d) Engaging in any form of discrimination, sexual or other harassment, or retaliation (See productive work environment, Policy 202);
 - e) Reporting to work under the influence of alcohol, illegal drugs (including marijuana which remains illegal under federal law), controlled substances, or narcotics or using, selling, dispensing, or possessing alcohol, illegal drugs, or narcotics on City of Anacortes premises (See Drugs, Narcotics, and Alcohol, Policy 808);
 - f) Disclosing confidential City of Anacortes information (See Media Inquiries, Policy 806);

- g) Falsifying or altering any City of Anacortes record or report, such as an employment application, medical reports, production records, time records, expense accounts, absentee reports, or shipping and receiving records;
 - h) Stealing, destroying, defacing, or misusing City of Anacortes property or another employee's or customer's property;
 - i) Using City communication systems (including electronic mail, computers, Internet access, personal handheld devices and telephones), and social media in a manner inconsistent with or in violation of City policy (See Use of Communication Systems, Policy 804);
 - j) Refusing to follow management's instructions concerning a job-related matter or being insubordinate;
 - k) Failing to wear assigned safety equipment or failing to abide by safety rules and policies (See employee safety and the safety committee, Policy 601);
 - l) Soliciting or distributing in violation of City of Anacortes policies (See Solicitation, Policy 603);
 - m) Smoking where prohibited by state law and City of Anacortes rules (See Smoking, Policy 606);
 - n) Using profanity or abusive language (See use of communication systems, Policy 804);
 - o) Sleeping on the job without authorization;
 - p) Gambling on City of Anacortes property;
 - q) Playing pranks or engaging in horseplay; and
 - r) Wearing improper attire or having an inappropriate personal appearance (See personal appearance, Policy 802)
- 3) The examples of impermissible behavior described in Comment (2), above, are not intended to be an all-inclusive list. At management's discretion, any violation of the City of Anacortes's policies or any conduct considered inappropriate or unsatisfactory may subject the employee to disciplinary action. Questions about this policy should be directed to the Human Resource Department.

POLICY 802 PERSONAL APPEARANCE OF EMPLOYEES

Policy:

The City of Anacortes requires each employee's dress, grooming, and personal hygiene to be appropriate to the work situation. Employees are expected at all times to present a professional image.

Comment:

- 1) Employees are expected at all times to present a professional image to customers and the public. Professional personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment with the City of Anacortes. Radical departures from personal grooming and hygiene standards are not permitted.
- 2) Office workers and any employees who have regular contact with the public must comply with the following personal appearance standards and are expected to dress in a manner that is considered professional attire in similar business establishments. Employees should not wear suggestive attire or athletic clothing, or similar items of casual attire that do not present a professional appearance.
- 3) Employees who do not regularly meet the public should follow basic requirements of safety and comfort, but should still be as neat and professional as working conditions permit.
- 4) Certain employees may be required to meet special dress, grooming, and hygiene standards, such as wearing uniforms, depending on the nature of their job.
- 5) On Fridays, the City of Anacortes allows employees (who are not required to wear a uniform) to dress in a more casual fashion than is normally required; however, employees are still expected to present a neat appearance and are not permitted to wear ripped or disheveled clothing, athletic wear, or similarly inappropriate clothing.
- 6) An employee who does not meet the standards of this policy will be required to take corrective action, which may include leaving the premises. Non-exempt employees (those subject to the minimum wage and overtime requirements of the Fair Labor Standards Act) will not be compensated for any work time missed because of failure to comply with this policy. Violations of this policy also may result in disciplinary action.

POLICY 803 PERSONAL FINANCES OF EMPLOYEES

Policy:

The City of Anacortes expects employees to meet their financial obligations in a timely manner.

Comment:

- 1) Employees should manage their personal finances so that they do not adversely affect job performance or the City of Anacortes's image in the community. The failure of employees to meet financial obligations may impose an administrative and financial burden on the City of Anacortes through extra bookkeeping and the need to respond to legal notices and court orders.
- 2) The City of Anacortes will not disclose employee financial information to outside parties without express written permission from the employee, except as required by law.
- 3) The City of Anacortes will conduct credit checks of applicants for employment in accordance with its hiring policy.
- 4) The Payroll manager of the Finance Department is the only person authorized to receive a writ of garnishment or attachment, a notice of levy by any taxing authority, or any other similar order requiring payment of a portion of an employee's compensation to someone other than the employee. The Human Resource Department will notify the affected employee and then Payroll will deduct the required amount from the employee's earnings, up to the limit permitted by law.
- 5) No employee will be disciplined because their earnings have been garnished for one indebtedness. However, multiple garnishments may result in discipline, up to and including termination, depending on the circumstances of the case and any legal restrictions

POLICY 804 USE OF COMMUNICATION SYSTEMS

Policy:

The City of Anacortes provides or contracts for the communications services and equipment necessary to promote the efficient conduct of its business.

Comment:

- 1) Communications systems and equipment are provided by the City of Anacortes to facilitate the performance of City work. Incidental personal use is secondary, should not interfere or conflict with business use or job performance, should clearly indicate that it is personal usage and is subject to regulation for cost controls required by the City. All communication systems must be used in compliance with applicable statutes, regulations, and the City's policies including those that require a work environment free from discrimination and harassment. Employees are expected to use common sense and sound judgment to avoid any communication which is disrespectful, offensive, or illegal.
- 2) **No Expectation of Privacy** All City of Anacortes communications services and equipment, including the messages transmitted or stored by them, are the sole property of the City of Anacortes. Department Heads or as designated Division Managers may access and monitor employee communications and files as considered appropriate. Communication services and equipment include, among other things: mail, electronic mail ("e-mail"), instant messaging, courier services, facsimiles, telephone systems, personal computers, computer networks, on-line services and tapes, Internet connections, Intranets, computer files, video equipment and tapes, tape recorders and recordings, pagers, cellular phones, smart phones, personal digital assistants, tablets, voice mail, and bulletin boards.
- 3) The City as provider of access to communication systems reserves the right to specify how the City's network resources will be used and administered to comply with this policy. Message content sent from City communication systems reflects the city's image, both positively and negatively. Employees may be subject to disciplinary action for using these resources in a manner other than for the intended purposes. The information sources available via the Internet are worldwide and constantly growing in kind and number. It is not possible for any organization to fully manage the types and content of information accessed by its systems and users. Nonetheless, the City reserves the right to restrict access to any data source if/when, in its sole discretion and after appropriate review, the City determines such a source to be problematic. These restrictions do not constitute an implication of approval of other non-restricted sources.
- 4) Without exhausting all of the possibilities, the following are examples of inappropriate use of City communication systems:
 - a) Exposing others, either through carelessness or intention, to materials which are offensive, obscene or in poor taste. This includes information which could create an intimidating, offensive, threatening, or hostile work environment.
 - b) Any use that may for a reasonable person create or further a hostile attitude or give offense on the basis of any protected class including sex, race, color, religion, national origin, genetic information, pregnancy, age, marital status, gender identification, disability, military status or any other characteristic protected by law.
 - c) Communication of confidential city information to unauthorized individuals within or outside the City. (See Media Inquiries, Policy 806.)
 - d) Sending messages or information which is in conflict with applicable law or City policies, rules, or procedures.
 - e) Unauthorized attempts to access data or break into any City or non-City system.

- f) Theft or unauthorized copying of electronic files or data including documents, photographs, and music or video files
 - g) Intentional misrepresentation of one's identity for improper or illegal acts.
- 5) Incidental personal use by employees of the City's communications services and equipment is allowed as long as the use does not interfere with the employee's work or the City's operations and does not violate any City policy. Employees must properly log any personal-use charges and reimburse the City for them. However, whenever possible, personal communications that incur usage charges should be placed on a collect basis or charged directly to the employee's personal credit card or account.
 - 6) City communications property or equipment may not be removed from the premises without written authorization from the employee's supervisor. Some resources (designated laptop computers and audio-visual equipment) are made available through a reservation system and may not require supervisory approval. In addition, employees should keep use of personal communication devices to a minimum so that their use does not interfere with the employee's work or the City's operations.
 - 7) Employees should ensure that no personal correspondence appears to be an official communication of the City of Anacortes. Employees may be perceived as representatives of the City of Anacortes and, therefore, damage or create liability for the City. All outgoing messages, whether by mail, facsimile, e-mail, Internet transmission, or any other means, must be accurate, appropriate, and work-related. Employees may not use City of Anacortes stationery or postage for personal letters. Only the City of Anacortes may issue personalized stationery and business cards bearing the City's logo.
 - 8) Employees must bear in mind that email is not private and its source is clearly identifiable. Email messages may remain part of City business records long after they have been deleted. Electronic records, including e-mail messages, are public records subject to Washington State's Public Disclosure Records Act, and will be disclosed upon request unless an exemption to disclosure is found to apply. In general, e-mail is subject to discovery in civil lawsuits.
 - 9) Email may not be used for spam (unsolicited bulk email) or to send or post chain letters, messages of a political or religious nature, or messages that contain obscene, profane, or otherwise offensive material or language.
 - 10) **Emergency Contact** Employees who do not have direct access to a City of Anacortes telephone should make provisions to have emergency or other necessary incoming calls routed to a department approved telephone or to the Human Resource Department. Although the City of Anacortes will attempt to deliver personal messages to employees, it cannot and does not accept responsibility for the prompt or accurate relay of these messages.
 - 11) Improper use of City of Anacortes communications services and equipment and social media or any other violations of this policy will result in discipline, up to and including termination. Improper use includes any misuse as described in this policy, any misuse that would result in violations of other City policies, as well as any harassing, offensive, demeaning, insulting, defaming, intimidating, sexually suggestive, or otherwise inappropriate written, recorded, or electronically transmitted communications. (See productive work environment, Policy 202; and Behavior of Employees, Policy 801.) Nothing in this policy is designed to interfere with, restrain, or prevent employee communications regarding, wages, hours, or other terms and conditions of employment. Employees have the right to engage in or refrain from such activities.

POLICY 805 CONFLICTS OF INTEREST

Policy:

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

Comment:

- 1) Employees are expected to represent the City of Anacortes in a positive and ethical manner. Thus, employees have an obligation to avoid conflicts of interest and to refer questions and concerns about potential conflicts to their supervisor.
- 2) Employees may not, directly or indirectly whether on or off the job, engage in any conduct that is disruptive or damaging to the City of Anacortes.
- 3) Employees and their immediate family may not accept gifts, except those of nominal (i.e. less than \$20.00) value, or any special discounts or loans from any person or firm doing, or seeking to do, business with the City of Anacortes. The meaning of gifts for purposes of this policy includes the acceptance of entertainment and free travel and lodging.
- 4) Employees may not give, offer, or promise, directly or indirectly, anything of value to any representative or any entity in connection with any transaction or business that the City of Anacortes may have.
- 5) Employees may not accept any employment relationship with any organization that does business with the City of Anacortes. This prohibition on employment includes serving as an advisor or consultant to any organization of that type, unless the activity is conducted as an assigned representative of the City of Anacortes.
- 6) Any conflict or potential conflict of interest must be disclosed to the City of Anacortes. failure to do so will result in discipline, up to and including termination. (See DISCIPLINARY PROCEDURE, Policy 807.)

POLICY 806 MEDIA INQUIRIES

Policy:

All media inquiries and other inquiries of a general nature should be referred to the Department Head or Division Manager. In addition, the Mayor must approve all press releases, publications, speeches, or other official declarations. (See SECURITY, Policy 605.) The Mayor may authorize specific employees to respond to media inquiries on the City's behalf without prior approval. Questions about employee references or other information concerning current or former employees should be referred to the Human Resource Department.

POLICY 807 DISCIPLINARY PROCEDURE

Policy:

The City of Anacortes expects that all employees comply with the City of Anacortes's standards of behavior and performance and that noncompliance with these standards must be corrected.

Comment:

- 1) Under many circumstances, the City of Anacortes utilizes a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. It does, however, retain the right and discretion to administer discipline in any manner it sees fit, and to terminate all at-will employees with or without cause.
- 2) Depending on the circumstances, the City of Anacortes may utilize the following procedures:
 - a) If an employee is not meeting City of Anacortes standards of behavior or performance, the employee's supervisor may take the following action:
 - i) Meet with the employee to discuss the matter;
 - ii) Inform the employee of the nature of the problem and the action necessary to correct it; and
 - iii) Prepare a memorandum for the supervisor's own records indicating that the meeting has taken place.
 - b) If there is a second occurrence, the supervisor may hold another meeting with the employee and take the following action:
 - i) Issue a written reprimand to the employee (the Human Resources Department should assist in the preparation of the written reprimand);
 - ii) Warn the employee that a third incident will result in more severe disciplinary action; and
 - iii) Prepare and forward to the Human Resource Department a written report describing the first and second incidents and summarizing the action taken during the meeting with the employee. This information will be included in the employee's personnel file. (See Personnel Records, Policy 901.)
- 3) If there are additional occurrences, the supervisor may take the following action, depending on the severity of the conduct:
 - a) Issue a written reprimand or warning;
 - b) Typically, the employee should be suspended immediately, and an investigation of the incidents leading up to the suspension should be conducted to determine if any action such as termination should be taken; or
 - c) The supervisor must prepare and forward to the Human Resource Department another written report describing the occurrences, indicating the timing between the occurrences, and summarizing the action taken or recommended and its justification.
- 4) The progressive disciplinary procedures described in Comment (2), above, may also be applied to an employee who is experiencing a series of unrelated problems involving job performance or behavior.
- 5) The degree of disciplinary action administered depends on the severity of the infraction and will be carried out in accordance with this policy, or in accordance with applicable Civil Service Rules and Regulations or collective bargaining agreements. It is the responsibility of management to evaluate the circumstances and facts thoroughly and objectively. In cases involving serious misconduct, or any time the supervisor determines it is necessary, the procedures contained in Comment (2), above, may be disregarded. The supervisor should suspend the employee immediately and, if appropriate, recommend termination of the employee. (See BEHAVIOR OF EMPLOYEES, Policy 801.) If appropriate, an investigation

of the incidents leading up to the suspension may be conducted to determine what further action, if any, should be taken. (See Comment (5), below.) Employees suspended from work generally will not receive or accrue any employee benefits during the suspension.

6) Pre-disciplinary Meeting

- a) In the case of suspension or termination of an employee (other than introductory employees), the city will conduct a pre-disciplinary meeting. The pre-disciplinary meeting serves as a check against mistaken decisions and as an opportunity for an employee to furnish additional facts before a suspension or termination decision is finalized. The employee shall be provided with a notice of intended discipline. The notice shall include an explanation of the charges on which the recommendation is based, and the time and date for a pre-disciplinary meeting. If the employee fails or refuses to appear, the suspension or termination may proceed. Pre-disciplinary meeting will be presided over by the Human Resources Director or designated representative.
 - b) A non-supervisory employee who is represented by a union may request that a union representative be present at a predisciplinary meeting. The meetings are intended to be informal. The employee may show cause why they should not be suspended or terminated. Usually within two working days after the pre-disciplinary meeting, the Mayor will issue a decision on whether there are reasonable grounds to believe the charges against the employee are true and support suspension or termination. A longer review period may be required in situations that are more complex.
- 7) The Human Resource Department shall review and approve all recommendations for termination before any final action is taken. (See TERMINATION OF EMPLOYMENT, Policy 213)
 - 8) Employees who believe that this policy has not been followed, and wish to challenge the decision, must use the dispute resolution procedure. (See DISPUTE RESOLUTION PROCEDURE, Policy 902)
 - 9) If a disciplined employee works a full year without further disciplinary action under this policy, the next failure to meet behavior or performance standards may be treated as a first occurrence under this policy; however, the City of Anacortes may still consider all past disciplinary actions in evaluating the employee. (See PERFORMANCE APPRAISALS, Policy 302.)

POLICY 808 DRUGS, NARCOTICS, AND ALCOHOL

Policy:

The purpose of this policy is to ensure employee fitness for duty and to protect them and the public from the risks associated with the abuse of alcohol and/or drugs. Any employee who has questions about requirements and procedures under this policy may direct such questions to the Human Resource Department staff.

Comment:

- 1) This policy applies to all employees. Parts of this policy relating to drug and alcohol testing apply only to those employees who have been deemed to work in a safety-sensitive position, including public safety employees and employees required to hold a Commercial Driver's License (CDL).
- 2) The City's policy has not changed as a result of the decriminalization of marijuana in Washington State. Marijuana remains an illegal drug under federal law, and it continues to be a violation of the U.S. Department of Transportation regulations and the City's policy prohibiting employees from testing positive for marijuana use. City policy requires that the workplace remain drug and alcohol free and prohibits reporting to work under the influence of drugs or alcohol. The City also prohibits the unlawful manufacture, distribution, dispensing, possession, or use of drugs or alcohol on City premises, or while conducting City business whether on or off City premises. City policy requires any employee to submit to drug testing when employee behavior, speech, or appearance gives rise to a reasonable suspicion that drugs or alcohol may be impairing an employee's ability to satisfactorily perform work.
- 3) **DEFINITIONS** - The following definitions are provided for clarity:
 - a) **Safety Sensitive Function:** An employee who must hold a CDL to perform their job or a public safety employee, including police and fire.
 - b) **Prohibited Drugs:** Any illegal drug or any substance identified in schedules of the Controlled Substance Act (21 U.S.C. 812) and as further defined by 21 CFR 1308.11 through 1308.15. This includes, but is not limited to: marijuana, amphetamines, opiates, phencyclidine (PCP), heroin, and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, the misuse of legally prescribed drugs, or the use of illegally obtained prescription drugs.
 - c) **Allowable Drugs:** A legally prescribed drug designated by prescription or other written approval, in the employee's name, from a physician for the use of the drug in the course of medical treatment. It must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization.

The use of any substance that carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to supervisory personnel prior to performing duties. It is the employee's responsibility to read warning labels and/or to seek medical advice from a physician when appropriate. It is also the responsibility of employees to remove themselves from service if they are experiencing any adverse effects from medication. The misuse or abuse of legal drugs while performing business is prohibited.

- d) **Drug Test:** The drugs that will be tested for include marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP). An initial drug screen will be conducted on each urine specimen. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (CG/MS) test will be performed.
 - e) **Prohibited Alcohol:** Beverages or other substances containing alcohol, including any medication, mouthwash, food, candy or any other substance, such that alcohol is present in the body while on City of Anacortes property, time or in other circumstances that might adversely affect operations, safety or job performance is prohibited.
 - f) **Alcohol Test:** A breath alcohol concentration test will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA) approved evidential breath device (EBT) operated by a trained breath alcohol technician (BAT). If the initial test indicates an alcohol concentration of point zero two (.02) or greater, a second test will be performed to confirm the results of the initial test. Any employee who has a confirmed alcohol concentration of point zero two (.02) or greater but less than point zero four (.04) will be removed from their position for twenty-four (24) hours and considered to be in violation of this policy and subject to discipline. An alcohol concentration of point zero four (.04) or greater will be considered a positive alcohol test and in violation of this policy and a violation of the requirements set forth in federal regulations for safety-sensitive employees. Alcohol testing should be performed within two (2) hours of an accident or a determination of reasonable suspicion, or the City must maintain a record stating the reasons the test was not promptly administered. Alcohol testing may not take place more than eight (8) hours after an accident or determination of reasonable suspicion.
- 4) Violation of the following provisions is prohibited and punishable by disciplinary action up to and including termination:
- a) **Manufacturing, Sale, Possession and Use:** Employees are prohibited from engaging in the manufacture, sale, distribution, dispensing, possession or use of any substances which impair job performance or pose a hazard, when use or possession occurs on City premises or property, or during work time, or while representing the City in any work related fashion. Employees who violate this provision will be subject to discipline, up to and including termination.
 - b) **Drug and Alcohol Use:** Employees must not report for work or continue to work if they are not fit for duty because of the presence of prohibited substances or alcohol in their system. Any employee who is reasonably suspected of being not fit for duty due to drug or alcohol use shall be suspended from duties pending an investigation of condition.
 - c) **Positive Drug Test:** The test will be considered positive if the amounts present are above the minimum thresholds established in 49 CFR Part 40, as amended. Any employee that has a verified positive drug test will be removed from their position immediately. The person will be informed of education and rehabilitation programs available and referred to a Substance Abuse Professional (SAP) for assessment.
 - d) **Positive Alcohol Test:** A alcohol test is considered positive if the individual is found to have a quantifiable presence or a prohibited substance in the body above the minimum

thresholds defined in 49 CFR Part 40, as amended. Any employee who tests positive for alcohol at point zero four (.04) or higher will be removed from the position immediately and referred to a Substance Abuse Professional. Any safety-sensitive employee who tests positive for alcohol at a confirmed level between point zero two (.02) – point zero three nine (.039) will be removed from their position for twenty-four (24) hours.

- 5) **Failure to Comply with Testing Requirements:** Any employee who refuses to comply with a request for testing shall be removed from duty. Such refusals will be recorded as a positive test. Refusal can include an inability to provide a sufficient urine specimen or breath sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, failure to appear for a test within a reasonable time after being directed to do so, physical absence resulting in the inability to conduct or complete the testing process, use of a prosthetic or other device that could be used to interfere with the collection process, having an adulterated or substituted specimen, or any other acts constituting refusal under 49 C.F.R. part 40.
 - a) Any employee who is suspected of providing false information in connection with a test, or who is suspected of falsifying test results through tampering, contamination, adulteration or substitution will be required to undergo an observed collection by medical personnel and may be disciplined.
- 6) **Notification of Criminal or DWI Convictions:** All employees are required to notify the City of Anacortes of any criminal drug statute conviction for a violation within five days after such conviction. Failure to report such conviction or any moving violation causing the loss of driver's license by state or local law enforcement involving drugs or alcohol, shall result in discipline, up to and including termination.
- 7) **Failure to Comply with Treatment Requirements:** Employees are encouraged to make use of the available resources for treatment of alcohol misuse and illegal drug use problems. Under certain circumstances, employees may be required to undergo treatment for substance abuse or alcohol misuse. Any employee who refuses or fails to comply with the City of Anacortes' requirements shall be subject to discipline, up to and including termination.
- 8) **Testing Procedures:** The testing process will insure protection of individual dignity, privacy and confidentiality. Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities that have been approved by the U.S. Department of Health and Human Services (DHHS). All testing will be conducted consistent with the procedures put forth in 49 CFR Part 40, as amended.

Analytical urine drug testing and breath testing for alcohol may be conducted when circumstances warrant or as required by Federal regulations. All CDL and public safety employees shall be subject to testing prior to employment, for reasonable suspicion and following an accident. All employees shall be subject to testing for reasonable suspicion, and following an accident. In addition, all employees will be tested prior to returning to duty after failing a drug or alcohol test and after completion of the Substance Abuse Professional's recommended treatment program. Employees who perform CDL or safety

sensitive functions shall also be subject to follow-up testing on a random, unannounced basis. Follow-up testing will be conducted for a period of one to five years, with at least six tests performed during the first year.

Employees should note that direct observation for collection is a federal requirement for all follow-up and return-to-duty testing conducted on or after August 31, 2009.

- 9) **Pre-employment Testing:** All safety-sensitive position applicants shall undergo urine drug testing immediately following the offer of employment, or transfer into a safety-sensitive position and prior to performing any safety sensitive functions. The employment offer is contingent upon successful test results. Receipt by City of Anacortes of a negative drug test is required prior to employment. Applicants testing positive will not be eligible to be considered for employment for a period of twelve (12) months, and must provide proof of evaluation, referral and satisfactory completion of an approved treatment program. Applicants for DOT regulated positions may also be asked to authorize the City to contact prior DOT regulated employers for whom the applicant has worked during the last two (2) years to determine if the applicant has violated DOT regulations in prior employment.
- 10) **Reasonable Suspicion Testing:** All employees may be subject to urine and/or breath testing when there are reasons to believe they are not fit for duty immediately prior to, during or immediately after performing job duties or while on City of Anacortes property.

Reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances that are consistent with the short-term effects of substance abuse.

Reasonable suspicion referrals must be made by a supervisor who is trained to detect the signs and symptoms of drug and alcohol use and who reasonably concludes that an employee may be adversely affected or impaired in their work performance due to possible prohibited substance misuse.

- 11) **Post-Accident Testing:** All employees in safety sensitive positions will be required to undergo urine and breath testing if they are involved in an accident with a City of Anacortes vehicle that results in a fatality. This includes all surviving employees who are operating the vehicle and any others whose performance could have contributed to the accident. In addition, a post-accident test will be conducted if the driver received a citation for a moving violation and the accident involved bodily injury to any person who, as a result of the accident, immediately received medical treatment away from the scene of the accident; or the driver received a citation for a moving violation and the accident involved one or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

Following an accident, the employee will be tested as soon as possible, but not to exceed eight (8) hours for alcohol testing and thirty-two (32) hours for drug testing. Any employee involved in an accident (as defined above) must refrain from alcohol use for eight (8) hours following the accident or until they undergo a post-accident alcohol test. Any employee who leaves the scene of the accident without justifiable explanation prior to submission to drug and alcohol testing will be considered to have refused the test. Employees tested under this provision will include not only the driver, but also any other employees whose

performance could have contributed to the accident.

- 12) **Random Testing:** Employees in CDL positions will be subject to random, unannounced urine and breath testing. The selection of CDL employees for random drug and alcohol testing will be made using a scientifically valid method that ensures each covered employee will have an equal chance of being selected each time selections are made. The random tests will be unannounced and spread throughout the year. The City utilizes a consortium/third party administrator to facilitate the random selection of the drivers and notification to the City of the driver(s) selected for testing.

A CDL employee shall be subject to random testing for controlled substances at any time while performing work for the City. A CDL employee shall be subject to random testing for alcohol just before, during or after performing a "safety-sensitive function". A "safety-sensitive function" means all time from the time the employee begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include: all time waiting to be dispatched or remaining in readiness to operate a vehicle, unless relieved from duty; all time inspecting, servicing or conditioning any commercial motor vehicle; all time in or upon a commercial motor vehicle; all time loading or unloading a vehicle, or supervising/assisting in the loading or unloading of a vehicle; or all time spent repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

- 13) **Return to Duty Testing:** All employees who previously tested positive on an alcohol and/or drug test must test negative for drugs and alcohol, and be evaluated and released for duty by the Substance Abuse Professional before returning to work.
- 14) **Follow-up Testing:** Employees who previously tested positive will be required to undergo frequent unannounced, random urine and/or breath testing following their return to duty. The follow-up testing will be performed for a period of one to five years (based on the Substance Abuse Professional's recommendation), with six (6) tests to be performed during the first year.
- 15) **Employee Requested Testing:** Any employee who questions the results of a required drug test, may request that an additional test be conducted. The test must be conducted on the split sample that was provided by the employee at the same time as the original sample. The employee pays all costs for such testing unless the result of the split sample test invalidates the result of the original test. The method of collecting, storing and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to the Medical Review Officer (MRO) within seventy-two (72) hours of notice of the original sample verified test result. Request after seventy-two (72) hours will only be accepted if the delay was due to documented facts that were beyond the control of the employee.
- 16) **Assessment/Assistance Referrals:** Employees are encouraged to seek treatment voluntarily and to utilize the Employee Assistance Program. Any employee who comes forth and notifies the City of Anacortes of alcohol or drug abuse problems will be given the assistance extended to employees with any other illness. Any such program, however, may not interfere with the tests required by these rules. For example, a CDL driver may not identify himself/herself as unfit to drive after having been notified of a random or reasonable

suspicion test and expect to avoid the consequences for a positive test or a refusal to test. In addition, voluntarily seeking assistance does not excuse any failure to comply with all of the provisions of this policy.

- 17) Sick leave, vacation leave, or leave of absence without pay may be granted for treatment and rehabilitation as in other illnesses. Insurance coverage for treatment will be provided to the extent of individual coverage. Confidentiality of information will be maintained as much as possible at all times.
- 18) Any employee who tests positive for the presence of illegal drugs or alcohol above the minimum thresholds set forth in 49 CFR Part 40, as amended, will be provided a list of Substance Abuse Professionals (SAP) to whom they can go for evaluation.
 - a) A SAP is a licensed or certified physician, psychologist, social worker, employee assistance professional, or addiction counselor with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol-related disorders. The SAP will evaluate each employee to determine what assistance, if any, the employee needs in resolving problems associated the prohibited drug use or alcohol misuse.
 - b) If an employee is allowed to return to duty, they must properly follow the rehabilitation program prescribed by the SAP, the employee must have a negative return-to-duty drug and alcohol test, and be subject to unannounced follow-up tests for a period of one to five years. The cost of any treatment or rehabilitation services is the responsibility of the employee.
- 19) **Record Retention:** All records related to drug and alcohol testing will be maintained in a secure location with controlled access. These records will be kept separate from personnel records.
- 20) **Education and Training:** Drivers subject to this policy pursuant to federal regulations will be provided with this policy and information on signs and effects of alcohol and/or drug abuse. Supervisory level staff will receive at least two (2) hours of instruction on how to identify the signs of drug and/or alcohol used or impairment and what to do in reasonable suspicion cases.
- 21) **Changes in Testing Procedures:** Should there be improvements in the technology of testing procedures providing more accurate testing the City will consider utilizing the new testing procedures.

POLICY 901 PERSONNEL RECORDS

Policy:

The City of Anacortes maintains personnel records for applicants, employees, and past employees in order to document employment-related decisions, evaluate and assess policies, and comply with government record keeping and reporting requirements.

Comment:

- 1) The City of Anacortes tries to balance its need to obtain, use, and retain employment information with a concern for each individual's privacy. To this end, it attempts to maintain only the personnel information that is necessary for the conduct of its business or required by federal, state, or local law.
- 2) The Human Resource Department is responsible for overseeing record keeping for all personnel information and will specify what information should be collected and how it should be stored and secured.
- 3) Employees have a responsibility to keep their personnel records up to date and should notify the Human Resource Department in writing of any changes in at least the following:
 - a) Name;
 - b) Address;
 - c) Telephone number;
 - d) Marital status (for benefits and tax withholding purposes only);
 - e) Number of dependents;
 - f) Addresses and telephone numbers of dependents and spouse or domestic partner, or former spouse or domestic partner (for insurance purposes only);
 - g) Beneficiary designations for any of the City of Anacortes's insurance, disability plans; and for the State Department of Retirement Systems.
 - h) Persons to be notified in case of emergency.

In addition, employees who have a change in the number of dependents or marital status should complete a new Form W-4 for income tax withholding purposes.

- 4) Employees may inspect their own personnel records and may copy, but not remove, documents in the file. Inspections by employees must be requested in writing to the Human Resource Department and will be scheduled at a mutually convenient time. All inspections must be conducted in the presence of a designated member of the Human Resource Department. A reasonable charge, not to exceed the actual cost to the City of Anacortes, will be made for any copies of records made by the employee.
- 5) Employees who believe that any file material is incomplete, inaccurate, or irrelevant may submit a written request for file revisions to the Human Resource Department. If the request is not granted, the employee may place a written statement of disagreement in the file and make a complaint using the regular grievance procedure. (See Dispute Resolution Procedure, Policy 902.)
- 6) Only supervisory and management employees who have an employment-related need-to-know for information about another employee may inspect the files of that employee. The inspection must be approved and witnessed by the Human Resource Department.
- 7) Employees should refer all requests from outside the City of Anacortes for personnel information concerning applicants, employees, and past employees to the Human Resource Department. The Human Resource Department normally will release personnel information only in writing and only after obtaining the written consent of the individual

involved. Exceptions may be made to cooperate with legal, safety, and medical officials who need specific employee information. In addition, exceptions may be made to release limited general information, such as the following: employment dates, position held, and location of job site.

8) General Retention Schedule

- a) Documents the City is required by government regulation to retain for particular periods of time:
- b) Job announcements for postings and application forms and/or resumes when applicant is not hired. (3 years)
- c) Employment Interview Evaluation Files. (3 years)
- d) I-9 forms. (Retain for duration of employment, plus 3 years after the date of hire or 1 year after the termination date- whichever is later.)
- e) Records pertaining to promotion (Termination plus 6 years)
- f) Demotion. (Termination plus 6 years)
- g) Transfer. (Termination plus 6 years)
- h) Layoff or termination. (Termination plus 6 years)
- i) Payroll records. (Termination plus 6 years)
- j) Records pertaining to the employment of minors. (Termination plus 6 years)
- k) Records of reported occupational injuries and illness (OSHA/WISHA logs). (Termination plus 30 years)
- l) ADA Claim and Accommodation files. (Completion of accommodation plus 6 years)
- m) Employee medical records. (Termination plus 30 years)
- n) Verification
- o) Minutes from the Safety Committee (1 year)

These documents are centralized in the Human Resources Department. Generally, contents of a personnel file are retained for up to six years after an employee terminates. Other employee documents such as medical records must be retained for a longer period.

The City customarily retains certain documents in the regular course of business as a part of an employee's permanent record, even if no regulation requires retention. Examples of this type of document would include performance management memos, disciplinary or warning memos, and memos describing the outcome of an internal investigation.

Other working documents that the manager may need: The manager should consider first whether a document in this category should be routed to the Human Resources Department. The manager should contact the Human Resources Director or Representative if unclear whether or not the contents should be placed in the employee's file.

- a) Drafts, notes of conversations
- b) Interviews or investigations
- c) Email
- d) Correspondence
- e) Memos
- f) Other working documents that may be needed to manage ongoing issues with employees. These documents may have little utility for anyone other than for the manager and/or the employee's manager and that generally are not viewed by anyone other than HR, the manager, in some cases the employee, and perhaps Legal.

The following documents should be routed to Human Resources for inclusion in the

employee's personnel or medical file. Medical files are kept separately from personnel files.

- a) Application forms/ resumes/letters of offer
- b) Reviews/evaluation forms
- c) Performance Management memos
- d) Disciplinary memos
- e) Memos regarding the result of any internal complaint/investigation that resulted in disciplinary action being taken
- f) Termination/resignation notices
- g) Documents regarding the offer and/or acceptance of severance benefits
- h) Post-termination documents referencing a former employee's eligibility or ineligibility for rehire
- i) Applications for health, life, disability or other insurance or benefit program
- j) Workers' compensation claims
- k) Leave of absence
- l) Unemployment claims
- m) Medical records
- n) Physician's releases
- o) Documents pertaining to an ergonomic evaluation
- p) Request for accommodation of a physical or mental condition.

POLICY 902 DISPUTE RESOLUTION PROCEDURE

Policy:

The City of Anacortes believes that employees should have an opportunity to present their work-related complaints and to appeal management decisions through a dispute resolution procedure. The City of Anacortes will attempt to resolve promptly all disputes that are appropriate for handling under this policy.

Comment:

- 1) Employees are encouraged to consult on a less formal basis with the human resources department, their supervisors, or other members of management regarding work-related complaints or disputes.
- 2) An appropriate dispute is defined as an employee's expressed dissatisfaction concerning any interpretation or application of a work-related policy by management, supervisors, or other employees. Examples of matters that may be considered appropriate disputes under this policy include:
 - a) A belief that City of Anacortes policies, practices, rules, regulations, or procedures have been applied inconsistently to an employee;
 - b) Treatment considered unfair by an employee, such as coercion, reprisal, harassment (including sexual harassment), intimidation, or retaliation;
 - c) Alleged discrimination because of race, color, sex, age, religion, national origin, marital status, gender identification, disability, or any other class protected by law; and
 - d) Improper or unfair administration of employee benefits or conditions of employment such as scheduling, vacations, fringe benefits, promotions, retirement, holidays, performance review, salary, or seniority.
- 3) If the employee seeks to complain about harassment, discrimination, or retaliation, this complaint should be directed to the Human Resources Director. (See PRODUCTIVE WORK ENVIRONMENT Policy 202.) If the employee believes that the Human Resources Director is involved, the employee should direct the complaint to the Mayor. While employees are encouraged to have their concerns addressed internally, they may also direct these concerns to the Washington Human Rights Commission, the Equal Opportunity Commission, or any other government agency that receives and handles such complaints. For internal complaints, the Human Resources Director or Mayor will apply this dispute resolution process beginning at Step 3. For all other types of complaints, the dispute resolution procedure is the exclusive remedy for employees with appropriate complaints. Employees should notify the City of Anacortes in a timely fashion of any dispute considered appropriate for handling under this policy. As used in this policy, the terms "timely fashion," "reasonable time," and "promptly" generally will mean ten working days. Certain employees may have more than one source of dispute resolution rights, i.e. a collective bargaining agreement the City's Civil Service Rules, and this complaint process. Employees represented by a bargaining unit or who are covered under civil service rules should follow grievance procedures set out in their respective labor contracts or civil service rules where applicable. In all other cases, the procedures described in this section are to be used. Under no circumstances shall an employee have the right to utilize both this process and any other complaint or appeal procedure that may be available to the employee.
- 4) The dispute resolution procedure has a maximum of three steps, but disputes may be resolved at any step in the process. Disputes will be processed until the employee is satisfied, does not file a timely appeal, or exhausts the right of appeal under the policy. A

decision becomes binding on all parties whenever an employee does not file a timely appeal or when a decision is made in the final step and the right of appeal no longer exists.

- 5) Employees who feel they have an appropriate dispute should proceed as follows:
 - a) Step One - Promptly bring the complaint to the attention of the immediate supervisor. If the dispute involves the supervisor, then the employee may proceed directly to step two. The supervisor, if authorized should investigate the complaint or refer it to the Human Resources Department for handling, attempt to resolve it, and give a decision to the employee within a reasonable time. The supervisor should prepare a written and dated summary of the dispute and proposed resolution.
 - b) Step Two - Appeal the decision to the department head, if dissatisfied with the supervisor's decision, or initiate the procedure with the department head if Step One has been bypassed. This appeal or initial dispute notification must be made in a timely fashion using a written form provided for this purpose. The supervisor's version of the dispute and decision will then be submitted using a similar written form. The department head will, in a timely fashion, confer with the employee, the supervisor, and any other members of management considered appropriate; investigate the issues; and communicate a decision in writing to all the parties involved.
 - c) Step Three - Appeal an unsatisfactory department head decision to the Mayor. The timeliness requirement and procedures to be followed are similar to those in Step Two. The Mayor will take the necessary steps to review and investigate the dispute and will then issue a written, final, and binding decision.
- 6) The Human Resource Department will provide training and support to supervisors and department heads in dealing with employee complaints. In addition, employees should be encouraged to consult with the Human Resource Department, their supervisors, or other members of management on a less formal basis regarding employee complaints or disputes.
- 7) Final decisions on disputes will not be precedent-setting or binding on future disputes unless they are officially stated as City of Anacortes policy. When appropriate, the decisions will be retroactive to the date of the employee's original dispute notification.
- 8) Information concerning an employee dispute should be confidential to the extent possible. Supervisors, department heads, and other members of management who investigate a complaint may discuss it only with those individuals who have a need to know about it or who are needed to supply necessary background information or advice.
- 9) Time spent by employees in dispute discussions with management during their normal working hours will be considered hours worked for pay purposes.
- 10) Employees will not be penalized for proper use of the dispute resolution procedure. However, it is not considered proper use if an employee raises complaints in bad faith or solely for the purposes of delay or harassment or repeatedly raises meritless disputes. Implementation of the dispute resolution procedure by an employee does not limit the right of the City of Anacortes to proceed with any disciplinary action that is not in retaliation for the use of the dispute resolution procedure. In addition, employees and supervisors are prohibited from retaliating against an employee who properly uses the dispute resolution procedure.
- 11) The City of Anacortes may, at its discretion, refuse to proceed with any dispute it determines is improper under this policy.

POLICY 903 WHISTLEBLOWER PROTECTION ACT

Policy:

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

Comment:

- 1) Improper Governmental action is any action by a city officer or employee that is:
 - a) Undertaken in the performance of the official's or employee's official duties, whether or not the action is within the scope of the employee's employment, and
 - b) In violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety, or is a gross waste of public funds.
 - c) Improper governmental action does not include personnel actions including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, re-employments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or civil service laws, alleged violation of labor agreements or reprimands. In addition, employees are not free to disclose matters that would affect a person's right to legally protected confidential communications.
- 2) Retaliatory Action is any material adverse change in the terms and conditions of an employee's employment. Emergency means a circumstance that if not immediately changed may cause damage to persons or property.
- 3) Employees who become aware of improper governmental action should follow these procedures:
 - a) Bring the matter to the attention of the Human Resources Director, if non-involved, in writing that states in detail the basis for the employee's belief that an improper action has occurred. This should occur as soon as the employee becomes aware of the improper action. Where the employee believes the improper action involves the Human Resources Director, the employee may raise the issue directly with the Mayor.

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

- b) The Mayor or the mayor's designees shall promptly investigate the report of improper government action. After the investigation is completed (within thirty (30) days of the employee's report), the employee shall be advised of the results of the investigation. City of Anacortes officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law, unless the employee authorizes the disclosure of their identity in writing. After an investigation has been completed, the employee reporting the improper governmental action shall be advised of a summary of the results of the investigation. To the extent allowed under the Public Record Act, personnel actions taken as a result of the investigation may be kept confidential.

- 4) An employee who makes a good faith effort to follow this policy is entitled to protection against retaliation pursuant to RCW 42.41.030.
- 5) In the case of an emergency, where the employee believes that damage to persons or property may result if action is not taken immediately, the employee may bypass the above procedure and report the improper action directly to the appropriate government agency responsible for investigating the improper action. Outside agencies to which reports may be made include, but are not limited to, the following:

Skagit County Prosecuting Attorney's Office
Courthouse Annex
605 S. Third
Mt. Vernon, WA 98273
(360)336-9460

Washington Attorney General
Washington State Auditor
Department of Labor & Industries
Washington State Patrol
Washington Department of Natural Resources

- 6) Employees may report information about improper governmental action directly to an outside agency if the employee reasonably believes that an adequate investigation was not undertaken by the City to determine whether an improper governmental action occurred, or that insufficient action was taken by the City to address the improper action or that for other reasons the improper action is likely to recur.
- 7) It is unlawful for a local government to take retaliatory action because an employee, in good faith, provided information that improper government action occurred. An employee who believes that retaliation has occurred for reporting an improper government action should:
 - a) Employees must provide a written complaint to the Human Resources Director within thirty days of the occurrence of the alleged retaliatory action. If the Human Resources Director is involved, the notice should go to the Mayor. The written charge must specify the alleged retaliatory action and the relief requested.
 - b) The Mayor shall investigate the complaint and responding in writing within thirty days of receipt of the written charge.
 - c) After receiving the response of the City of Anacortes or thirty (30) days after the delivery of the charge to the City of Anacortes, the employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing should deliver the request for hearing to the City of Anacortes Mayor within the earlier of either fifteen (15) days of deliver of the City of Anacortes' response to the charge of retaliatory action, or forty-five (45) days of delivery of the charge of retaliation to the City of Anacortes for response.
 - d) Within five (5) working days of receipt of a request for hearing the City shall apply to the State Office of Administrative Hearing's for an adjudicative proceeding before an administrative law judge. At the hearing, the employee must prove that a retaliatory action occurred by a preponderance of the evidence. The ALJ will issue a final decision no later than forty-five days after the date of the request for hearing, unless an extension is granted.

- e) Additional information can be obtained on the Internet:
<https://www.sao.wa.gov/en/audits/whistleblower/pages/whistleblower.aspx>



Personnel Policies

RESOLUTION No. 1966

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Updated July 11, 2016

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RESOLUTION NO. 1966
A RESOLUTION REGARDING PERSONNEL POLICIES AND BENEFITS FOR CITY OF ANACORTES EMPLOYEES AND SUPERSEDING RESOLUTION NO. 1897, IN ITS ENTIRETY, PASSED AND APPROVED ON THE 2nd DAY OF SEPTEMBER 2014.

WHEREAS, the City of Anacortes believes that it is in the best interest of the City and our employees to have written personnel policies to help the City of Anacortes meet our mission statement, to prevent misunderstandings and problems, and to ensure that all employees know what is expected of them.

AND WHEREAS this Manual has been prepared as a guide and reference for employees. Nothing in this Manual creates an express or implied contract or promise concerning the City of Anacortes's policies or practices, including policies or practices it will implement in the future. The City of Anacortes retains the right to establish, change, and abolish these policies, practices, rules, and regulations at will and as it sees fit.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Anacortes, Washington, as follows:

The Mayor and City Clerk are hereby authorized and directed to execute said personnel policies, a copy of which is attached hereto and by this reference made part hereof, as the official act and deed of the City of Anacortes.

PASSED and APPROVED this 1st day of August 2016.

CITY OF ANACORTES

Laurie M. Gere, Mayor

ATTEST

Steven D. Hoglund, City Clerk-Treasurer

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POLICY 100 PERSONNEL POLICIES

RECEIPT OF PERSONNEL POLICIES

All employees should read the following, and then sign, date and return the form to the Human Resource Department. The form will be placed in the employee's personnel file.

Enclosed are the City of Anacortes's personnel policies. It is your responsibility to read these policies, as they will acquaint you with your employee benefits, our personnel practices and rules, and organizational philosophy. The most current personnel policies are always available on the intranet for your review.

It is important to understand that these policies do not create an employment contract or a guarantee of employment of any specific duration between the City and its employees. These policies are general guidelines and do not constitute promises of specific treatment in specific circumstances. Although we hope that your employment relationship with us will be long term, we recognize that at times things do not always work out as hoped, and either of us may decide to terminate the employment relationship.

As the City grows and changes, personnel policies may change. The City, therefore, reserves the right to revise, supplement, clarify or rescind any policy or portion of a policy when deemed appropriate by the Mayor. You will be notified of any such changes.

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

I have read and understand the statement above.

Employee Signature

Employee Printed Name

Date

(Return one signed copy of this form to the Human Resources Department.)

POLICY 101 MAYOR'S LETTER

To: All Supervisors & Managers
Re: Personnel Policies

This Manual has been prepared as a guide and reference for a member of management at all levels of supervisory responsibility. This information is to be used to help guide employer/employee relations. The Manual has the approval of the City Council, Mayor, and Department Heads.

We believe that it is in the best interest of the organization and our employees to have written personnel policies to help the City of Anacortes meet our mission, to prevent misunderstandings and problems, and to ensure that all employees know what is expected of them. It is essential that all members of management understand the role of these policies in meeting the organization's objectives and in limiting our legal exposure.

Any policy, however, is only as good as its implementation. Supervisors and Managers who are in direct contact with, and responsible for, a group of employees are essential to effective policy implementation. You are the individuals who must translate these ideas and principles into action.

Please understand that no supervisor, manager, or representative of the City has the authority to make any written or verbal statements or representations, which are inconsistent with these policies without prior approval from the Mayor. We depend upon you for the successful development of a productive, legal, and harmonious working environment for our employees.

Accordingly, I request that you thoroughly familiarize yourself with the contents of this Manual so that all personnel policies of the organization may be administered appropriately.

Mayor Laurie M. Gere

_____DATE

POLICY 102 FUNCTIONS OF THIS MANUAL

Policy:

This Manual should be used as an outline of the basic personnel policies, practices, and procedures for the organization.

Comment:

(1) This Manual contains general statements of City of Anacortes policy and should not be read as including the details of each policy. However, in many cases details are provided and appropriate cross-references are made. This Manual should not be interpreted as forming an express or implied contract or promise that the policies discussed in it will be applied in all cases. The City of Anacortes may add to the policies in the manual, revoke, or modify them from time to time. It will try to keep the Manual current, but there may be times when policy will change before this material can be revised.

(2) These personnel policies shall apply to all City employees. They shall not apply to independent contractors or elected officials, provided that the policy sections on Reimbursement of Employee Expenses (Policies 401-405) and Employee Benefits (Policy 501, and Policy 507) shall apply to the Mayor, who shall be eligible to participate in City employee benefit programs and subject to applicable policies regarding those benefit programs. In the event of conflict between any provision of this manual and any provision of a valid and effective collective bargaining agreement, employee contract, or applicable Civil Service rules and regulations, the provisions of the contract and/or the Civil Service rules shall govern. In all other cases, these policies shall govern.

(3) Except as specified below, non-represented employees can be terminated only "for cause." Simply defined, "for cause" generally means that the employer has a valid performance, conduct, or attitude-related reason for disciplining or terminating the employee, or that there is a valid budgetary, operational or other legitimate reason for termination. Introductory employees are "at-will" employees and can be terminated without cause. Employees who have an individual contract designating their employment as "at will" can also be terminated without cause.

(4) The Human Resource Department is responsible for distribution of the Manuals to employees who, in turn, are responsible for inserting approved changes.

(5) The Human Resource Department will continue to review and recommend changes to the Mayor in the City of Anacortes's personnel policies. Department heads and supervisors are encouraged to recommend changes or new policies. The Human Resource Department is responsible for disseminating new policy information.

(6) Department heads and supervisors should refer to the Manual whenever questions of policy interpretation or implementation arise. Issues needing clarification should be referred to the Human Resource Department.

(7) As used in the Manual:

- (a) Use of the masculine or feminine gender should be interpreted to include persons of both gender;
- (b) "Supervisor" means an individual with the authority to assign, direct, and review the work of one or more subordinates; and

(c) "Immediate family" means the employee's spouse, registered domestic partner, brother, sister, mother, father, stepmother, stepfather, child, stepchild, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, grandparent, grandparent-in-law, and any other resident member of the employee's household unless otherwise specified.

"Domestic Partner" means a person whom an employee identifies as his or her domestic partner and who together are registered as a Domestic Partnership with the Washington State Secretary's State Registry.

POLICY 103 CODE OF EMPLOYER-EMPLOYEE RELATIONS

Policy:

The City of Anacortes implements fair and effective personnel policies and requires all employees support the City's best interests.

Comment:

(1) The City of Anacortes is committed to a mutually rewarding and direct relationship with its employees. Thus, the City of Anacortes :

- (a) Provides equal employment opportunity and treatment regardless of race, religion, color, sex/gender, sexual orientation or gender identification, age, national origin, disability, pregnancy, genetic information, military/veteran status, and any status protected by law(See Productive Work Environment, Policy 202);
- (b) Provides compensation and benefits commensurate with the work performed (See Pay Practices, Section 300);
- (c) Establishes reasonable hours of work based on the City of Anacortes's needs (See Hours of Work, Policy 210);
- (d) Monitors and complies with applicable federal, state, and local laws and regulations concerning employee safety (See Employee Safety and the safety committee, Policy 601);
- (e) Offers training opportunities for those whose talents or needs justify the training;
- (f) Enforces workplace policies in such a manner that does not interfere with, restrain, or prevent employees from engaging in protected activities regarding wages, hours, or other terms and conditions of employment protected under the Public Employees Collective Bargaining Act;
- (g) Is receptive to constructive suggestions about job duties, working conditions, or personnel policies; and
- (h) Establishes appropriate means for employees to discuss matters of concern with their immediate supervisor or department head. (See Dispute Resolution Procedure, Policy 902.)

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(2) The City of Anacortes, as part of its commitment to providing the public with excellent products and services and to creating a productive work environment, expects all employees to:

- (a) Deal with the public and vendors in a professional manner;
- (b) Represent the City of Anacortes in a positive and ethical manner;
- (c) Perform assigned tasks in an efficient manner;

(d) Be punctual (See Attendance and Punctuality, Policy 701);

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(e) Demonstrate a considerate, friendly, and constructive attitude toward fellow employees; and

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(f) Follow the policies adopted by the City of Anacortes.

(3) The City of Anacortes retains the discretion to exercise all managerial functions, consistent with the provisions of any governing collective bargaining agreement, employment contract, or Civil Service Commission rules, to:

(a) Dismiss, assign, supervise, and discipline employees;

(b) Determine and change starting times, quitting times, and shifts;

(c) Transfer employees within departments or into other departments and other classifications;

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(d) Determine and change the size and qualifications of the workforce;

(e) Determine and change methods by which its operations are to be carried out including contracting out services;

(f) Determine and change the nature, location, goods produced, services rendered, quantity, and continued operation of the municipality; and

(g) Assign duties to employees in accordance with the City of Anacortes's needs and requirements and to carry out all ordinary administrative and management functions.

POLICY 104 ETHICS

Policy:

The City of Anacortes conducts its business fairly, impartially, in an ethical and proper manner, and in compliance with all laws and regulations.

Comment:

(1) The City of Anacortes is committed to conducting its business with integrity underlying all relationships, including those with citizens, customers, suppliers, and communities, and among employees. The highest standards of ethical business conduct are required of City of Anacortes employees in performance of their responsibilities. Employees will not engage in conduct or activity that may raise questions as to the City's honesty, impartiality, or reputation, or otherwise cause embarrassment to the City. Employees will avoid any action, whether or not specifically prohibited in the personnel policies, which might result in or reasonably be expected to create an appearance of:

- (a) Using public office or public position for private gain;
- (b) Giving preferential treatment to any person or entity;
- (c) Losing impartiality; or
- (d) Adversely affecting the confidence of the public in the integrity of the City of Anacortes

(2) Every employee has the responsibility to ask questions, seek guidance, report suspected violations, and express concerns regarding compliance with this policy. The City of Anacortes will maintain a program to communicate to employees its commitment to integrity and uncompromising values. The program will inform employees of City policies and procedures regarding ethical business conduct and assist them in resolving questions and in reporting suspected violations. Retaliation against employees who use City reporting mechanisms to raise concerns in good faith will not be tolerated.

(3) The Human Resource Department is responsible for providing policy guidance and issuing procedures to assist employees in complying with the City of Anacortes' expectations of ethical business conduct and uncompromising values. This policy constitutes the standards of ethical business conduct required of all employees. Managers are responsible for supporting their implementation and monitoring compliance.

POLICY 201 EQUAL EMPLOYMENT OPPORTUNITY

Policy:

The City of Anacortes is an equal opportunity employer. The City of Anacortes does not discriminate in employment decisions or policies in violation of law on the basis of race, religion, color, sex/gender, sexual orientation or gender identification, age, national origin, disability, pregnancy, genetic information, military/veteran status, or any status protected by law. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, reduction in force, recall, transfer, leaves of absence, compensation, and training.

Comment:

(1) Reasonable Accommodation of Disabilities

(a) The City of Anacortes complies fully with its duty to provide a reasonable accommodation to allow an employee with physical or mental disabilities to perform the essential functions of the employee's job. Employees who have a disability that limits their ability to perform their job should contact the Human Resources Department to inform the City of their disability and request for accommodation.

(b) In order to provide a reasonable accommodation, the City of Anacortes may seek to communicate with the employee's medical provider to gain a better understanding of any limitations they possess, and given those limitations, the means by which an accommodation would allow the employee to perform the essential functions of a position. Employees may be asked to submit to a medical examination by an independent medical provider to confirm their medical condition and resulting limitations. After returning from a disability-related leave, the City of Anacortes may request that an employee undergo a fitness for duty examination to ensure that they are capable of performing the essential functions of the job.

(c) If an employee qualifies, the City of Anacortes will work with the employee and their medical providers to provide the employee with a reasonable accommodation so that the employee can continue to perform the job. This may include making changes to the employee's work schedule, changing some of the job duties or transferring the employee to another position that the employee is able to perform.

(2) Reasonable Accommodation of Religious Beliefs

The City of Anacortes complies fully with its duty to provide a reasonable accommodation of any employee's sincerely-held religious beliefs, unless the City of Anacortes believes such an accommodation would create an undue hardship or is contrary to the City's commitment to equal opportunity. For example, if an employee requires a certain work schedule or a particular day off for religious observance, or to dress or attire oneself in a way that vary from any dress code adopted by the City, the employee must contact the Human Resources Department to request accommodation.

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POLICY 202 PRODUCTIVE WORK ENVIRONMENT (COMPLAINTS OF UNLAWFUL DISCRIMINATION, HARASSMENT, OR RETALIATION)

Policy:

The City of Anacortes promotes a productive work environment and does not tolerate unlawful discrimination, harassment, or retaliation.

Comment:

(1) The City of Anacortes is committed to providing a workplace that is free from unlawful discrimination. Unlawful discrimination occurs when an employee is disciplined, terminated, demoted, or suffers some other adverse consequence in their employment on the basis of race, color, national origin, creed, religion, sex, age (over 40), pregnancy, marital status, physical or mental disability, genetic information, gender identification, sexual orientation, gender identity or status as an honorably discharged veteran, or any other class protected by federal, state, or local law.

(2) The City of Anacortes is committed to providing a work environment which is free from unlawful harassment. The City expressly prohibits any form of unlawful harassment by or against its employees on the basis of race, color, national origin, creed, religion, sex, age (over 40), pregnancy, marital status, physical or mental disability, genetic information, gender identification, sexual orientation, gender identity or status as an honorably discharged veteran, or any other class protected by federal, state, or local law.

(3) Sexual harassment is conduct that is directed at an employee because of his or her sex, is unwelcome, and is offensive. Each supervisor and manager has a responsibility to keep the workplace free of any form of harassment, and in particular, sexual harassment. No supervisor or manager is to threaten or insinuate, either explicitly or implicitly, that an employee's refusal or willingness to submit to sexual advances will affect the employee's terms or conditions of employment.

(4) Other sexually harassing or offensive conduct in the workplace, whether committed by supervisors, managers, non-supervisory employees, or non-employees, is also prohibited. Prohibited conduct includes, but is not limited to:

(a) Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions;

(b) Verbal harassment of a sexual nature, such as lewd comments, sexual jokes or references, and offensive personal references;

(c) Demeaning, insulting, intimidating, or sexually suggestive comments about an individual;

(d) The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects, pictures, or photographs;

(e) Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.

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Any of the above conduct, or other offensive conduct directed at individuals on the basis of race, color, national origin, creed, religion, sex, age (over 40), pregnancy, marital status, physical or mental disability, genetic information, gender identification, sexual orientation, gender identity or status as an honorably discharged veteran, or any other class protected by federal, state, or local law, is strictly prohibited.

(5) The City of Anacortes is committed to providing a work place that is free from unlawful retaliation. The City of Anacortes prohibits any form of retaliation against any employee for good faith actions in filing a complaint under the City's discrimination and harassment policies, and for participating in the investigation of any complaint of discrimination or harassment. Improper retaliation may include, but is not limited to, discipline, termination, transfers, assignment of unfavorable duties, or treating the employee who made the complaint in a hostile manner when such action or behavior is motivated in substantial part by the employee's participation in protected activity. Employees who bring complaints may be subject to discipline if the investigation reveals that the complaint was made in bad faith.

(6) **Complaint Process** An employee who feels harassed should immediately tell the offending individual how they feel and ask them to stop. If that does not work or if the employee is uncomfortable confronting the offending individual, the employee should report the incident promptly. A complaint can be made verbally or in writing to Human Resources. In the alternative, as the employee may wish, the complaint may be brought to the attention of the Mayor. If an employee brings the complaint to the attention of another manager, the manager is obligated to report the complaint to Human Resources and/or the Mayor.

A harassment complaint generally will be handled as follows:

- a. Every complaint is to be reported promptly, whether by the complainant or by the person receiving the complaint. If reported verbally, the person taking the complaint should produce a written statement for the complainant to review and sign.
- b. The complaint will be investigated as soon as reasonably practicable. Choice of investigator, level of formality, and the procedures used in the investigation may vary, depending upon the nature of the allegations and full circumstances of the situation, including the context in which the alleged incidents occurred.
- c. Confidentiality will be maintained throughout the investigatory process to the extent practical and consistent with the need to undertake a full investigation.
- d. There shall be no retaliation by the City, its officers, managers, or other employees toward any employee bringing a complaint in good faith or cooperating with the investigation of a harassment complaint. Any person who feels they have been retaliated against, should immediately report their concern to the Human Resources department. The City strictly prohibits retaliation under this policy, and any sustained allegations of retaliation will lead to discipline, up to and including termination.
- e. Where the investigation confirms the allegation of unlawful harassment or retaliation, the City will take prompt corrective action, and, where appropriate, discipline the offending individual. Discipline may include verbal and written reprimands, professional counseling, reassignment, demotion, or other appropriate action, up to and including termination. The affected individuals will be informed of the outcome of the investigation.

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Deleted: Any employee who believes that a supervisor's, manager's, other employee's, or non-employee's actions or words constitute unlawful discrimination, harassment, or retaliation has a responsibility to report the situation as soon as possible. The report should be made to the Human Resources Director. If the complaint involves the Human Resources Director, the complaint should be made to the Mayor.

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(7) All officers and managers are assigned responsibility for implementing this policy, ensuring compliance with and knowledge of its terms, and for taking immediate and appropriate corrective action if they witness inappropriate behavior or receive a complaint. Managers must open and maintain channels of communication to permit employees to raise concerns of sexual or other workplace harassment without fear of retaliation, stop any observed harassment, and treat harassment matters with sensitivity, confidentiality, and objectivity. A manager's failure to carry out these responsibilities may result in disciplinary action up to and including discharge.

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Deleted: Reports of discrimination, harassment, or retaliation will be handled and investigated under the City of Anacortes's dispute resolution policy (See Dispute Resolution Procedure, Policy 902), unless special procedures are considered appropriate. All reports will be investigated promptly and in as impartial and confidential a manner as possible. Employees are required to cooperate in any investigation. A timely resolution of each report should be reached and communicated to the parties involved. ¶

(8) Any employee, supervisor, or manager who is found to have violated the anti-discrimination, harassment, or retaliation policy will be subject to appropriate disciplinary action, up to and including termination.

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POLICY 203 WORKPLACE VIOLENCE

Policy:

The City of Anacortes is committed to providing a safe workplace for its employees, guests, contractors, vendors, and the public. Therefore, in an effort to help prevent or reduce the possibility of violence here in our workplace, the City of Anacortes has implemented this policy on workplace violence for our employees.

Comment:

(1) **Workplace Violence Prohibition.** The City of Anacortes strictly prohibits threatened or actual workplace violence. This includes, but is not limited to, any of the following conduct associated in or around the workplace, or otherwise related to employment:

- (a) Threatening injury or damage against a person or property
- (b) Fighting or threatening to fight with another person
- (c) Threatening to use a weapon on City of Anacortes premises (unless such threat is a lawful use of force by an employee required to carry a firearm or weapon as a condition of employment)
- (d) Abusing or injuring another person
- (e) Abusing or damaging property
- (f) Using obscene or abusive language or gestures in a threatening manner
- (g) Raising voices in a threatening manner

Because of the potential for misunderstanding, joking about any of the above misconduct is also prohibited.

(2) **"City of Anacortes Premises" Definition:** The term "premises" means all areas within the ownership and/or control of the City of Anacortes, including, but not limited to, buildings, offices, work areas, lounges, parking lots, desks, cabinets, lockers, storage areas, and any other City of Anacortes owned property on which employees may work. The City of Anacortes reserves the right to search all facility premises when the facility management determines that such a search is a reasonable and necessary precaution for work place safety.

(3) **Reporting Violent Conduct.** Any workplace violence incidents or incidents indicating a potential for violence are to be reported by an employee to the Human Resources Director as soon as possible. Incident reports are to be completed, as appropriate. If the City of Anacortes determines that an employee has violated this policy, the employee will be subject to immediate discipline up to and including discharge. The Human Resource Department and Department Head shall handle concerns with members of the public or other parties as it determines under its policies and procedures.

(4) **Imminent Danger/Violence Incident Procedure.** Any employee who believes that a situation with an aggressive employee, resident, guest, contractor, vendor, or other party

(e.g., any person who uses obscene or abusive language or gestures, makes threats or acts in a violent or threatening manner) may immediately become violent putting the employee or others in imminent danger, the employee should promptly leave the work area and immediately call 911 to request officer contact. No disciplinary action shall be taken against any employee who leaves a work area when the employee has a reasonable belief that an emerging situation with an aggressive person is likely to turn violent at that time. The employee should coordinate the timing and circumstances of possible return by the employee to the area with police and their immediate manager.

(5) **Security Precautions.** All City of Anacortes security policies and rules must be adhered to at all times. To prevent inappropriate outsider access, facility solicitation and access rules must be strictly followed. It is especially important that building security rules and procedures are specifically enforced at all times (e.g., doors locked after hours). Failure to comply with these requirements may lead to disciplinary action, up to and including discharge. The following expectations also apply to all employees:

- (a) Being familiar with all safety and health procedures relevant to the operations under their supervision;
- (b) Inspecting their work areas periodically;
- (c) Identifying conditions that are recognized as being unsafe; and
- (d) Reporting accidents and injuries to the immediate manager, department head and Human Resources immediately and ensuring that any injured employee is referred to appropriate medical care. (See Medical Procedures, Policy 205.)

POLICY 204 HIRING

Policy:

The City of Anacortes is an equal opportunity employer and hires individuals solely based on their qualifications and ability to do the job to be filled.

Comment:

(1) The City of Anacortes normally will try to fill job openings above entry level by promoting from within, if qualified internal applicants are available. (See TRANSFER, Chapter 207; and PROMOTION, Chapter 208) In addition, the City of Anacortes normally will give consideration to any known qualified individuals who are on layoff status before recruiting applicants from outside the organization. (See LAYOFF AND RECALL, Chapter 212.)

(2) The City of Anacortes will consider a member of an employee's immediate family for employment if the applicant possesses all the qualifications for employment. An immediate family member may not be hired, however, if the employment would:

- (a) Create either a direct or indirect supervisor/subordinate relationship with a family member; or
- (b) Create an actual conflict of interest or the appearance of a conflict of interest.

These criteria will also be considered when assigning, transferring, or promoting an employee. For purposes of this policy, "immediate family" includes: the employee's spouse, domestic partner, brother, sister, mother, father, stepmother, stepfather, children, stepchildren, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, and any other member of the employee's household.

(3) Employees who marry or become members of the same household may continue employment as long as there is not:

- (a) A direct or indirect supervisor/subordinate relationship between the employees; or
- (b) An actual conflict of interest or the appearance of a conflict of interest.

Should one of the above situations occur, the City of Anacortes would attempt to find a suitable position within the City of Anacortes to which one of the affected employees may transfer. If accommodations of this nature are not feasible, the employees will first be permitted to determine which of them will resign. If no agreement between the employees can be reached, the City of Anacortes will decide which of the employees will be terminated.

(4) Former employees who left the City of Anacortes in good standing may be considered for re-employment. Former employees who resigned without advance notice or who were dismissed for disciplinary reasons may not be considered for re-employment. (See TERMINATION OF EMPLOYMENT, Policy 213.)

(5) A former employee who is re-employed will be considered a new employee from the date of re-employment unless the break in service is less than 3 months, in which case the employee will retain accumulated seniority. Length of service for the purposes of benefits is governed by the terms of each benefit plan. (See HEALTH AND WELFARE BENEFIT DISCLOSURE, Policy 501.)

(6) Employees who retire may be eligible, in certain circumstances, to be considered for rehire. (See RETIREMENT, Policy 214.)

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POLICY 205 MEDICAL EXAMINATIONS

Policy:

The City of Anacortes may require applicants to whom a conditional offer of employment has been extended, and current employees, to undergo medical tests, procedures, or examinations whenever management determines that these are necessary for the safe or efficient operation of the organization and are job-related and consistent with business necessity.

Comment:

- (1) Successful applicants for employment may be required as a condition of employment to submit to a medical examination to establish their fitness to perform the jobs for which they have applied without endangering the health and safety of themselves or others. If management determines that an examination is appropriate to a particular position, all applicants for the job to whom a conditional offer of employment has been made shall be examined.
- (2) Employees may be required to have a medical examination on other occasions when the examination is job-related and consistent with business necessity. For example, a medical examination may be required when an employee is exposed to toxic or unhealthful conditions, requests an accommodation for a particular disability, returns from a leave due to a medical condition, or has a questionable ability to perform essential job functions due to a medical condition.
- (3) Employees are encouraged, but not required unless it is determined to be a condition of employment, to have physical examinations periodically during their employment. Employees are encouraged, but not required, to participate in wellness programs.
- (4) Medical examinations required by the City of Anacortes will be paid for by the City and will be performed by a physician or licensed medical facility designated or approved by it. Medical examinations paid for by the City of Anacortes are the property of the City of Anacortes, and the examination records will be treated as confidential and kept in separate medical files. However, records of specific examinations, if required by law or regulation, will be made available to the employee, persons designated and authorized by the employee, public agencies, relevant insurance companies, or the employee's doctor.
- (5) Employees who need to use prescription or nonprescription legal drugs while at work must report this requirement to their supervisor if the use might impair their ability to perform their job safely and effectively. Depending on the circumstances, employees may be reassigned, prohibited from performing certain tasks, or prohibited from working if they are determined to be unable to perform their jobs safely and properly while taking prescription or nonprescription legal drugs. (See DRUGS, NARCOTICS, & ALCOHOL Policy 808)
- (6) The City reserves the right to require acceptable confirmation of the nature and extent of any illness or injury that requires an employee to be absent from scheduled work. The City also may require a second and, if appropriate, third medical opinion regarding an employee's absence because of illness or injury. The City will pay for any additional opinions it requires.
- (7) Employees returning from a disability leave or an absence caused by health problems may be required to provide a doctor's certification of their ability to perform their regular work satisfactorily without endangering themselves or their fellow employees.
- (8) Employees who become ill on the job or suffer any work-connected injury, no matter how minor, must report immediately to their supervisors. The supervisor will arrange referral for examination, treatment, and recording of the incident as necessary. Time an employee spends waiting for and receiving this medical attention will be considered hours worked for pay purposes.

(9) The City also may require job applicants and current employees to take a test to determine the presence of drugs, narcotics, or alcohol, unless prohibited by law. For policies and procedures on this type of testing, see (See DRUGS, NARCOTICS, & ALCOHOL Policy 808).

POLICY 206 INTRODUCTORY PERIOD

Policy:

The City of Anacortes carefully monitors and evaluates all new employees and all present employees transferred or promoted to a new job during an initial introductory period. After satisfactory completion of the introductory period, those employees will be evaluated as provided for in the PERFORMANCE APPRAISALS policy. (See PERFORMANCE APPRAISALS Policy 302.)

Comment:

- (1) Normally, the introductory period should last twelve months or as designated in the appropriate collective bargaining agreements and/or Civil Service Rules and Regulations. Supervisors should observe carefully the performance of each employee in a new job position. Where appropriate, weaknesses in performance, behavior, or development should be brought to the employee's attention for correction.
- (2) Supervisors should prepare a written evaluation of the employee's job performance before the end of the introductory period on the new job. (See Performance Appraisals, Policy 302.) The evaluation should include a recommendation as to whether the employee should continue in the position. Copies of the evaluation should be forwarded to the department head and the Human Resource Department for inclusion in the employee's personnel file. (See Personnel Records, Policy 901.)
- (3) Employees generally will be allowed to continue in their new positions if they are given both a satisfactory evaluation by the end of their introductory period and their supervisor's endorsement to continue in the job. Employees who do not receive a satisfactory evaluation and endorsement may be given additional time in 30-day increments to demonstrate their ability to do the job, if the supervisor feels additional time is warranted in order to achieve acceptable job performance. Supervisors may recommend the termination of a newly hired employee at any time. Introductory employees are at-will employees. A recommendation for termination should be submitted in writing to the Human Resource Department for review and should include an evaluation and a list of actions taken to assist the employee. (See also Termination of Employment, Policy 213.) Action to terminate should have the prior approval of the Human Resource Department.
- (4) At the discretion of management, transferred or promoted employees who are unable to perform satisfactorily in their new jobs may be returned to their original jobs, if a vacancy exists, or may be terminated. (See TRANSFER, Policy 207; and PROMOTION, Policy 208.)

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POLICY 207 TRANSFER

Policy:

The City of Anacortes may at its discretion initiate or approve employee job transfers from one job to another or from one location to another.

Comment:

(1) The City of Anacortes may require employees to make either a temporary or long-term job transfer in order to accommodate the City's business needs. The City of Anacortes will try to limit the number and duration of temporary transfers that it requests of individual employees in a twelve-month period.

(2) Employees may request a voluntary job transfer. To be eligible for a voluntary transfer, employees normally must meet the requirements of the new position, have held their current position for at least 12 months, have a satisfactory performance record, and have no disciplinary actions during the same period.

(3) Job openings for which management solicits candidates from within the City of Anacortes are normally posted on the employee bulletin board and on the City's website. However, as it considers appropriate, management will fill job openings or make transfers without posting notices.

(4) Internal Job Openings

Eligible employees who request a transfer generally will be considered in the following order:

(a) Employees in the same department as the job opening;

(b) Employees who are being considered for layoff because of a reduction in force or because of the elimination of their job (See Layoff and Recall, Policy 210); and

(c) All other employees.

(5) Application Process for Internal Job Openings

Requests for transfer normally should be handled as follows:

(a) The employee should submit an internal job application form to the Human Resource Department. The request should include the reason for the transfer and the department and specific job that the employee wants. Requests based on posted job openings must comply with the procedures described in Promotion, Policy 208, and should be initiated prior to the cut-off date specified in the posting. It is recommended that employees inform their immediate supervisor of their intent to apply for another position.

(b) The Human Resource Department and hiring manager should determine if the requested job or a suitable job opening exists and whether the employee is eligible.

(c) If the employee is eligible for a job opening, the hiring manager should arrange an interview with the candidate. The candidate will be allowed time off with pay for job interviews related to the transfer.

(d) The department head with the job opening will make the final transfer decision, subject to prior approval of the Human Resource Department and Mayor. (See Promotion, Policy 208.)

(e) Supervisors and department heads may initiate the procedure and propose employees for a position.

(6) Transferred employees will be subject in their new positions to the provisions of the Introductory Period Policy. (See Introductory Period, Policy 206.). Transferred employees may be required to have a medical examination if the examination is job-related and consistent with business necessity. (See Medical Procedures, Policy 205.)

(7) Transferred employees will retain their existing job seniority.

(8) Pay for transferred employees generally will be handled as follows:

(a) Employees transferred to a job within the same salary range will continue to receive their existing rate of pay;

(b) Employees transferred to a job in a higher salary range will be paid at a rate within the higher range to be determined at the time of transfer;

(c) Employees transferred, for management's convenience, to a job in a lower salary range will usually be paid at their former rate. At management's discretion, however, employees may be paid at the rate of the new job; and

(d) Employees who are transferred for disciplinary reasons, lack of work, budgetary reasons, municipal reorganization, or at their own request to a job in a lower salary range will be paid at the lower rate beginning with the start of the new job.

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POLICY 208 PROMOTION

Policy:

The City of Anacortes may offer employees promotions to higher-level positions when appropriate. Management prefers to promote from within and may first consider current employees with the necessary qualifications and skills to fill vacancies above the entry level, unless outside recruitment is considered to be in the City of Anacortes's best interest.

Comment:

- (1) All employees are encouraged to seek advancement opportunities and to obtain promotion and career guidance from their supervisor, department head, and the Human Resource Department.
- (2) Employee eligibility for promotion will be determined by the requirements of the new job. In addition, to be considered, employees must have held their current position for at least twelve months, have a satisfactory performance record, and have no disciplinary actions during the same period. Management retains the discretion to make exceptions to the policy.
- (3) Job openings and promotions for which management solicits candidates from within the City of Anacortes normally will be posted on the employee bulletin board and announced on the City's website. However, as it considers appropriate, management may fill job openings or make promotions without posting notices. When job openings or promotion opportunities are posted:
 - (a) Interested employees must complete an internal application form and cover letter and forward it to the Human Resource Department prior to the cut-off date specified in the posting;
 - (b) Department heads may initiate the procedure within the same time period and propose employees for the position; and
 - (c) The Human Resource Department may, at its discretion, solicit outside candidates during or after the posting period.
- (4) Employees who are candidates for job openings and promotions will be considered for the position as outlined in the Transfer policy. (See Transfer, Policy 207.)
- (5) Employee candidates for promotion will normally be screened and selected based on attendance and work records, performance appraisals, and job-related qualifications including, in some instances, aptitude or achievement tests. Seniority will be considered if required by a labor contract. In addition, employees seeking promotion may be required to have a medical examination if the examination is job-related and consistent with business necessity. (See Medical Procedures, Policy 205.)
- (6) Promoted employees will be subject to the provisions of the Introductory Period policy in their new positions. (See INTRODUCTORY PERIOD, Policy 206.) Seniority and pay for promoted employees will be handled as outlined in the Transfer policy. (See TRANSFER, Policy 207.)

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POLICY 209 HOURS OF WORK

Policy:

The City of Anacortes establishes the time and duration of working hours as required by workload and workflow, customer service needs, the efficient management of employees, and any applicable law or bargaining agreement.

Comment:

(1) The normal workweek is Sunday through Saturday, beginning and ending at midnight on Saturday, and consisting of forty hours. The normal workday will consist of eight hours of work with an unpaid meal period. Different work schedules, such as in the case of police, fire, water and wastewater employees, may be established by the City to meet job assignments and provide necessary City services. Rest or coffee breaks are considered as time worked.

(2) Each employee's scheduled work hours will be determined by his or her department head. The department head, or the department head's designee, will inform employees of their daily schedule of hours of work, including meal periods and rest or coffee breaks, and of any changes that are considered necessary or desirable by the City of Anacortes. (See REST BREAKS, Policy 703; and MEAL BREAKS, Policy 704.)

(3) Department heads may schedule overtime or extra shifts. Supervisors will assign overtime to nonexempt employees (those employees who are subject to the minimum wage and overtime provisions of the Fair Labor Standards Act) as needed. Employees are not permitted to work overtime without the prior approval of their supervisor or department head. For the purposes of overtime compensation, only hours worked in excess of forty during a workweek will be counted.

(4) Employee attendance at lectures, meetings, and training programs will be considered hours of work, and therefore will be compensated time, if management requires and authorizes attendance.

(5) Nonexempt employees normally will be granted a minimum of two hours of "reporting pay" and "call-back pay." Reporting pay will be granted when employee reports for work and no work is available. However, reporting pay will not be granted if the lack of work is the result of conditions beyond the City of Anacortes's control or if employees refuse to accept other work that they are qualified to perform. When work is not available, the City of Anacortes will make a reasonable effort before starting time to notify employees not to report to work. Call back pay will be granted when employees are asked to come to work outside of their normal working hours.

(6) Department heads, at their discretion, may allow nonexempt employees to make-up lost time during a given workweek. However, make-up will not be allowed if the lost time is the result of conditions the employee could control, if there is no work the employee is qualified to do, or if adequate supervision is not available.

(7) Nonexempt Timesheets

All nonexempt employees are required to complete an individual time record showing the daily hours worked. Time records cover half of one month (1-15th and 16-end of month) and must be completed by dates determined by the Finance Department. The following points should be considered in filling out time records:

- (a) Employees should record their total hours worked for each workday;
- (b) Employees are not permitted to sign in or begin work before their normal starting time or to sign out or stop work after their normal quitting time without the prior approval of their supervisor;

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- (c) Employees are required to take scheduled lunch or meal breaks;
- (d) Employee time records should be checked and signed by the supervisor involved. Special attention should be given to unworked time for which an employee is entitled to be paid (paid absences, paid holidays, or paid vacation time) and authorized overtime;
- (e) Unapproved absences should not be considered as hours worked for pay purposes. (See ATTENDANCE AND PUNCTUALITY, Policy 701; and ABSENCES, Policy 702.) Supervisors should inform employees if they will not be paid for certain hours of absence; and;
- (f) Timesheet estimation is permitted following established guidelines; however, falsifying any time record is prohibited and may be grounds for disciplinary action, up to and including termination. (See BEHAVIOR OF EMPLOYEES, Policy 801; and DISCIPLINARY PROCEDURES, Policy 807.)

(8) **Compensatory Time Off**

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Nonexempt employees can earn overtime for hours worked beyond the normal workweek. Nonexempt employees (those not exempt from the provisions of the Fair Labor Standards Act) will be paid overtime compensation, either in cash or compensatory time off, at the rate of one and one-half times their regular hourly rate for work in excess of forty hours during their normal workweek. If an employee elects to accrue compensatory time off in lieu of overtime pay, one and one half-hours of compensatory time-off is earned for one hour of work beyond the normal workweek.

- (a) Maximum accruals of compensatory time shall be limited to two hundred-forty (240) hours or per bargaining agreement. After maximum accrual, overtime compensation will be paid to nonexempt employees.
- (b) Employees may use compensatory time after making a request to their department head, unless doing so would unduly disrupt City operations. Compensatory time should be used for short-term absences from work during times mutually agreed to by the employee and the department head.
- (c) Upon termination, employees receive compensation for their accrued compensatory time balance.

(9) **Exempt Timesheets and Exchange Time Off**

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Personnel employed in executive, administrative, professional, or certain computer-related capacities generally are exempt from the provisions of the Fair Labor Standards Act.

- (a) Exempt employees are not required to complete hourly time records but must account for daily attendance and attendance exceptions.
- (b) Exempt employees do not receive overtime compensation. Exempt employees are eligible to receive exchange time off on a one for one basis for work in excess of forty hours during their normal workweek.

(c) Maximum accruals of exchange time shall be limited to 240 hours. Exempt employees will not continue to accrue exchange time after reaching the maximum.

(d) Upon termination, accrued exchange time hours are not eligible for payout.

(10) For policies and procedures regarding pay practices, see PAY PRACTICES, Policy 300.

POLICY 210 OUTSIDE EMPLOYMENT

Policy:

The City of Anacortes allows its employees to engage in outside work or hold other jobs, subject to certain restrictions as outlined below.

Comment:

- (1) Employees are required to disclose outside work or other jobs to their department heads and obtain pre-approval to perform outside work or hold another job.
- (2) The City of Anacortes requires that employees' activities and conduct away from the job must not compete, conflict with, or compromise its interests, or adversely affect job performance and the ability to fulfill all responsibilities to the City of Anacortes. (See CONFLICTS OF INTEREST, Policy 805.) This requirement, for example, prohibits employees from performing any services for customers on non-working time that are normally performed by City of Anacortes personnel. This prohibition also extends to the unauthorized use of any City of Anacortes resources, including its communication systems, and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working time.
- (3) Employees are cautioned to consider carefully the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If outside work activity causes or contributes to job-related problems, it must be discontinued. If necessary, normal disciplinary procedures will be followed to deal with the specific problems. (See DISCIPLINARY PROCEDURE, Policy 807.)
- (4) In evaluating whether to grant approval for outside work, department heads and the Human Resource Department will consider whether the proposed employment:
 - (a) May reduce the employee's efficiency in working for the City of Anacortes;
 - (b) Involves working for an organization that does a significant amount of business with the City of Anacortes, such as major contractors, suppliers, and customers;
or
 - (c) May adversely affect the City of Anacortes's image.
- (5) If employees outside employment job duties are similar or related to their City of Anacortes service, or if they cause the employee to deal with people or entities whom the employee deals with for the City of Anacortes duties, the employee must be prepared to explain why no potential conflict exists between the outside employment and the official duties of the City of Anacortes.
- (6) Employees who have accepted outside employment may not use paid sick leave to work on the outside job. Fraudulent use of sick leave will result in disciplinary action up to and including termination. (See DISCIPLINARY PROCEDURE, Policy 807.)

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POLICY 211 EMPLOYEE CLASSIFICATIONS

Policy:

The City of Anacortes classifies employees as full-time, part-time, or temporary and as exempt or nonexempt for the purposes of compensation administration. In addition, the City of Anacortes may supplement the regular workforce, as needed, with other forms of flexible staffing.

Comment:

(1) The Human Resource Department is responsible for classifying employees. Employees generally may be categorized as follows:

(a) A **full-time employee** is an individual who works a normal forty-hour workweek and is hired for an indefinite period. (See HOURS OF WORK, Policy 209.) A full-time employee may be classified as either exempt or nonexempt.

(b) A **part-time employee** is an individual who works less than a normal workweek and is hired for an indefinite period. A part-time employee may be classified as either exempt or nonexempt. Note that a modified definition of part-time employee is used under HEALTH AND WELFARE BENEFIT DISCLOSURE, Policy 501, to align the City's health insurance coverage with the Affordable Care Act.

(c) A **temporary employee** generally is an individual who is hired either part-time or full-time for a specified, limited period. A temporary employee may be classified as either exempt or nonexempt. A temporary employee who works more than one thousand, forty regular hours (1040) in a work year may be required to join the applicable bargaining unit.

(d) A **nonexempt employee** generally is subject to the minimum wage and overtime provisions of the Fair Labor Standards Act ("FLSA") and is typically paid either on an hourly or salary basis.

(e) An **exempt employee** is exempt from the provisions of the FLSA and is not entitled to overtime payments. Exempt employees typically are paid on a salary basis and include administrative, executive, and professional employees, outside sales representatives, and certain highly skilled computer professionals. (See HOURS OF WORK, Policy 209.)

Other flexible staffing classifications or arrangements may be added as needed.

(2) For information regarding eligibility for paid absences, vacations, and holidays see ABSENCES, Policy 702; VACATIONS, Policy 502; and HOLIDAYS, Policy 503. An employee whose status changes from full-time to part-time may use any days of paid absence or vacation earned as a full-time employee. An employee whose status changes from temporary or part-time to full-time will be considered as hired on the date of the change of status for purposes of eligibility for paid absences and vacation. Information concerning eligibility for other City of Anacortes benefits, such as the pension plan, is available from the Human Resource Department.

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POLICY 212 LAYOFF AND RECALL

Policy:

If the City of Anacortes must reduce employment because of adverse economic or other conditions, layoffs and recall from layoffs generally will be conducted in a manner that is consistent with City of Anacortes requirements and in accordance with the procedures described below.

Comment:

(1) In the event that a layoff is expected, the City of Anacortes will attempt to communicate information about an impending layoff as soon as possible. However, management reserves the right to alter the layoff procedure and withhold information about the layoff as permitted by law in order to protect the City of Anacortes's interests.

(2) Layoffs that are expected to be temporary generally will be handled according to the provisions of this policy. Selections for layoffs that are known to be permanent will be made according to this policy and then handled according to policies outlined in TERMINATION OF EMPLOYMENT, Policy 213; and SEVERANCE PAY, Policy 303.

(3) Evaluation of layoff criteria shall be within the sole discretion of the City. Employees will be selected for layoff, based on the following criteria:

- (a) Promotion potential and transferability of skills to other positions within the unit;
- (b) Demonstrated current and past performance;
- (c) The needs of the City of Anacortes; and
- (d) Length of service with the City of Anacortes.

(4) An employee's length of service is measured from the original date of employment with the City of Anacortes, as long as there has not been a break in service greater than 30 days. During a layoff, employees with breaks in service greater than 30 days, but less than one year per break, are credited only for their time actually worked, i.e., the break time does not get counted unless required by law. Employees with a break in service greater than one year receive credit for service only from their most recent date of hire with the City of Anacortes.

(5) Employees selected for layoff will be given as much notice as is required by law or as much as is reasonable under the circumstances.

(6) Employees who are laid off will be maintained on a recall list for six months or until management determines the layoff is permanent, whichever occurs first. Removal from the recall list terminates all job rights the employee may have. While on the recall list, employees should report to the Human Resource Department if they become unavailable for recall. Employees who do not keep a current home address on record with the Human Resource Department will lose their recall rights.

(7) Employees will be recalled according to needs of the City of Anacortes, their classification, and their ability to perform the job. Notice of recall will be sent by registered mail, return receipt requested, to the current home address on record with the Human Resource Department. Unless an employee responds to the recall notice within seven days following receipt of the notice, or its attempted delivery, the employee's name will be removed from the recall list and the employee will no longer have any job rights with the City of Anacortes.

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- (8) Credit for seniority will continue to accumulate during any layoff of 30 days or less. Employees laid off for more than 30 days and subsequently recalled within one year from the date of layoff will be credited with the years of service accumulated at the time of layoff.
- (9) If the layoff is expected to exceed 30 days, vacation pay equal to the number of unused vacation days accrued will be paid at the time of layoff. Employees who are laid off will not accrue vacation or sick leave during the layoff.

POLICY 213 TERMINATION OF EMPLOYMENT

Policy:

The City of Anacortes may terminate employment because of an employee's resignation, discharge, or retirement, the expiration of an employment contract, or a permanent reduction in the workforce. Discharge can be for any reason not prohibited by law. In the absence of a specific written agreement, employees are free to resign at any time and for any reason, and the City of Anacortes reserves the right to terminate employment with cause. The exception to this is with "at will" employees, such as introductory employees and department heads (who have individual contracts with the City of Anacortes) who may be terminated at any time, with or without notice and with or without cause. At will employees, however, cannot be terminated for any reason that would violate anti-discrimination laws or public policy.

Comment:

(1) Employees are requested to give advance written notice of their intent to resign including the anticipated date of termination. Failure to give advance written notice may result in ineligibility for re-employment. (See **HIRING**, Policy 204; and **VACATIONS**, Policy 502.) The following guidelines are suggested:

(a) Department heads and managerial employees should give at least four weeks' notice; and

(b) All other employees should give at least two weeks' notice.

(2) Employees who are absent from work for three consecutive days without being excused or giving proper notice will be considered as having voluntarily quit. (See **ATTENDANCE AND PUNCTUALITY**, Policy 701.)

(3) The Human Resource Department is responsible for notifying terminating employees who are covered by the City of Anacortes's group health plan of their right to continue coverage under that plan. (For a special summary of the Consolidated Omnibus Budget Reconciliation Act "COBRA" continuation coverage requirements, see Appendix A).

(4) Supervisors should send notices of resignation and recommendations for termination to the Human Resource Department for review. This information should be accompanied by any needed supporting documents, such as performance appraisals or disciplinary reports. (See **PERFORMANCE APPRAISALS**, Policy 302; and **DISCIPLINARY PROCEDURE**, Policy 807.)

(5) Requests for employment references should be made in writing to the Human Resource Department and should include an authorization by the employee for the release of the requested information. Generally, the Human Resource Department will not release reference information without the employee's authorization, or will limit the information to verification of the employee's position, job location, and dates of employment with the City of Anacortes. Employees may request that their supervisor provide a letter of recommendation. A copy of the letter of recommendation is to be placed in the employee's personnel file. (See **PERSONNEL RECORDS**, Policy 901.)

POLICY 214 RETIREMENT

Policy:

The City of Anacortes determines employees who are eligible for normal retirement per the guidelines described in the Washington State Department of Retirement Systems Handbook that is applicable to the employee's job classification. Regular uniformed employees in the police and fire departments are covered by the Law Enforcement Officer's and Firefighter's Retirement System (LEOFF). Regular full-time and eligible part-time non-uniformed employees are covered under the Public Employees Retirement System (PERS). The State of Washington determines eligibility, benefit levels, and contribution rates.

Comment:

- (1) Employees who choose to take normal retirement are requested to give the Human Resource Department as much advance notice of their intent as possible, or at least 90 days. Employees who have given notice of either normal or early retirement may be called upon to assist in the training of their replacements.
- (2) Employees who qualify for retirement under this policy may be eligible to receive limited health and various other benefits in accordance with the provisions of the City of Anacortes's employee benefit plans. (See HEALTH AND WELFARE BENEFIT DISCLOSURE, Policy 501.) Retiring employees are eligible to receive pay for accrued but unused vacation. (See Vacations, Policy 502.) All employee benefit plans and programs are subject to amendment or termination, even after retirement, at the City of Anacortes's and the Washington State Retirement System's discretion.
- (3) The Washington State Department of Retirement Systems (DRS) administers the retirement benefits. Human Resources will post any notices required by law on the City of Anacortes's bulletin boards. DRS contact information is as follows:

DRS Mailing Address
Department of Retirement Systems
PO Box 48380
Olympia, WA 98504-8380

DRS Street Address
6835 Capitol Boulevard
Tumwater, WA 98501

DRS Phone Number
(360) 664-7000 or toll free (outside the Olympia area) 1-800-547-6657

Website: <http://www.drs.wa.gov/>

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When contacting the Washington State Department of Retirement Systems the following identifying information is necessary: Your name, retirement system plan, and your Social Security number.

- (4) Retiring employees may be eligible to reapply for employment, and those who are interested in future temporary or part-time employment with the City of Anacortes should make that interest known at their exit interview. (See HIRING, Policy 204; and TERMINATION OF EMPLOYMENT, Policy 213.) Hiring an applicant who is receiving PERS retirement benefits must comply with State of Washington regulations. These include a prohibition of any written agreement for re-employment and an absence of at least one (1) month prior to starting a new job with the City of Anacortes.

POLICY 301

SALARY ADMINISTRATION

Policy:

The City of Anacortes pays compensation that is nondiscriminatory and competitive. However, all compensation policy decisions must take into consideration the City of Anacortes's overall financial condition and competitive position.

Comment:

- (1) New employees generally will be hired at the starting rate assigned to their job grade. Supervisors may recommend higher or lower starting rates depending on an applicant's experience or skill level or other competitive considerations. These recommendations will be reviewed and approved before implementation by the appropriate department head, the Human Resource Department, and the Mayor.
- (2) The Human Resource Department is responsible for coordinating with the Mayor the continuing review of compensation and for making sure that each job is evaluated and assigned a job grade and salary range. This review should determine whether compensation accurately and fairly reflects each position's responsibilities and performance.

POLICY 302 PERFORMANCE APPRAISALS

Policy:

The City of Anacortes will evaluate the job performance of each employee periodically.

Comment:

- (1) Supervisors should complete performance appraisals upon the following occasions:
 - (a) By the end of the first twelve months of employment (See INTRODUCTORY PERIOD, Policy 206);
 - (b) Then on an annual basis (based on anniversary date or in December of each year).

Between scheduled appraisals, supervisors should discuss with employees on an informal basis any performance issues that require attention and should keep records of any significant incidents. Supervisors may be authorized to retain information to aid in the development on an employees' performance appraisal. These notes are to be destroyed following the performance appraisal.

(2) In evaluating employees, supervisors should consider factors such as the experience and training of the employee, the job description, and the employee's attainment of previously set objectives and goals. Other factors that normally should be considered include knowledge of the job, quantity and quality of work, promptness in completing assignments, cooperation, initiative, reliability, attendance, judgment, conduct, and acceptance of responsibility.

(3) Supervisors should prepare a written appraisal of each employee's job performance. The appraisal should include the supervisor's comments and recommendations, an action plan for both the employee and supervisor, and performance goals for the next evaluation period.

(4) Department heads should review each supervisor's written evaluation to help assure that the evaluation function has been properly completed in as uniform, fair, and objective a manner as possible.

(5) The supervisor and employee should meet and discuss the evaluation, assess the employee's strengths and weaknesses in a constructive manner, and set objectives and goals for the period ahead. The employee should be given the opportunity to examine the evaluation and make written comments about any aspect of it. The employee and supervisor should then sign and date the evaluation and forward it to the Human Resource Department for review and inclusion in the employee's personnel file. (See PERSONNEL RECORDS, Policy 901.) Employees may have a copy of their completed performance appraisal for their records.

(6) Information derived from the performance appraisal may be considered when making decisions affecting training, pay, promotion, transfer, or continued employment.

POLICY 303 SEVERANCE PAY

Policy:

The City of Anacortes allows that severance pay may be granted to terminated employees under certain limited circumstances. The City of Anacortes, however, retains the right to amend or terminate its severance policy at any time.

Comment:

- (1) Severance pay is intended to provide extra economic help to certain terminated employees while they adjust to their job loss. Severance pay is not available for temporary employees.
- (2) The Human Resource Department is responsible for administering City of Anacortes policy on severance pay and will handle any employee claims or complaints.
- (3) Employees may be considered eligible for severance pay if they have worked full-time for at least one year and are terminated because of:
 - (a) A permanent reduction in force (unless the employee refuses a transfer recommended by the City of Anacortes);
 - (b) The elimination of the job or position;
- (4) Employees normally will not be considered eligible for severance pay if their employment is terminated because of:
 - (a) An employee-initiated voluntary resignation;
 - (b) Conduct or performance issues;
 - (c) A layoff that is expected to be short-term (less than 30 days);
 - (d) A breach of an employment agreement;
 - (e) Normal retirement, permanent disability, or death.
- (5) Eligible employees will be required to sign a release agreement in order to receive severance pay.
- (6) When severance pay is granted, eligible employees normally will receive 4 weeks regular straight-time pay for 1–4 years of continuous service; 5 weeks regular straight-time pay for 5-9 years of continuous service; and 6 weeks regular straight time pay for 10+ years of continuous service. Severance pay is calculated from the most recent date of hire. Unless otherwise provided, payment will be made in a lump sum at the time when final termination pay is provided.

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POLICY 304 PAY PROCEDURES

Policy:

The City of Anacortes pays employees by check or direct deposit in a manner so that the amount, method, and timing of wage payments comply with any applicable laws or regulations.

Comment:

(1) Employees normally will be paid on the fifth (5th) day and the twentieth (20th) of the month. If the regular payday occurs on a Saturday, Sunday, or a holiday, employees will be paid on the last working day before the regular payday.

(2) Employees may elect to receive payment by direct deposit by providing written authorization and filling out the necessary forms with the Human Resource Department. Direct deposit will remain in effect until revoked in writing by the employee.

(3) Employees on each payday will receive, in addition to their pay, a statement showing gross pay, deductions, health and welfare benefits (if applicable), and net pay. Local, state, federal, Social Security taxes, and retirement contributions shall be deducted automatically. No other deductions will be made unless required or allowed by law, contract, or employee obligation. Employees may elect to have additional deductions taken from their pay only if they authorize the deductions in writing.

(4) Employees who discover a mistake in their paycheck, lose their paycheck, or have it stolen should notify their supervisor immediately. In the case of a mistake made by the City, the error will be remedied promptly. In the case of loss or theft, the Finance Department will attempt to stop payment on the check and reissue a new one to the employee. However, the employee is solely responsible for the monetary loss, and the City of Anacortes will not be responsible for the loss or theft of a check if it cannot stop payment on the check.

(5) Nonexempt employees (those not exempt from the provisions of the Fair Labor Standards Act) will be paid overtime compensation, either in cash or compensatory time off, at the rate of one and one-half times their regular hourly rate for work in excess of forty hours during their normal workweek. After maximum accrual, overtime compensation will be paid to nonexempt employees.

Exempt employees are eligible to receive exchange time off on a one to one basis for work in excess of forty hours during their normal workweek. Maximum accruals of exchange time shall be limited to 240 hours. (For a more detailed discussion of exempt and nonexempt status, see EMPLOYEE CLASSIFICATIONS, Policy 211.)

(6) Employees who wish to authorize another person to pick up their paycheck must complete a "Payroll Warrant Pick Up Authorization Form." A copy of the completed form must be provided to the employee's manager and the finance department. Paychecks will not be distributed without an authorization in place.

(7) For policies and procedures regarding on-call and reporting pay, see Hours of Work, Policy 209. For policies and procedures governing pay upon termination, see TERMINATION OF EMPLOYMENT, Policy 213.

(8) Employees are encouraged to discuss any questions or concerns regarding their rate of pay and other compensation issues, including any improper deductions from pay, with their immediate supervisor. If the employee and immediate supervisor are not able to resolve the question, the employee should contact the department head or Human Resources Department. The City will promptly investigate all reported complaints and, if appropriate, take corrective action. The City prohibits and will not tolerate retaliation against any employee because that employee filed a good faith complaint under this policy. Specifically, no one will

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be disciplined, intimidated or otherwise retaliated against because that person exercised rights under this policy or applicable law.

POLICY 305 INTERIM ASSIGNMENTS

Policy:

The City of Anacortes may authorize interim assignments during the absence of supervisory employees in specific situations.

Comment:

Interim assignments provide valuable on-the-job training and allow continuation of a critical workload during an extended absence. Employees may be assigned the responsibilities as an "interim" or "acting" supervisor or department head during times of vacation, sick leave, or other absences that require more than 15 consecutive business days away from work. Interim assignments require pre-approval from the Mayor. Interim supervisors will receive a wage premium of 9% beginning on the 16th consecutive day of the assignment. Interim assignments are limited to 90 business days. Extensions require approval by the Mayor. The interim supervisor must be able to assume the majority of the duties of the higher classification and have the education and/or certificate requirements stated in the job description. If an employee covered by a bargaining unit is assigned to a non-union interim assignment, the City of Anacortes' policy supersedes the bargaining agreement. If an employee covered by a bargaining agreement is assigned to a position within the same bargaining unit the bargaining agreement procedures take precedence.

POLICY 401 TRAVEL

Policy:

Business travel must be approved in advance and should be engaged in and reimbursed according to the guidelines described in the supplementary Travel Policy Manual. The Finance Department maintains the Travel Policy Manual. The City of Anacortes retains the right to amend or terminate the travel policy at any time.

Comment:

- (1) Employees holding jobs that require extensive travel are expected to travel as a condition of employment. For all other jobs, travel is considered only an incidental function of the position, but may be required.
- (2) Supervisors, Department Heads, the Mayor, and the Council Finance Committee must approve any employee travel in advance.
- (3) The City of Anacortes may issue guidelines specifying or restricting travel booking requirements. Under normal circumstances, employees should use the most appropriate form of transportation available, book the least expensive fares, and stay in and eat at moderately priced establishments.
- (4) Employees should provide their supervisor with a copy of their itinerary before leaving on business travel.
- (5) Employee expenses for approved travel will be paid or reimbursed when properly documented by the employee and approved by the supervisor, the Mayor, and the Council Finance Committee. Examples of expenses normally paid or reimbursed include transportation, meals, lodging, and limited incidental expenses. The Travel Policy Manual describes the per diem method of allowable reimbursement. Employees who know or anticipate that they will have a special request for travel expense reimbursement should ask for approval from their supervisor before incurring the expense. Any travel expenses considered unreasonable under the circumstances will not be paid or reimbursed and are the employee's personal responsibility. Employees will not be reimbursed for the travel (including lodging and meal) expenses of their spouses, domestic partner, or other non-employees who may accompany the employee.
- (6) Employees whose jobs require travel will be issued City of Anacortes credit cards for payment of business expenses. City of Anacortes credit cards are City of Anacortes property, and their use must be properly documented and approved as outlined in Comment (5), above.
- (7) Time spent by nonexempt employees (those covered by the minimum wage and overtime requirements of the Fair Labor Standards Act) in traveling away from home on City of Anacortes business during normal working hours (including what would be normal working hours on a day not usually scheduled to work) are considered hours worked for pay purposes. (See HOURS OF WORK, Policy 209.)
- (8) Employees traveling on City of Anacortes business are representatives of the City of Anacortes and are expected to maintain a high level of professionalism and to follow all of the City of Anacortes's policies and rules. (See BEHAVIOR OF EMPLOYEES, Policy 801.)

POLICY 402 AUTOMOBILE USAGE

Policy:

The City of Anacortes provides vehicles for business use, to allow employees to drive on City of Anacortes business, and to reimburse employees for business use of personal vehicles according to the guidelines below. For further clarification, refer to the Travel Policy Manual. The City of Anacortes retains the right to amend or terminate travel policy at any time. (The term "vehicle" as used in these guidelines includes, but is not limited to, cars, trucks, backhoes, front-end loaders, graders, and any motorized watercraft.)

Comment:

- (1) Employees may not drive any vehicles for City of Anacortes business without prior approval of their supervisor. Employees to whom fuel cards are issued are required to acknowledge the City's fuel card policy and procedures. Periodically, before approving a driver, each supervisor should check the employee's driving record, with the employee's consent; and verify the existence of a valid driver's license and personal auto liability coverage. Employees approved to drive on City of Anacortes business are required to inform their supervisor of any changes that may affect either their legal or physical ability to drive or their continued insurability.
- (2) Employees holding jobs requiring regular driving for business as a condition of employment must be able to meet the driver approval standards of this policy at all times. Employees holding jobs where driving is a condition of employment must inform their supervisors of any changes that may affect their ability to meet the standards of this policy. For example, employees who lose their licenses must report this to their supervisors. For all other jobs, driving is considered only an incidental function of the position.
- (3) If possible, City of Anacortes vehicles will be permanently assigned to departments that have demonstrated a continued need for them. Additional vehicles are maintained in a motor pool for use by individual employees, as needed.
- (4) Employees who need transportation in the course of their normal work may be assigned a City of Anacortes vehicle for their use. All other employees needing transportation for City of Anacortes business may use vehicles assigned to their department or those drawn from the motor pool. When no City of Anacortes vehicles are available, employees may use their own vehicles for business purposes with prior approval of their supervisor.
- (5) Employees who drive a vehicle on City of Anacortes business must, in addition to meeting the approval requirements above, exercise due diligence to drive safely follow all traffic laws, avoid distractions while driving (such as using telephones), and maintain the security of the vehicle and its contents. In addition, because texting while driving is particularly dangerous and illegal in several states, employees specifically are prohibited from texting while driving. Drivers also must make sure the vehicle meets all City or legal standards for insurance, maintenance, and safety. Employees are personally responsible for any driving infractions or fines as a result of their driving a City vehicle and must report them to their supervisors. Employees who drive a City vehicle also should ensure that the vehicle is kept clean and free of litter.
- (6) Non-business passengers are prohibited from riding in City of Anacortes vehicles, i.e., family and friends.

(7) Employees who use their personal vehicle for approved business purposes will receive a mileage allowance equal to the Internal Revenue Service optional mileage allowance for such usage. A reduced mileage allowance will be utilized when an employee chooses to take a personal vehicle when a City vehicle is available. The allowance is to compensate for the cost of gasoline, oil, depreciation, and insurance. Employees who operate personal vehicles for City of Anacortes business should obtain auto liability coverage for bodily injury and property damage with a special endorsement for Business Use, when necessary as determined by their personal insurance agent.

(8) Employees must report any accident, theft, or malicious damage involving a City of Anacortes vehicle to their supervisor and the Personnel Department, regardless of the extent of damage or lack of injuries. Such reports must be made as soon as possible but no later than forty-eight hours after the incident. Employees are expected to cooperate fully with authorities in the event of an accident. However, employees should make no voluntary statement other than in reply to questions of investigating officers.

(9) Employees who are on call on a 24-hour basis may be allowed to take a City of Anacortes vehicle home so they can respond as soon as possible need to provide written acknowledgment that they fully understand that the vehicle is used only as part of emergency response and not for personal use.

(10) Employees are not permitted, under any circumstances, to operate a City of Anacortes vehicle, or a personal vehicle for City of Anacortes business, when any physical or mental impairment causes the employee to be unable to drive safely. Additionally, employees shall not operate any City of Anacortes vehicle at any time, or operate any personal vehicle while on City of Anacortes business, while using or consuming alcohol, illegal drugs, or prescription medications that may affect their ability to drive. These prohibitions include circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of impairment, illness, medication, or intoxication.

(11) In most circumstances, time spent by nonexempt employees (those covered by the minimum wage and overtime provisions of the Fair Labor Standards Act) in driving a City or personal vehicle on City business is considered hours worked for pay purposes. However, under most circumstances, commuting time before the start and after the end of the workday is not treated as work time for pay purposes.

POLICY 403 MEAL REIMBURSEMENT

Policy:

The City of Anacortes provides, pays, or reimburses employees for business-related meals according to the guidelines below. For further clarification, the Travel Policy Manual should be referred to. The City of Anacortes retains the right to amend or terminate the travel policy at any time.

Comment:

- (1) Employees required to travel on City of Anacortes business may charge to the City of Anacortes, or be reimbursed for, the cost of all meals during their travel pursuant to the Travel Policy Manual per diem method of allowable reimbursement (See TRAVEL, Policy 401.). Meal reimbursements that do not include an authorized overnight stay are taxable and reimbursement will be included in the employee's paycheck following submittal to the Finance Department.
- (2) Meal expenses should follow the guidelines set by the Travel Policy Manual.

POLICY 404 MEMBERSHIP IN CLUBS AND CIVIC ORGANIZATIONS

Policy:

The City of Anacortes encourages employees to participate in the activities of community clubs and civic organizations.

Comment:

- (1) Employees are encouraged to seek membership in community clubs and civic organizations where membership will promote the City of Anacortes's business interests and enhance its image in the community. However, employees who participate in clubs or community organizations may not allow their activities to interfere with job performance or harm or conflict with the City of Anacortes's interests. (See CONFLICTS OF INTEREST, Policy 805.)
- (2) The Mayor may identify certain community organizations in which the City wants to be represented and then designate the employees that it will sponsor for membership in them. Employees who are designated for membership act as City of Anacortes representatives in the organization and are expected to promote its interests.
- (3) Employee participation in club and civic organization activities is not considered as hours worked for pay purposes unless it is at the City of Anacortes's request or under its direction and control.
- (4) The Mayor will normally consider the following factors when selecting organizations for representation and designating employees to sponsor for membership:

- (a) The nature and purpose of the club or organization;
- (b) The potential benefit to the City of Anacortes, including the enhancement of the employee's leadership and organizational skills;
- (c) The cost to the City of Anacortes;
- (d) The extent to which the City of Anacortes is already represented in the club or organization; and
- (e) The employee's job responsibilities, length of service, and overall qualifications for membership.

The Mayor will review periodically its representation in community organizations and its sponsorship of employees for membership and will make changes as appropriate.

- (5) Employees whose membership is sponsored by the City of Anacortes are encouraged to use the clubs or civic organizations for business purposes.
- (6) Employees who are sponsored for membership in community clubs and civic organizations are eligible for reimbursement for dues only. An expenditure voucher must be completed to claim reimbursement.
- (7) Employees who are not designated and sponsored for membership in community organizations are responsible for their own expenses.

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POLICY 405 PARTICIPATION IN TRADE AND PROFESSIONAL ASSOCIATIONS

Policy:

The City of Anacortes encourages employees to participate in certain trade and professional associations where there is a clear benefit to the City of Anacortes.

Comment:

- (1) Employees are encouraged to participate in trade and professional associations that promote City of Anacortes goals, individual skills development, and professional recognition. However, employee participation in those associations must not conflict with the City of Anacortes's interests and must fit within budgetary constraints. (See CONFLICTS OF INTEREST, Policy 805.)
- (2) The City of Anacortes may identify certain trade and professional associations in which representation is desirable and then designate the employees that it will sponsor for membership. Employees who are designated for membership act as City of Anacortes representatives in the association and are expected to promote its interests and to participate accordingly.
- (3) Employee participation in trade and professional association activities will not be considered as hours worked for pay purposes for employees classified as nonexempt under the Fair Labor Standards Act, unless participation is at the City of Anacortes's request or under its direction and control. (See Hours of Work, Policy 209.)
- (4) Department heads are responsible for coordinating representation in trade and professional associations and must receive prior approval from the Mayor. The following factors normally will be considered in selecting associations for representation and in designating employees to be sponsored for membership:
 - (a) The nature and purpose of the association;
 - (b) The potential benefit to the City of Anacortes, including enhancement of the City of Anacortes's reputation and the development of the employee's leadership and organizational skills;
 - (c) The cost to the City of Anacortes;
 - (d) The extent to which the City of Anacortes is already represented in the association; and
 - (e) The employee's job responsibilities, length of service, and overall qualifications for membership.
- (5) Department heads are responsible for planning, budgeting, and approving the expenses of their employees' participation in association activities within their budgetary authority. The City of Anacortes will pay or reimburse the approved and reasonable expenses of employees sponsored for membership in trade and professional associations. Employees not sponsored for association membership may be eligible for reimbursement for the expenses of special association events, if the Mayor approves participation in the activity in advance.

(6) Employees must have their supervisor's advance approval before soliciting or accepting any official position in a trade or professional association that will occur during regularly scheduled working hours.

(7) Employees are encouraged to contribute articles, present papers, and give talks to trade and professional associations. However, employees must obtain prior approval for any communication that might represent the City of Anacortes's position or involve any information that is sensitive. (See MEDIA INQUIRIES, Policy 806.)

POLICY 501 HEALTH AND WELFARE BENEFIT DISCLOSURE

Policy:

The City of Anacortes provides its employees with various health and welfare benefits. Information and summaries intended to explain these benefit plans will be furnished to all plan participants and beneficiaries on a timely and continuing basis. The City reserves the right to modify, amend, or terminate its health and welfare benefits as they apply to all current, former, and retired employees. Additionally, the Administrator of each benefit plan has the discretionary authority to determine eligibility for benefits and to interpret the plan's terms.

Comment:

1) Health Coverage

The City of Anacortes Health Coverage policy is administered in accordance with the Employer Shared Responsibility provisions of the Patient Protection and Affordable Care Act, as amended (PPACA). Under the terms and conditions of this policy and City's health benefits plan, The City provides health coverage to full-time employees and their dependents up to age 26. The benefits, terms, and conditions of City's health benefits plan, including costs owed by eligible employees, are explained in a separate plan document (the "Plan") and/or in applicable collective bargaining agreements. If there are conflicts between this policy, the Plan, and any collective bargaining agreements, the collective bargaining agreement shall control. If the agreement does not satisfy the minimum protections of the PPACA the parties shall negotiate a modification that at least meets the minimum.

2) Definitions and Classifications

Full-time. At time of hire or change in job classification, employee is reasonably expected to work, on average, 30 or more hours per week. Full-time employees are eligible for health coverage and will be enrolled in health coverage as specified in the Plan. In no event shall the date of enrollment be later than 90 days following the date of hire or the date of change in job classification.

Part-time. At time of hire or change in job classification, employee is reasonably expected to work, on average, less than 30 hours per week. Part-time employees are subject to monthly and annual hours limitations and are generally not eligible for health coverage, unless they satisfy the criteria below or are otherwise entitled to coverage under the terms of the Plan or applicable collective bargaining agreement.

Regular part-time employees classified as 50% - 74% FTE (but in all cases below an average of 30 hours per week) are eligible for ½ of the employee-only medical insurance premiums of the lowest cost plan offered by the City. Employees may choose between the two benefit plans, but the City's contribution is limited to half of the lowest cost plan offered. Employees fitting this criteria have the option of enrolling dependents in the City's health benefits plan during open enrollment or for a qualifying event; however, employees are responsible for all premium expenses. Coverage offered to eligible regular part-time employees is provided by the City on a voluntary basis and is not required under the PPACA.

If, based on City prior approval, a part-time employee averages 30 or more hours per week during a measurement period (discussed below), the employee will be deemed a full-time employee, eligible for health coverage during a subsequent stability period (discussed below).

Variable-hour. At time of hire or change in job classification, the City cannot reasonably determine whether employee will or will not average 30 or more hours per week. Variable-hour employees are subject to monthly and annual hours limitations and are generally not eligible for health coverage, unless otherwise specified under the terms of the Plan or applicable collective bargaining agreement. If, based on the City's prior approval, a variable-hour employee averages 30 or more hours per week during a measurement period (discussed below), the employee will be deemed a full-time employee, eligible for health coverage during a subsequent stability period (discussed below).

Seasonal. At time of hire or change in job classification, employee is hired or re-hired into a position for which the customary annual employment is approximately six months or less, beginning in approximately the same season of each calendar year. Seasonal employees are subject to a mandatory annual break in service of approximately six continuous months and are not eligible for health coverage, unless otherwise specified under the terms of the Plan or applicable collective bargaining agreement.

Dependents. Children of full-time employees up to age 26 (including the entire calendar month in which a child turns age 26). Includes biological and adopted children, stepchildren and foster children. Also includes spouses and domestic partners. Dependents of full-time employees are eligible for health coverage.

Volunteers. Individuals who provide services to the City on a voluntary basis and whose compensation is limited to: (1) reimbursement for reasonable expenses incurred in the performance of services as a volunteer; (2) reasonable fringe benefits, excluding health coverage; and/or (3) nominal fees or honorarium provided in connection with services as a volunteer. Volunteers are not employees and are not eligible for health coverage.

3) Work Hours Limitations

For certain employee classifications, the City restricts the maximum annual and/or monthly hours of work.

Full-time employees are not subject to an annual or monthly hours limitation and may work 30 or more hours per week, without limit, unless otherwise limited by City's overtime policy, job description, the terms of any applicable collective bargaining agreement, or the terms of any other City policy or agreement. Full-time employees are not subject to initial or standard measurement, administrative, or stability periods (discussed below).

Part-time employees are subject to an annual hours limitation and may not exceed 1500 hours annually without the City's prior approval. In addition to an annual hours limitation, part-time employees may not exceed 125 hours in any single calendar month without the City's prior approval. Part-time employees are subject to initial and standard measurement, administrative, and stability periods (discussed below).

Variable-hour employees are subject to an annual hours limitation and may not exceed 1500 hours annually without the City's prior approval. In addition to an annual hours limitation,

variable-hour employees may not exceed 125 hours in any single calendar month without the City's prior approval. Variable-hour employees are subject to both initial and standard measurement, administrative, and stability periods (discussed below).

Seasonal employees are not subject to an annual or monthly hours limitation and may work 30 or more hours per week, without limit, unless otherwise limited by City's overtime policy, job description, the terms of any applicable collective bargaining agreement, or the terms of any other Employer policy or agreement. Seasonal employees are limited to an annual employment duration of approximately six months and must have an annual break in service of approximately six continuous months before being eligible for re-hire. Seasonal employees may work longer than six months with the City's prior approval. Seasonal employees are subject to initial and standard measurement, administrative, and stability periods (discussed below).

4) Measurement and Administrative Periods – Initial Periods

The City uses a 12-month initial measurement period to measure the hours of new part-time, variable-hour, and seasonal employees.

The City uses an initial administrative period of not longer than two months, divided in two phases. The first phase begins on the date of hire of a new part-time, variable-hour, or seasonal employee and continues until the last day of that calendar month. The second phase begins at the end of the 12-month initial measurement period and lasts for one full calendar month. The purpose of the first phase of the initial administrative period is to reduce administrative complexity by consolidating all new part-time, variable-hour, and seasonal employees hired during a month into the same initial measurement and stability periods. The purpose of the second phase of the initial administrative period is to allow the City to calculate the hours worked by employees during the initial measurement period and to enroll eligible employees in health coverage.

The City uses a 12-month initial stability period for purposes of providing or excluding health coverage to new part-time, variable-hour, and seasonal employees. If an employee works an average of 30 hours or more per week during an initial measurement period, the employee will be deemed a full-time employee and will be eligible for health coverage during the initial stability period, regardless of the hours worked during the initial stability period, so long as the employee remains employed by the City. If an employee works an average of less than 30 hours per week during the initial measurement period, the employee will not be deemed a full-time employee and will not be eligible for health coverage during the initial stability period, regardless of the hours worked during the initial stability period.

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|---|---|
| Initial Administrative Period (Phase 1)– | Begins on date of hire, continues until end of month. |
| Initial Measurement Period | – Begins on first day of first full calendar month following date of hire and continues for 12 months. |
| Initial Administrative Period (Phase 2)– | Begins on first day of first full calendar month following Initial Measurement Period and lasts for the entire month. |
| Initial Stability Period | – Begins on first day of first full calendar month following Phase 2 of Initial |

Administrative Period and continues for 12 months.

To determine the average hours worked by each employee during the 12-month initial measurement period, the City will divide the employee's total hours worked during the period by 52.

Example:

- Employee A is hired as a new variable-hour employee on April 2, 2015. Employee B is hired as a new part-time employee on April 15, 2015.
- Under the first phase of the initial administrative period, Employee A is placed into an initial administrative period from April 2, 2015 through April 30, 2015. Employee B is placed into an initial administrative period from April 15, 2015 through April 30, 2105. *[The purpose of the first phase of the initial administrative period is to reduce administrative complexity by consolidating all new part-time, variable-hour, and seasonal employees hired in the same calendar month into the same initial measurement and stability periods.]*
- Employee A and Employee B both have initial measurement periods beginning May 1, 2015 and ending April 30, 2016 (12 months).
- Employee A and Employee B are both subject to the second phase of the initial administrative period, beginning May 1, 2016 and ending May 31, 2016 (one month). During this period, the City calculates Employee A's and Employee B's hours worked during the initial measurement period.
- Employee A and Employee B are both subject to an initial stability period beginning June 1, 2016 and ending May 31, 2017 (12 months). If either employee averaged 30 or more hours per week during the initial measurement period, he/she will be offered and enrolled in health coverage during the initial stability period. If either employee averaged fewer than 30 hours per week during the initial measurement period, he/she will be excluded from health coverage during the initial stability period.

5) Measurement and Administrative Periods – Standard Periods

The City uses a 12-month standard measurement period to measure the hours of all ongoing part-time, variable-hour, and seasonal employees hired on or before the start of a standard measurement period.

The City uses a standard administrative period of 31 days. The purpose of the standard administrative period is to calculate the hours worked by employees during the preceding standard measurement period and to enroll eligible employees in health coverage during the resulting standard stability period.

The City uses a 12-month standard stability period for purposes of providing or excluding health coverage to ongoing part-time, variable hour, and seasonal employees. If an employee works an average of 30 hours or more per week during a standard measurement period, the employee will be deemed a full-time employee and will be eligible for health coverage during the resulting standard stability period, regardless of the hours worked during the standard stability period, so long as the employee remains employed by the City. If an employee works an average of less than 30 hours per week during the standard measurement period, the employee will not be deemed a full-time employee and will not be eligible for health coverage

during the resulting standard stability period, regardless of the hours worked during the stability period.

Standard Measurement Period	–	December 1 of each year through November 30 of the following year
Standard Administrative Period	–	December 1 through December 31 of each year.
Standard Stability Period	–	January 1 through December 31 of each year.

To determine the average hours worked by each employee during the 12-month standard measurement period, the City will divide the employee's total hours worked during the period by 52.

Example:

- Employee C is an ongoing variable-hour employee who was hired on or before December 1, 2017 (the start of Employer's standard measurement period).
- Starting in 2017, Employee C's standard measurement period begins December 1, 2017 and ends November 30, 2018 (12 months).
- Employee C's standard administrative period begins December 1, 2018 and ends December 31, 2018. During this period, Employer calculates Employee C's hours worked during the preceding standard measurement period. If Employee C averaged 30 or more hours per week during the preceding standard measurement period, Employee C will be eligible for health coverage during the resulting standard stability period. If Employee C averaged below 30 hours per week during the preceding standard measurement period, Employee C will be excluded from health coverage during the resulting standard stability period.
- Employee C's standard stability period begins January 1, 2019 and ends December 31, 2019 (12 months).
- Employee C's next standard measurement period begins December 1, 2018 and ends November 30, 2019 (12 months).

6) Measurement and Administrative Periods – Overlapping Initial and Standard Periods

The City's standard measurement periods apply to all ongoing part-time, variable-hour, and seasonal employees hired by the City on or before the start date of a standard measurement period. New part-time, variable-hour, and seasonal employees will be measured by both the City's initial measurement period and the first standard measurement period beginning on or after each employee's date of hire.

Example:

- Employee D is a new variable-hour employee. Employee D is hired September 29, 2015.
- Employee D is subject to the first phase of the initial administrative period, beginning September 29, 2015 and ending one day later, September 30, 2015.
- Employee D is subject to an initial measurement period beginning October 1, 2015 and ending September 30, 2016.

- Employee D is subject to the second phase of the initial administrative period, beginning October 1, 2016 and ending on October 31, 2016.
- Employee D is subject to an initial stability period beginning November 1, 2016 and ending October 31, 2017.
- Because Employee D was hired on or before Employer's 2015 standard measurement period, Employee D is concurrently subject to the standard measurement period beginning December 1, 2015 and ending November 30, 2016.
- Employee D is subject to a standard administrative period beginning December 1, 2016 and ending December 31, 2016.
- Employee D is subject to a standard stability period beginning January 1, 2017 and ending December 31, 2017.

Based on the overlapping nature of initial and standard measurement and stability periods, situations will arise where part-time, variable-hour, and seasonal employees will be subject to simultaneous initial and standard measurement, administrative, and stability periods.

If the City determines an employee is eligible for health coverage during an initial measurement period or standard measurement period, the employee must be enrolled in health coverage for the entire associated stability period. This is the case even if the employee is determined to be eligible for health coverage during the initial measurement period but determined not to be eligible for coverage during the overlapping or immediately following standard measurement period. In such a case, the City may exclude the employee from health coverage only after the end of the initial stability period. Thereafter, the employee's eligibility for health coverage would be determined in the same manner as that of other ongoing part-time, variable-hour, or seasonal employees.

In contrast, if City determines an employee is not eligible for coverage during the initial measurement period, but is eligible for coverage based on the overlapping or immediately following standard measurement period, employee will be eligible for health coverage for the entire standard stability period (even if the standard stability period begins before the end of the initial stability period). Thereafter, the employee's eligibility for health coverage would be determined in the same manner as other part-time, variable-hour, or seasonal employees.

7) Rules Concerning Eligibility and Enrollment

To be enrolled in health coverage under the Plan, eligible employees must comply with all applicable application requirements and deadlines. Failure to do so may result in delayed or no enrollment until the next annual enrollment period or upon a qualified change in status.

If an eligible employee's payment for the cost of health coverage is untimely, the terms of the Plan provides when coverage terminates and whether there is a grace period for payment. The City is not required to provide health coverage for the period for which the cost of health coverage is not timely paid and may terminate coverage.

Eligible employees have the right to waive enrollment in the City's health coverage. Employer will provide a written waiver that must be timely completed, signed, and submitted by an eligible employee desiring to waive enrollment. Unless the Plan specifies otherwise, a new waiver must be completed annually. The City will provide otherwise eligible employees who

previously waived enrollment in health coverage the opportunity to enroll at least once annually.

Hours for Paid and Unpaid Leave during Measurement Periods

Hours of service for employees during measurement periods include both actual hours of service worked in addition to paid hours for vacation leave, sick leave, holiday leave, or other paid leave.

Periods of unpaid leave, including unpaid FMLA or military leave, are excluded from the hours calculation during any measurement period. *Example:* Employee E is a variable-hour employee subject to a 12-month (52-week) standard measurement period. During the standard measurement period, Employee E takes four weeks of unpaid FMLA leave. The four weeks of unpaid FMLA leave are excluded from the hours calculation. The average is calculated by the total hours worked by Employee E during the standard measurement period (12 months), divided by 48 weeks (instead of 52 weeks).

Administrative periods overlap with measurement and stability periods. Employees offered health coverage during a stability period must remain enrolled in coverage during a subsequent administrative period. Employees excluded from health coverage during a stability period remain excluded from coverage during a subsequent administrative period.

8) Breaks in Service

Employees, regardless of classification, who separate their employment with the City, voluntarily or involuntarily, must have a break in service of at least 13 continuous weeks before being eligible for re-hire. Employees re-hired after a break in service of at least 13 continuous weeks will be treated as a "new" employee, without any consideration given to previous hours worked or previous measurement or stability periods that may have applied prior to separation.

Employees who are re-hired into full-time positions must be enrolled in health coverage no later than the first day of the fourth calendar month following their date of re-hire. Employees who are re-hired into part-time, variable-hour, or seasonal positions are subject to the City's initial measurement, initial administrative, and initial stability periods.

The City reserves the right to suspend this rule on a case-by-case basis.

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POLICY 502 VACATIONS

Policy:

The City of Anacortes grants annual vacations with pay to regular full-time and regular part-time employees in accordance with the guidelines established below.

Comment:

(1) Vacations are accrued or earned based on the employee's length of service and on the time actually worked. Vacation does not accrue when an employee is on an unpaid leave of absence.

(2) Full-time employees will accrue paid vacation according to the following schedule:

Service Period	Vacation Accrual	Maximum Accrual
First month through 48 months	8 hours per month	176 hours
Months 49 through 108	10 hours per month	200 hours
Months 109 through 168	14 hours per month	240 hours
169 months and beyond	17 hours per month	240 hours

Vacation cannot be taken until hours are accrued. Employees whose vacation balance exceeds the maximum accrual will no longer accrue vacation benefits until the vacation balance falls below the maximum accrual. Employees are responsible to monitor their accrual balance. If an employee requests vacation that has not accrued and has personal holiday hours available, the personal holiday hours will be utilized.

(3) Regular part-time employees whose full time equivalency is 50% or more are entitled to vacation on a prorated basis. Regular part-time employees shall earn vacation leave proportionate to the number of hours that they work in a pay period divided by the number of hours a full time employee works in the same pay period. Maximum accrual of hours is prorated for part time employees based on their full time equivalency. Part-time employees working less than 20 hours per week and temporary employees do not receive paid vacation. (See EMPLOYEE CLASSIFICATIONS, Policy 211.)

(4) Employees who feel that there is a discrepancy in the calculation of their vacation pay or eligibility may request a review of that calculation by the Human Resource Department. (See DISPUTE RESOLUTION PROCEDURE, Policy 902.)

(5) Vacation pay for full-time and part-time employees will consist of the employee's regular rate of pay for the vacation period.

(6) Generally, employees should submit vacation plans to their supervisor at least four weeks in advance of the requested vacation date. Management reserves the right to approve when vacations are taken. Supervisors are responsible for ensuring adequate staffing levels and should attempt, when feasible, to resolve vacation scheduling conflicts based on length of service. However, employees who want to change their plans after the vacation schedule has been approved lose their seniority consideration.

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(7) Once per year, employees may elect to have their accrued vacation balance that exceeds 160 hours cashed out and deposited into a deferred compensation account set up through the City of Anacortes. The employee must notify payroll in writing by November 20 of each year for distribution on the December 5 payday. This benefit is prorated for part time employees based on their full time equivalency.

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POLICY 503a HOLIDAYS

Policy:

The City of Anacortes designates and observes certain days each year as holidays. Eligible employees will be given a day off with pay for each holiday observed.

Comment:

(1) The City of Anacortes observes the following holidays (8 hours each) per calendar year:

New Year's Day	January 1 st
Martin Luther King Day	3 rd Monday in January
President's Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 th
Labor Day	1 st Monday in September
Veteran's Day	November 11 th
Thanksgiving Day	4 th Thursday in November
Day after Thanksgiving	Day after Thanksgiving
Christmas Day	December 25 th
3 Personal Holidays	See below

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Employees may select three (3) personal holidays each year. On January 1st each year, 24 hours of personal holiday are added to an employee's record. Personal holidays are prorated for employees who work less than 12 months of the year or a part time schedule. Personal holidays are prorated according to the employee's full time equivalency (FTE) in the payroll accounting system. Personal holiday hours are not carried over from one year to the next. At the end of the year, unused personal holiday hours are forfeited.

In the event of conflict between this provision of the manual and any provision of a valid and effective collective bargaining agreement, employee contract, or applicable Civil Service rules, the provisions of the contract and/or the Civil Service rules shall govern

(2) Full-time employees are eligible to receive their regular rate of pay (up to 8 hours) for each observed holiday. Part-time employees who are scheduled to work at least 20 hours per week (1,040 per year) are entitled to holiday pay. The amount of holiday pay is determined on the same basis as for full-time employees, but is based on the employee's FTE budget allocation. For example, an employee allocated at 65% FTE will receive 5.2 hours of holiday pay on each City approved holiday. Temporary employees and employees on unpaid leaves of absence or on layoff are not eligible to receive holiday pay.

(3) To receive holiday pay, an eligible employee must be at work or taking an approved absence on the workdays immediately preceding and immediately following the day on which the holiday is observed. An approved absence is a day of paid vacation or paid short-term absence. (See VACATIONS, Policy 502; and ABSENCES, POLICY 702.) If an employee is absent on one or both of these days because of an illness or injury, the City of Anacortes may require verification of the reason for the absence before approving holiday pay. (See MEDICAL PROCEDURES, Policy 205.)

(4) A holiday that occurs on a Saturday will be observed on the preceding Friday. A holiday that occurs on a Sunday will be observed the following Monday. Shift workers observe holidays on the actual day it occurs.

(5) If a holiday occurs during an employee's vacation period, the employee will be required to record the day as holiday pay on their timesheet.

(6) The City of Anacortes recognizes that some employees may wish to observe, as periods of worship or commemoration, certain days that are not included in the City of Anacortes's regular holiday schedule. Employees may use personal holidays or accrued vacation for these occasions.

(7) The City of Anacortes may schedule work on observed holidays as it considers necessary. Normally, work on an observed holiday will be paid as if the day were a regularly scheduled day. Employees will be given the option of receiving additional pay for the day or a "floating" holiday that may be taken, with the prior approval of their supervisor, at another time during the year.

POLICY 503b UNPAID HOLIDAYS FOR REASONS OF FAITH OR CONSCIENCE

Policy:

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

Comment:

- 1) Employees may select the days on which the employee desires to take the two unpaid holidays after consultation with their supervisor. If an employee prefers to take the two unpaid holidays on specific days, then the employee will be allowed to take the unpaid holidays on the days he or she has selected unless the absence would unduly disrupt operations, impose an undue hardship, or the employee is necessary to maintain public safety. The term "undue hardship" has the meaning contained in the rule established by the Office of Financial Management.
- 2) If possible, an employee should submit a written request for an unpaid holiday provided for by this section to the employee's supervisor a minimum of 14 days prior to the requested day. Approval of the unpaid holiday shall not be deemed approved unless it has been authorized in writing by the employee's supervisor. The employee's supervisor shall evaluate requests by considering the desires of the employee, scheduled work, anticipated peak workloads, response to unexpected emergencies, the availability, if any, of a qualified substitute, and consideration of the meaning of "undue hardship" developed by rule of the Office of Financial Management.
- 3) The two unpaid holidays allowed by this section must be taken during the calendar year, if at all; they do not carry over from one year to the next.

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POLICY 504 CONTINUING EDUCATION

Policy:

The City of Anacortes attempts to provide employees with flexible work schedules when taking Mayor-approved educational courses.

Comment:

Flexible work schedules will be considered if the City of Anacortes determines the courses of study are directly related to the employee's present job or that will enhance the employee's potential for advancement to a position within the City of Anacortes and to which the individual in the view of management has a reasonable expectation of advancing.

POLICY 505 EMPLOYEE COUNSELING

Policy:

The City of Anacortes assists employees with referral services that will help in solving personal problems, both on and off the job, financial planning, and career planning.

Comment:

(1) The City of Anacortes recognizes that personal difficulties can adversely affect job performance. Accordingly, employees experiencing personal problems are encouraged to seek assistance from the Employee Assistance Program (EAP). The Employee Assistant Counselors are available 24 hours a day, seven days a week to arrange an appointment with a qualified counselor. The telephone number for EAP is 1-800-570-9315.

(2) Supervisors should be alert to signs of the existence of personal problems among their employees. Indications of personal problems include excessive absenteeism, changes in both behavior and employee attitudes, and substandard job performance.

(3) Supervisors, where appropriate, should try to communicate with employees who seem to be experiencing problems. Depending on the circumstances, the supervisor should proceed as follows:

- (a) If an employee's problem seems to require professional counseling, or does not lend itself to an easy solution, the supervisor should refer the employee to the City's Employee Assistance Program.
- (b) If the employee's problem is an unresolved complaint or grievance, the supervisor should advise the employee of the appropriate steps to be taken in compliance with the Grievance Procedure. (See DISPUTE RESOLUTION PROCEDURE, Policy 902.)

(4) Employees needing extended treatment may request a leave of absence in accordance with the City of Anacortes's leave policy. (See ABSENCES, Policy 702.)

(5) The Human Resource Department will also, to the degree that its resources permit, provide counseling and reference information for employees seeking guidance on education and career planning, relocation, outplacement, and retirement planning. (See TERMINATION OF EMPLOYMENT, Policy 213; RETIREMENT, Policy 214; and EDUCATIONAL ASSISTANCE, Policy 504.)

(6) Employees are required to meet satisfactory standards of job performance. Performance appraisals are to be based on factors related to job performance, regardless of whether an employee seeks counseling. (See PERFORMANCE APPRAISALS, Policy 302.) In certain circumstances, however, the City of Anacortes may require an employee to participate in counseling as a condition of continued employment. (See DRUGS, NARCOTICS, AND ALCOHOL, Policy 808.)

(7) Communications between employees, supervisors, the Human Resource Department, the Employee Assistance Program, and professional counselors or agencies as a result of this policy are to be confidential, except to the degree necessary to protect the safety of the employee or others or to protect the security of City of Anacortes property.

POLICY 506 EMPLOYEE RECOGNITION AND SERVICE AWARDS

Policy:

The City of Anacortes recognizes employee contributions and service to the organization by presenting employee recognition and service awards to eligible employees according to the guidelines below.

Comment:

(1) The City of Anacortes may reward outstanding performance and productivity by presenting recognition awards to eligible employees. Generally, the Mayor will be responsible for setting eligibility requirements and implementing the different programs. Department heads and supervisors may assist in determining award recipients for the Mayor's Award of Merit. In most cases, Mayor's Award of Merit awards will be presented at a City Council meeting following the determination of an award recipient. The Mayor is responsible for identifying the employees who will be honored, notifying the presenter, ordering the awards, and arranging for appropriate announcements and publication of awards, both internally and externally.

(2) All regular full-time and regular part-time employees are eligible to receive a Pride in Service award upon completion of 1, 5, 10, 15, 20, 25, and 30 years of service. Human Resources is responsible for identifying when employees should be honored, notifying the employees, ordering the awards, and helping management to arrange for appropriate announcements and publications of awards, both internally and externally.

(3) Regular full time and regular part time employees are eligible to accrue longevity benefits as described in their applicable bargaining agreement. Non-union employees receive \$2.00 per month for each year of service following completion of 5 years of service. The maximum longevity benefit per month is \$40.00.

(4) The IRS classifies cash and gift certificate awards as taxable income. Payroll withholds taxes accordingly.

POLICY 507 EXERCISE AND WELLNESS PROGRAMS

Policy:

The City of Anacortes encourages employees to participate in exercise and wellness programs.

Comment:

(1) The Human Resource Department is responsible for administering exercise and wellness programs.

(2) Participation in City of Anacortes recreational programs is open to regular full-time or regular part-time employees who are regularly scheduled to work 20 or more hours per week. Spouses, domestic partners and other employee dependents who are eligible for the City's medical insurance coverage may participate. Volunteer firefighters are eligible to participate. Temporary employees are not eligible to participate. These programs are voluntary and should take place outside normal working time. In order to be eligible for reimbursement of a portion of the membership dues, the employee, spouse, domestic partner, or eligible dependent must use the fitness facility at least ten times per month. Swim lessons with 8 sessions per month are the only exception to the 10 visit rule.

(3) Employees, spouses, domestic partners, and eligible dependents are limited to one health club reimbursement per month, per person. Eligible family members are not required to work out at the same facility.

(4) The extent of City of Anacortes financial support for each program will be determined on an annual basis. The City of Anacortes subsidizes the use of local fitness centers in Skagit County ~~and the benefit is~~, considered taxable income.

(5) Participation in the City of Anacortes wellness program is limited in some situations to employees who have medical benefits through the City of Anacortes.

(6) Participating employees may be required to sign waiver of liability forms.

(7) The City of Anacortes retains the right to change all aspects of its exercise and wellness programs and to discontinue their existence.

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POLICY 601 EMPLOYEE SAFETY and the SAFETY COMMITTEE

Policy:

The City of Anacortes complies with all applicable federal, state, and local health and safety regulations and provides a work environment as free as practicable from recognized hazards. Employees are expected to comply with all safety and health requirements whether established by the City of Anacortes or by federal, state, or local law. The Safety Committee maintains an Accident Prevention Manual.

Comment:

- (1) The City of Anacortes has appointed a Safety Committee to oversee the City of Anacortes's safety policies and procedures.
- (2) All employees are responsible for ensuring that they understand and comply with all City of Anacortes safety rules, regulations, and procedures. All employees are responsible for:
 - (a) Being familiar with all safety and health procedures relevant to the operations under their supervision;
 - (b) Inspecting their work areas periodically;
 - (c) Identifying conditions that are recognized as being unsafe; and
 - (d) Reporting accidents and injuries to the immediate manager, department head and Human Resources immediately and ensuring that any injured employee is referred to appropriate medical care. (See MEDICAL PROCEDURES, Policy 205.)

Supervisors should complete a Safety Orientation Checklist upon hiring a new employee and before the new employee begins work. This is to ensure that the employee understands and complies with the safety rules, regulations, and procedures within their department. The completed and signed form should be included in the employee's personnel folder.

- (3) Employees should report to their supervisor or the Safety Committee all observed safety and health violations, potentially unsafe conditions, and any accidents resulting in injuries to employees or the public. Employees are encouraged to submit suggestions to the Safety Committee concerning safety and health matters.
- (4) Violations of City of Anacortes safety rules, regulations, or procedures will result in disciplinary action, up to and including termination. (See BEHAVIOR OF EMPLOYEES, Policy 801; and DISCIPLINARY PROCEDURE, Policy 807.)

(5) CPR, First Aid, & Blood Borne Pathogen Training

Employees are offered CPR and First Aid training. Depending on the employee's job assignment the training may be mandatory.

Employees whose job descriptions warrant them to take Blood Borne Pathogen training should, if possible, be scheduled to attend training as soon as possible. The Blood Borne Pathogen Site Specific Plan identifies job titles in which exposure to pathogens may exist and require training. Supervisors are responsible to ensure that their employees Blood Borne Pathogen certification remains current.

Employees who may be exposed to Hepatitis B as disclosed in their job description have the option to receive Hepatitis B vaccinations paid for by the City of Anacortes. Employees will be advised during orientation of the risks associated with their job classification and given the opportunity to accept or decline the vaccinations.

POLICY 602 PERSONAL PROPERTY

Policy:

The City of Anacortes asks employees to refrain from bringing unnecessary or inappropriate personal property to work.

Comment:

- (1) The City of Anacortes recognizes that employees may bring certain personal items to work such as family photographs, houseplants, or other small decorative items for their work spaces. However, personal property that is not related to the employee's job performance may disrupt work or pose a safety risk to other employees.
- (2) Employees are expected to exercise reasonable care to safeguard unauthorized personal items brought to work. The City of Anacortes is not responsible for the loss, damage, or theft of personal belongings, and employees are advised not to carry unnecessary amounts of cash or other valuables with them when they come to work.
- (3) The City of Anacortes may assign each employee a locker or storage area for safekeeping small personal effects during working hours. In addition, the City of Anacortes will provide and retain keys for file cabinets, desks, and other workstations. Employees may not place their own locks on any storage facility.
- (4) To maintain security and protect against theft, the City of Anacortes reserves the right to inspect when presented with reasonable suspicion all personal property brought onto the City of Anacortes's premises, including vehicles, packages, briefcases, backpacks, purses, bags, and wallets. In addition, the City of Anacortes may inspect the contents of lockers, storage areas, file cabinets, desks, and work stations at any time and remove all City of Anacortes property and other items that violate City of Anacortes rules and policies. (See SECURITY, Policy 605.)
- (5) Articles of personal property found on the premises should be returned to the owner, if known, or turned in to the Facilities Manager. Inquiries regarding lost property should be directed to the Facilities Manager.

POLICY 603 SOLICITATION

Policy:

The City of Anacortes prohibits solicitation and distribution on its premises by non-employees and permits solicitation and distribution by employees only as outlined below.

Comment:

(1) The City of Anacortes limits solicitation and distribution on its premises because those activities can interfere with its normal operations, reduce employee efficiency, annoy customers or employees, and pose a threat to security.

(2) The Human Resource Department is responsible for administering this policy and enforcing its provisions. Employees will be subject to disciplinary action for violating this policy. (See BEHAVIOR OF EMPLOYEES, Policy 801; and DISCIPLINARY PROCEDURE, Policy 807.)

(3) Individuals not employed by the City of Anacortes are prohibited from soliciting funds or signatures, conducting membership drives, distributing literature or gifts, offering to sell merchandise or services (except with the Mayor's prior approval) or engaging in any other solicitation, distribution, or similar activity on City of Anacortes premises.

(4) The City of Anacortes may authorize a limited number of fund drives by employees on behalf of charitable organizations or for employee gifts. Employees are encouraged to volunteer to assist in these drives, but participation is entirely voluntary.

(5) The following restrictions apply when employees engage in permitted solicitation or distribution of literature for any group or organization, including charitable organizations:

(a) Soliciting and distributing literature, or selling merchandise or services, during the working time of either the employee making the solicitation or distribution, or the targeted employee, is prohibited. The term "working time" does not include an employee's authorized lunch or rest periods or other times when the employee is not required to be working.

(b) Distribution of literature is prohibited in work areas at all times.

(c) Distributing literature in a way that causes litter on City of Anacortes property is prohibited.

(d) Employees may not use City facilities, resources, or supplies to promote or solicit participation in gambling activities, including but not limited to wagers, bets, or pools.

(6) The City of Anacortes maintains various communication systems to communicate City of Anacortes information to employees and to disseminate or post notices required by law. These communication systems (including bulletin boards, text messages, cell phones, electronic mail, voice mail, facsimile machines, and personal computers) are for business use only and may not be used for employee solicitation or distribution of literature. The unauthorized use of the communication systems or the distribution or posting of notices, photographs, or other materials on any City of Anacortes property is prohibited. (See USE OF COMMUNICATION SYSTEMS, Policy 804.)

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POLICY 604 PARKING

Policy:

The City of Anacortes provides parking facilities, when practical, for the benefit and convenience of its employees, customers, and visitors.

Comment:

- (1) The City of Anacortes will provide parking for as many employees as practical. Special spaces will be designated for certain employees, customers, and visitors.
- (2) The City owned parking lots are considered part of the City of Anacortes premises; therefore, all City of Anacortes policies and rules apply to employees and their vehicles while on the lots. (See BEHAVIOR OF EMPLOYEES, Policy 801.)
- (3) Employees who use the City of Anacortes parking lots do so at their own risk. The City of Anacortes assumes no responsibility for any damage to, or theft of, any vehicle or personal property left in the vehicle while on the parking lots (See PERSONAL PROPERTY, Policy 602 and SECURITY, Policy 605.)

POLICY 605 SECURITY

Policy:

The City of Anacortes makes reasonable efforts to provide for the security of its property, its employees, and visitors to its premises.

Comment:

(1) Employees (unless required to carry a firearm or weapon as a condition of employment), are prohibited from possessing firearms or other weapons on City of Anacortes property and at events sponsored by the City of Anacortes. Employees (unless required to carry a firearm or weapon as a condition of employment) are further prohibited from carrying weapons in employer-provided vehicles or in personal vehicles while on City business. *(Note: While Washington State allows individuals the right to carry a concealed weapon, employers are able to prohibit weapons in the workplace, including in personal vehicles parked on the premises, at worksites, in employer-provided vehicles, or at employer sponsored events. (Cherry v. Metro Seattle, 116 Wn. 2d 794, 808 P.2d 746 (1991). This cited reference indicates that since 1991 municipalities have had the right to prohibit employees from carrying weapons or possessing weapons in the workplace.))*

(2) All personal property brought onto the City of Anacortes's premises, such as vehicles, packages, briefcases, backpacks, purses, bags, and wallets, are subject to inspection with reasonable suspicion. In addition, the City of Anacortes may inspect the contents of lockers, storage areas, file cabinets, desks, and work stations at any time and may remove all City of Anacortes property and other items that are in violation of City of Anacortes rules and policies. (See PERSONAL PROPERTY, Policy 602.)

(3) Employees working in sensitive or high security jobs must meet any applicable special security clearance requirement specified for those jobs (for example, police and fire employees). These requirements may include more extensive background checks, fingerprinting, bonding, or other special security measures. Failure or inability to meet or comply with any special security requirements is grounds for termination of employment or rejection of an applicant.

(4) Employees may remain at their workplace outside their normal working hours only when authorized to do so by their supervisor.

(5) Employees are expected to exercise reasonable care for their own protection and for that of their personal property while on the City of Anacortes premises and while away from the premises on business. The City of Anacortes assumes no responsibility for loss, damage, or theft of personal property. (See PERSONAL PROPERTY, Policy 602.)

(6) Employees are expected to know and comply with the City of Anacortes's security procedures and should report any violations or potential problems to the Police Department. Violations of City of Anacortes security rules or procedures will result in disciplinary action, up to and including termination. (See BEHAVIOR OF EMPLOYEES, Policy 801; and DISCIPLINARY PROCEDURE, Policy 807.)

(7) Employees are issued identification badges that must be available for display while working for and representing the City of Anacortes.

POLICY 606 TOBACCO USE

Policy:

The City of Anacortes complies with all applicable federal, state, and local regulations regarding tobacco in the workplace and provides a work environment that promotes productivity and the wellbeing of its employees.

Comment:

- (1) The use of tobacco in the workplace is now in violation of the law in the State of Washington. Accordingly, the use of smoking and smokeless tobacco products are restricted in all of its facilities. [Smoking is defined to include the use of tobacco-containing products, including cigarettes, cigars, and pipes, as well as the use of electronic cigarettes.](#)
- (2) Smoking is prohibited inside all City of Anacortes facilities, including City-owned buildings, vehicles, and offices or other facilities rented or leased by the City, including individual employee offices. The smoking policy applies to employees during working time and to customers and visitors while on the City of Anacortes's premises.
- (3) Smoking is only allowed in designated outside areas that are at least 25 feet from building entrances and exits, windows that open, and ventilation intakes. Employees are expected to exercise common courtesy and to respect the needs and sensitivities of coworkers with regard to the smoking policy. Smokers have a special obligation to not abuse break and work rules and to keep smoking areas litter-free. Complaints about smoking issues should be resolved at the lowest level possible but may be processed through the City of Anacortes's grievance procedure. (See Dispute Resolution Procedure, Policy 902.) Employees who violate the policy will be subject to disciplinary action. (See Disciplinary Procedure, Policy 807.)
- (4) Employees may contact the Human Resource Department for information regarding the effects of smoking and the availability of smoking cessation programs.

POLICY 701 ATTENDANCE AND PUNCTUALITY

Policy:

The City of Anacortes requires employees to report for work punctually and to work all scheduled hours and overtime required by business necessity. Excessive tardiness and poor attendance disrupt workflow and customer service and will not be tolerated.

Comment:

- (1) Supervisors should notify employees of their starting, ending, and break times. Employees are expected to be engaged in carrying out their duties during all scheduled work time and should be ready to begin working at their scheduled starting time. (See Hours of Work, Policy 209.) Supervisors should record all absences and, for nonexempt employees (those subject to the minimum wage and overtime requirements of the Fair Labor Standards Act), any tardiness or early departure exceeding ten minutes.
- (2) Employees should notify their supervisor in as far advance as possible whenever they are unable to report for work, know they will be late, or must leave early. The notice should include a reason for the absence and an indication of when the employee can be expected to report for work. If the supervisor is unavailable, notification should be made to the next level of management.
- (3) Employees will be compensated during authorized absences in accordance with the policies contained in Absences, Policy 702. Nonexempt employees will not receive compensation for time missed because of tardiness or early departure if the time missed exceeds 10 minutes after starting time or before quitting time. Failure to notify the City of Anacortes properly of any absence may result in loss of compensation during the absence and may be grounds for disciplinary action.
- (4) Nonexempt employees who are delayed in reporting for work more than 30 minutes and who have not notified their supervisor of their expected tardiness may lose their right to work the balance of the work day. In addition, employees who report for work without proper equipment or in improper attire may not be permitted to work. (See Employee Safety and the safety committee, Policy 601; and Personal Appearance of Employees, Policy 802.) Employees, who report for work in a condition considered not fit for work, whether due to illness, alcohol or drug use, or any other reason, will not be allowed to work. (See MEDICAL PROCEDURES, Policy 205; and DRUGS, NARCOTICS, AND ALCOHOL, Policy 809.)
- (5) Employees generally are expected to report for work during inclement weather conditions unless the Mayor or the Mayor's designee declares an emergency closing. During times of inclement weather or natural disaster, it is essential that the City continue to provide vital public services. Therefore, it is expected that employees make every reasonable effort to report to work, so long as doing so does not endanger their personal safety. An employee who is unable to get to work or leaves work early because of unusual weather conditions may charge the time missed to vacation, personal holiday, compensatory time off, exchange time off, or leave without pay.
- (6) Nonexempt employees will not be required or permitted to work any period of time before or after scheduled starting or quitting times for the purpose of making up time lost because of tardiness, unauthorized absence, authorized absence, or any other reason if the result will be that the employee works more than forty hours during the workweek.

- (7) Employees must report to their supervisor after being late or absent, give an explanation of the circumstances surrounding their tardiness or absence, and, when applicable, certify that they are fit to return to work. (See MEDICAL PROCEDURES, Policy 205.) The supervisor should record the information in the employee's file and forward a copy to the Human Resource Department. When appropriate, the supervisor should counsel the employee on the importance of good attendance and warn that excessive tardiness or absences will lead to discipline, up to and including termination. (See ABSENCES, Policy 702; and DISCIPLINARY PROCEDURE, Policy 807.)
- (8) Employees who are frequently away from the premises for business reasons should inform their supervisors of their whereabouts during working hours.
- (9) Unauthorized or excessive absences or tardiness will result in disciplinary action, up to and including termination. (See DISCIPLINARY PROCEDURE, Policy 807.) An absence is considered to be unauthorized if the employee has not followed proper notification procedures or the absence has not been properly approved. Generally, absences in excess of those allowed in ABSENCES, Policy 702, and tardiness or early departure (i.e., beyond ten minutes of starting or quitting time) more than three times in a three-month period are grounds for discipline.
- (10) Employees who are absent from work for three consecutive days without giving proper notice to the City of Anacortes will be considered as having abandoned the job. At that time, the City of Anacortes will formally note the termination and advise the employee of the action by certified mail to the employee's last known address. (See TERMINATION OF EMPLOYMENT, Policy 213.)

POLICY 702 ABSENCES

Policy:

The City of Anacortes permits employees to be absent from work on an authorized basis for a variety of reasons, including sickness or injury. To help employees maintain their income during certain authorized absences, the City provides compensation according to the guidelines below.

Comment:

(1) Sick Leave

- (a) Regular, full time employees, accrue paid sick leave at the rate of 8 hours per calendar month of continuous employment. Regular part time employees whose full time equivalency is 50% or more are entitled to sick leave accrual on a pro-rata basis. Temporary employees are not eligible for paid sick leave benefits. Employees do not accrue sick leave benefits during an absence without pay.
- (b) The maximum number of hours of sick leave that an employee can accumulate is one thousand four hundred and forty (1440) hours.
- (c) Sick leave may be used for any of the following purposes:
 - (i) Personal illness or incapacity of the employee;
 - (ii) Forced quarantine of the employee by a public health official;
 - (iii) To care for the employee's dependent children under age 18 who are ill;
 - (iv) To attend the birth of the employee's child;
 - (v) Use of a prescription drug that impairs job performance or safety;
 - (vi) Medical or dental appointments of the employee or dependent children under the age of 18, when such appointments cannot reasonably be scheduled during off-duty time;
 - (vii) For any other purpose described in the WA Family Care policy set forth below.

Sick leave may be coordinated with certain other leaves (see Family and Medical Leave policy below.) Employees may be required to provide medical or other documentation to verify the appropriate use of sick leave. A doctor's note will typically be required when an employee is absent for three or more consecutive days, or in other situations as deemed appropriate by the City of Anacortes (e.g., pattern absences on Fridays and/or Mondays.) Excessive tardiness or absences (other than approved FMLA or disability-related leave) may lead to disciplinary action up to and including termination.

- (d) An employee who is eligible for retirement under the applicable DRS retirement plan is eligible for a cash out of a portion of their unused sick leave proportionate to their sick leave balance. ~~Sick leave cash out is prorated for part time employees based on full time equivalency at retirement.~~

Sick Leave Balance at Retirement	Percent Cash out
0-800 hours	0%
801-1251 hours	18% of unused sick leave hours
1251-1440 hours	25% of unused sick leave hours

Unused sick leave is not cashed out upon separation other than retirement.

(2) Family and Medical Leave

Recognizing the importance of family and out of concern for the wellbeing of our employees, the City of Anacortes family and medical leave program enables employees to take time off, under certain conditions, for health reasons or to care for family members. This policy will be administered in accordance with the federal **Family and Medical Leave Act (FMLA)** and the **Washington Family Leave Act (FLA)**. A notice entitled "Employee Rights and Responsibilities Under the Family and Medical Leave Act" is posted in break rooms and is provided to employees upon hire. Nothing in this policy affects or supersedes any federal or state law or collective bargaining agreement that may provide greater entitlement to medical or family leave than those set forth in this policy.

(a) **Eligibility** To be eligible for leave under this family and medical leave policy, an employee must have been employed by the City of Anacortes for at least 12 months, must have worked at least 1,250 hours in the preceding 12 months, and must work at a location where at least 50 employees are employed by the City of Anacortes within 75 miles.

(b) **Leave Entitlement** An eligible employee may request up to 12 workweeks of FMLA or FLA leave per "leave year" for one or more of the following reasons:

- (i) To care for the employee's child upon birth, or to care for a child upon the child's placement with the employee for adoption or foster care;
- (ii) To care for a spouse, registered domestic partner (FLA only), son, daughter, or parent who has a serious health condition;
- (iii) To care for self, if the employee has a serious health condition that makes the employee unable to perform the essential functions of the position (including incapacity due to pregnancy, prenatal medical care, or childbirth); or
- (iv) For a "qualifying exigency" arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member who is on active duty, or has been notified of an impending call to active duty in support of a contingency operation. Covered military members are active

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duty service members deployed to a foreign country, who have been called to active duty or notified of an impending call to active duty. Qualifying exigencies are generally activities related to the active duty or call to duty, including attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions and attending post- deployment reintegration briefings.

The City of Anacortes defines a leave year as the rolling twelve-month period measured backward from the date an employee uses any FMLA leave. FMLA leave for birth or placement for adoption or foster care must conclude within 12 months of the birth or placement. In addition, spouses employed by the City of Anacortes are jointly entitled to a combined FMLA leave of 12 workweeks of family leave for the birth or placement of a child for adoption or foster care, or to care for a parent with a serious health condition. Each spouse is, however, eligible for the full 12 weeks of leave in the 12-month leave period to care for a child, spouse with a serious health condition, or for either employee's own serious health condition. Registered domestic partners employed by the City of Anacortes share leave under the FLA but not the FMLA.

An eligible employee may also take up to 26 weeks of leave during a single 12-month period to care for an injured service member who is the employee's spouse, parent, child, or next of kin. A covered service member is a current member or veteran of the Armed Forces, including National Guard or Reserves members, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation or therapy; or in outpatient status; or is on the temporary disability retired list. This benefit applies to current service members or veterans who are undergoing medical treatment, recuperation, or therapy for a serious injury or illness that occurred any time during the five years preceding the date of treatment. For purposes of this kind of leave, the 12-month period begins the first day the employee takes leave. The combined total of leave for all purposes described in this policy may not exceed 26 weeks in the applicable leave year.

(c) Serious Health Condition

A serious health condition is an illness, injury, impairment or physical or mental condition that involves

- (i) Any period of incapacity or treatment connected with inpatient care (i.e. an overnight stay) in a hospital, hospice, or residential medical care facility;
- (ii) A period of incapacity of more than three consecutive, full calendar days from work, school, or other regular daily activities that also involves
 - 1. two visits to a health care provider, OR
 - 2. a single visit to a health care provider plus continuing treatment by (or under the supervision of) a health care provider;
- (iii) A period of incapacity due to pregnancy or for prenatal care;
- (iv) A period of incapacity or treatment due to a chronic serious health condition, for which a permanent or long-term condition for which treatment may not be effective, or to receive multiple treatments for restorative surgery after an accident or injury or for a condition that would

likely result in an incapacity of more the three full, consecutive calendar days in the absence of medical treatment (e.g. chemotherapy for cancer or dialysis for kidney disease.)

(d) Intermittent or Reduced Work Schedule Leave

In certain circumstances, eligible employees may take FMLA/FLA intermittently (for example, in smaller blocks of time) or by reducing their work schedule. If the FMLA/FLA leave is because of the employee's own serious health condition or to care for a family member, the employee may take the leave intermittently on a reduced work schedule if it is medically necessary. Eligible employees may also take FMLA/FLA leave on an intermittent or reduced schedule basis when necessary because of a qualifying exigency arising from a family member's military service. If FMLA/FLA leave is to care for a child after the birth or placement for adoption or foster care, employees may take their FMLA/FLA leave intermittently or on a reduced work schedule only with the City of Anacortes's permission.

Where intermittent leave or reduced-schedule leave is needed for planned medical treatment, an employee must make a reasonable effort to schedule the treatment so as not to disrupt unduly the City of Anacortes's operations. Where an employee needs intermittent or reduced-schedule leave based on planned medical treatment, the City of Anacortes may transfer the employee to an alternative position with equivalent pay and benefits that can better accommodate such recurring leave.

(e) Notice and Certification

Employees who want to take FMLA/FLA ordinarily must provide the City of Anacortes with at least 30 days' notice of the need for leave, if the need for leave is foreseeable. If 30 days' advance notice is not possible, notice must be provided as soon as practical (which is generally the same day or next business day after the need for leave becomes known.) Absent unusual circumstances, employees are required to follow the City of Anacortes's regular procedural requirements when requesting FMLA/FLA leave. (See ATTENDANCE AND PUNCTUALITY, Policy 701.) When requesting leave, employees must provide sufficient information for the City of Anacortes to determine whether the leave may be FMLA/FLA qualifying, and the anticipated timing and duration of requested leave. Employees must also inform the City of Anacortes if the requested leave is for a reason for which FMLA/FLA leave was previously taken or certified.

When leave is requested in connection with planned medical treatment, the employee must make a reasonable effort to schedule treatment in order to prevent disruptions to the City of Anacortes operation.

In addition, employees who need leave for their own or a family member's serious health condition must provide medical certification from the health care provider of the serious health condition. The City of Anacortes may require a second or third opinion (at the City of Anacortes's expense,) periodic recertification of the serious health condition, and when the leave is for an employee's own serious health condition, a certification that the employee is fit to return to work.

Employees who need leave for a qualifying exigency arising from a family member's military leave must provide a certification confirming the need for leave.

The City of Anacortes may delay leave to employees who do not provide proper advance notice of the foreseeable need for leave. The City of Anacortes also may

delay or deny approval of leave for lack of proper certification establishing the need for leave.

Please contact Human Resources to obtain further information and forms relating to FMLA/FLA leave requests.

(f) Continuation of Pay and Benefits

FMLA leave is unpaid leave; however, employees are required to use accrued sick leave for sick leave qualifying events as part of their 12 weeks of FMLA leave.

During all leave under this family and medical leave policy, the City of Anacortes will continue to pay the employer's portion of health insurance premiums, provided that the employee continues to pay their share of the insurance premiums, if any. Failure of the employee to pay their portion of the premium may result in cancellation of health insurance. Under certain circumstances, if an employee fails to return to work at the end of the leave, the employee may be responsible to pay back the City of Anacortes for the employer portion of the health insurance premiums. Leave such as vacation and sick leave will continue to accrue during paid leave, but not during unpaid leave.

(g) Job Restoration Upon Return from Leave

Upon return from family and medical leave, an employee will be entitled to return to the employee's former position or a position with equivalent pay, benefits, and conditions of employment, unless unusual circumstances have arisen (e.g., the employee's position or shift was eliminated for reasons unrelated to the leave). If the employee chooses not to return to work for any reason, the employee should notify the City of Anacortes as soon as possible.

(h) Leave for Pregnancy Disability and to Care for a Newborn

Note: The pregnancy disability leave does not apply when the qualifying event is the placement of a newborn by adoption or foster care.

Under *Washington State Law*, regardless of whether the employee meets the FMLA and FLA eligibility requirements above, pregnant employees are entitled to additional unpaid leave for the period of time that the female employee is physically disabled due to the pregnancy and/or childbirth. The period of temporary disability normally lasts six to eight weeks if the pregnancy and childbirth are without complications. With complications, such as required bed rest before childbirth, the period of temporary disability can last longer.

The pregnancy disability leave runs concurrent (at the same time) with the FMLA, and does not extend the 12 weeks of leave allowed under federal law.

The pregnancy disability leave runs consecutive (one begins after the other ends) with the FLA, and does extend the 12 weeks of leave allowed under state law for the duration of the physical disability. Thus, a pregnant employee with no complications in the pregnancy and childbirth is likely entitled to 18 weeks to 20 weeks of leave (6 to 8 weeks of physical disability leave, plus 12 weeks of leave under the FLA.) The FLA is unpaid leave unless the employee has accrued vacation and/or sick leave available (and the reason for the leave is sick leave qualifying).

An employee, who is a new parent, but not the parent who was pregnant may use 80 hours of paid sick leave during the birth and immediately following the birth of the employee's child. This policy also applies to adoptive parents.

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For more information on any of these leave policies, or if you think you may need to take a Family and Medical Leave, please contact Human Resources. The leave laws, particularly those applicable to pregnancy and childbirth, can be confusing. Employees are encouraged to contact Human Resources with any questions about how the various laws are coordinated in a particular situation.

(3) **Jury or Witness Duty**

Employees who are required by law to render jury service will be granted **paid** time off during a period of jury duty up to **ten workdays** per calendar year. Employees should notify their supervisors as soon as possible after receipt of a juror summons so that operational adjustments can be made as needed during the employee's absence. A copy of the juror summons must be provided to the supervisor. If an employee is summoned for jury service during a critical work period, the City of Anacortes may ask the employee to request a waiver from duty; in such cases, the City of Anacortes will provide documentation to the relevant court supporting the waiver request. Employees should contact their supervisor for instruction if there is a break greater than four hours during jury duty where the employee is not required to report to the court; depending on the circumstances, an employee may be required to return to work during such a period.

An employee subpoenaed to testify in court will be granted time off for the period served as a witness. In general, leave for witness duty is unpaid unless the employee has been called as a witness by the City of Anacortes.

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

Paid Leave of 21 Days Per Year

Washington State Law provides 21 days of paid military leave per year. A public employee is entitled to a paid military leave of absence for a period not to exceed 21 working days during each year beginning October 1st and ending the following September 30th. According to guidance from the Attorney General's office, a day is calculated according to the number of days the employee would have worked, but for the military leave. Military leave beyond the 21 days of paid time off will be unpaid. The employee may elect to use accrued vacation, compensatory time, exchange time, or other available paid time off during the period of military leave.

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

(5) **Leave for Spouses of Military Personnel (Non-FMLA)**

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

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leave from a deployment. An employee must work an average of 20 hours per week to be eligible for this family military leave.

An employee who seeks to take family military leave must provide the City of Anacortes with notice of their intent to take the leave within five business days of receiving official notice that the employee's spouse will be on leave or of an impending call to active duty. The employee may substitute available accrued vacation, compensatory time, or exchange time leave for any part of this family military leave.

(6) **Family Care/Use of Accrued Leave to Care for Sick Family Member**

Consistent with the **Washington Family Care Act**, employees may use their choice of any accrued leave that they have available for their own use in order to care for their child, spouse, domestic partner, parent, parent-in-law, or grandparent as described below.

An employee may use available paid time off to care for their child where the child has a health condition requiring treatment or supervision, or where the child needs preventative care (such as medical, dental, optical, or immunization services).

An employee may use available paid time off when a spouse, domestic partner, parent, parent-in-law, or grandparent has a "serious or emergency health condition" which are conditions:

- (a) Requiring an overnight stay in a hospital or other medical-care facility
- (b) Resulting in any period of incapacity or treatment or recovery following inpatient care
- (c) Involving continuing treatment under the care of a health services provider that includes any period of incapacity to work or attend to regular daily activities; or
- (d) Involving an emergency (i.e. demanding immediate action)

Where the need for family care leave is unexpected, the City of Anacortes understands that advance approval of the use of leave (as is required for certain kinds of accrued leave) may not be possible. Employees are required, however, to notify their supervisor of the need to take time off to care for a family member as soon as the need for leave becomes known. The City of Anacortes reserves the right to require verification or documentation confirming that a family member has or has had a "serious or emergency" health condition when available leave is used to care for that family member.

(7) **Bereavement Leave**

In the event of the death of an employee's immediate family member, time off with pay for employee's regular scheduled workday will be granted to regular full time employees. The phrase "immediate family" for the purposes of the bereavement policy includes the employee's spouse, domestic partner, brother, sister, father, mother, stepfather, stepmother, grandparent, children, stepchildren, grandchildren, father-in-law, mother-in-law, grandparent-in-law, sister-in-law, brother-in-law, daughter-in-law, and son-in-law.

Three consecutive workdays off with pay will be approved to attend the funeral or memorial service. (Maximum 24 hours)

Two additional consecutive work days off with pay will be approved for travel from the employee's home to the funeral or memorial service if the travel exceeds two hundred (200) miles each way. (Maximum 16 hours)

Regular part-time employees who are scheduled to work twenty or more hours per week are eligible to receive Bereavement Leave. The amount of leave allowed will be pro-rated for regular part time employees.

(8) Leave due to Domestic Violence or Sexual Assault

In compliance with Washington law, the City authorizes leave for employees who are victims of domestic violence, sexual assault, or stalking. It is also available to employees with a family member (child, spouse, domestic partner, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship) who is a victim of domestic violence, sexual assault, or stalking. The leave may be taken in blocks, intermittently, or on a reduced leave schedule. The amount of leave that an employee may take is limited to a "reasonable" amount. Domestic violence/sexual assault leave is unpaid, although an employee may elect to use the employee's accrued paid leave (e.g. vacation, compensatory time, exchange time, or sick leave if it qualifies) in connection with such leave.

Domestic Violence/Sexual Assault Leave may be taken for the following purposes:

- (a) To seek law enforcement or legal assistance or to prepare for or participate in any legal proceeding related to domestic violence, sexual assault or stalking;
- (b) To seek health care treatment for physical or mental injuries from domestic violence, sexual assault, or stalking, or attend to such health care treatment for a family member;
- (c) To obtain (or assist a family member in obtaining) mental health counseling related to domestic violence, sexual assault, or stalking; or
- (d) To participate in safely planning, to temporarily or permanently relocate, or to take other actions to increase the safety of the employee or family member relating to domestic violence, sexual assault, or stalking.

When possible, employees must give advance notice of the intention to take leave. If advance notice is not possible, employees (or their designees) must give notice of the need for this leave no later than the end of the first day the employee takes the leave. The City of Anacortes may require verification to support the need for the leave. Depending on the situation, verification can take the form of police reports, court documents, or the employee's own written statement of the need for the leave. Except where disclosure is authorized or required by law, the City of Anacortes will maintain confidentiality of all information provided by the employee in conjunction with the Domestic Violence/Sexual Assault Leave.

(9) Organ and Bone Marrow Donation Leave

- (a) Employees may take paid leave, not to exceed five days in a two-year period, as needed for the sole purpose of participating in life-giving procedures as defined below. Such leave shall not be charged against sick leave or vacation leave, and use of leave without pay shall not be required.

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(b) Departments may take into account program implementation and staffing replacement requirements in the scheduling of such leave time. Employees are required to provide reasonable advance notice of a desire to take paid leave time.

(c) When planning for and granting paid leave, department heads shall take into account provisions of collective bargaining agreements that cover leave usage. Any additional leave time needed for life-giving procedures shall be subject to the City of Anacortes Personnel Policies and Collective bargaining agreements.

(d) Employees must provide written proof from an accredited medical institution, physician or other medical professional that the employee participated in a life-giving procedure.

(e) "Life-giving procedure" shall mean a medically supervised procedure involving the testing, sampling, or donation of organs or bone marrow for the purposes of donation, without compensation, to a person or organization for medically necessary treatments.

(f) This does not create any entitlement or other right that may be converted to cash, other compensation, or any other benefit. It is intended only to encourage altruistic life-giving procedures, and to allow paid leave to participate in such procedures.

(10) Leave Share Program

(a) Eligible employees may donate excess sick or vacation leave for use by another employee who is suffering from an extraordinary medical emergency. Employees are eligible to receive shared leave when the severity of the emergency would cause the employee to take leave without pay or to terminate employment without shared leave. Employees who donate leave waive all rights to the donated leave.

(b) Employees may request a leave donation when they have or expect to use all of their accrued leave (including vacation, sick, personal days, compensatory time, and exchange time) and would otherwise be on a leave without pay and has been found to be ineligible to receive industrial insurance benefits. The employee receiving a sick leave donation is required to provide medical justification and documentation both of the necessity for the leave and the length of time the employee reasonably can be expected to be absent due to the condition. While an employee is receiving shared leave, the employee continues to be classified as a City employee and shall receive the same treatment in respect to salary, wages, and employee benefits as the employee would normally receive if using the employee's own accrued leave except that the shared hours received are not eligible for retirement benefits.

(c) The maximum number of days an employee can receive of donated leave is 90 per calendar year. The Mayor and Human Resource Department retain discretion to determine the eligibility to receive donated leave.

(d) The maximum amount of sick leave an employee can donate per request, per calendar year is 40 hours. The donating employees' sick leave balance may not fall below 480 hours. Donations and use of leave are on an hour-for-hour basis, without conversion for differentials between rates of pay received by the donors and the recipients.

(11) Coordination of Wages with Worker's Compensation

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Worker's Compensation provides partial wage replacement for injured employees. Employees receiving Worker's Compensation as a result of a Labor and Industries Claim may choose to use their accrued sick leave or vacation leave to supplement the Worker's Compensation wage replacement. If an employee elects to use accrued leave while receiving Worker's Compensation benefits, the City will pay the employee his/her regular wages using accrued sick or vacation leave. If an employee elects this option, when the employee receives time loss payments from the Department of Labor and Industries, the employee must turn such payments over to the Finance Department. The Finance Department will use the worker's compensation payment to replenish the employee's sick leave or vacation leave balance that was drawn down at the employee's current hourly wage rate. Comp time, exchange time, and shift trades are not eligible for buyback and may not be used following a work related injury or illness while an employee is receiving Worker's Compensation pay.

(12) Other Unpaid Leave

Subject to operational and other considerations, the Mayor may grant a leave of absence without pay for an absence not covered by any other type of leave. Any available accrued leave must be exhausted before an unpaid leave will be approved. An example of an absence that may qualify is a prolonged illness or medical condition for which an employee needs reasonable accommodation.

(13) Administrative Leave

On a case by case basis, the Mayor may place an employee on administrative leave with or without pay for an indefinite period of time. Administrative leave may be used when it is in the City of Anacortes' best interest, such as during the pendency of an investigation.

(14) Benefits During Leave

Employees who are on a paid leave of absence shall continue to receive benefits they were entitled to prior to the start of their leave, including the accrual of vacation, sick leave, holidays, retirement, and health insurance benefits. Unless stated otherwise in these policies, benefits that accrue according to length of service, such as paid vacation, holiday, and sick days, do not accrue during periods of unpaid leave or during periods in which the employee receives workers' compensation. In certain cases, self payment of insurance premiums may apply. (See HEALTH AND WELFARE BENEFIT DISCLOSURE, Policy 501.)

(15) Outside Employment

Employees who are on an approved leave of absence may not perform work for any other employer during that leave, except when the leave is for military service or explicitly approved by the Mayor.

(16) Employee will only receive paid time off if they have accrued balances in the leave banks prior to the leave being taken. In addition, authorized days off for short-term absences will not be considered as working time for calculating weekly overtime compensation. (See HOURS OF WORK, Policy 209.)

Deleted: Employees cannot receive "advances" against their accrued sick leave or vacation banks.

POLICY 703 REST BREAKS

Policy:

The City of Anacortes provides rest breaks during the course of each workday.

Comment:

- (1) Nonexempt employees (those covered by the minimum wage and overtime requirements of the Fair Labor Standards Act) should receive, unless job conditions do not permit, a rest break of fifteen minutes at approximately the middle of every four hours of work not interrupted by a meal period. (See MEAL BREAKS, Policy 704.)
- (2) Supervisors are responsible for scheduling the time for nonexempt employees' rest breaks and should consider the workload and the nature of the job performed. Whenever necessary, the frequency and time of rest periods may be changed.
- (3) Time spent on rest breaks will be compensated as working time. (See HOURS OF WORK, Policy 209.) However, employees are expected to be punctual in starting and ending their breaks and may be disciplined for tardiness. (See ATTENDANCE AND PUNCTUALITY, Policy 701.)
- (4) Employees are expected to take their rest breaks. Employees who choose to remain at their work stations during rest breaks are expected to take their rest break shortly thereafter, and are not entitled to arrive later than the scheduled starting time or leave before the normal quitting time.
- (5) Mothers who choose to breastfeed their infants may express and collect breast milk during work hours. The City provides private space for breastfeeding. Each employee choosing to breastfeed can work with their supervisor or the human resource department to identify private space for the mother to express and collect breast milk. This space, other than a bathroom, will be shielded from view and free from intrusion by co-workers or the public. Employees may take reasonable breaks during work hours to express and collect breast milk. Break time which extends beyond normal paid breaks will be unpaid.
- (5) Employees on rest breaks may not interfere with other employees who are continuing to work. (See SOLICITATION, Policy 603)

POLICY 704 MEAL BREAKS

Policy:

The City of Anacortes provides meal breaks during the course of each workday.

Comment:

- (1) Full-time employees are allowed a meal break near the middle of the workday. In departments operating on single shifts, the break will be sixty minutes. In departments operating on two or three shifts, the meal break will be thirty minutes, depending on operating requirements.
- (2) Part-time employees scheduled to work more than five consecutive hours during any workday will receive a meal break of the same duration as full-time employees in their department.
- (3) Supervisors are responsible for balancing workloads and scheduling meal breaks and should take into consideration the workload and the nature of the job performed. Whenever necessary, the duration and time of meal periods may be changed.
- (4) Employees required to work more than ten hours in any workday will be allowed a second meal break no later than six hours after returning from their first meal break.
- (5) Nonexempt employees (those covered by the minimum wage and overtime requirements of the Fair Labor Standards Act) will not be compensated for their meal breaks unless they are required to work during their breaks. (See HOURS OF WORK, Policy 209)
- (6) Employees on meal breaks are not permitted to interfere with other employees who are continuing to work. (See SOLICITATION, Policy 603)

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POLICY 801 BEHAVIOR OF EMPLOYEES

Policy:

The City of Anacortes finds that certain rules and regulations regarding employee behavior are necessary for efficient business operations and for the benefit and safety of all employees. Conduct that interferes with operations, discredits the City of Anacortes (with the exception of a proper exercise of First Amendment or whistleblower rights), or is offensive to customers or coworkers will not be tolerated.

Comment:

(1) Employees are expected at all times to conduct themselves in a positive manner in order to promote the best interests of the City of Anacortes. Appropriate employee conduct includes:

- (a) Treating all customers, visitors, and coworkers in a courteous manner;
- (b) Refraining from behavior or conduct that is offensive or undesirable, or which is contrary to the City of Anacortes's best interests (See PRODUCTIVE WORK ENVIRONMENT, Policy 202);
- (c) Reporting to management suspicious, unethical or illegal conduct by coworkers, customers, or suppliers (See SECURITY, Policy 605);
- (d) Reporting to the Human Resource Director any threatening or potentially violent behavior of coworkers;
- (e) Cooperating with City of Anacortes investigations (See PRODUCTIVE WORK ENVIRONMENT, Policy 202; and SECURITY, Policy 606);
- (f) Complying with all City of Anacortes safety and security regulations (See EMPLOYEE SAFETY AND THE SAFETY COMMITTEE, Policy 601; and SECURITY, Policy 606);
- (g) Wearing clothing appropriate for the work being performed (See EMPLOYEE SAFETY AND THE SAFETY COMMITTEE, Policy 601; and PERSONAL APPEARANCE OF EMPLOYEES, Policy 802);
- (h) Performing assigned tasks efficiently and in accord with established quality standards;
- (i) Reporting to work punctually as scheduled and being at the proper work station, ready for work, at the assigned starting time (See ATTENDANCE AND PUNCTUALITY, Policy 701);
- (j) Giving proper advance notice whenever unable to work or report on time (See ATTENDANCE AND PUNCTUALITY, Policy 701);
- (k) Smoking only at times and in places not prohibited by City of Anacortes rules or local ordinances (See SMOKING, Policy 606); and
- (l) Maintaining cleanliness and order in the workplace and work areas.

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(2) The following are examples of conduct that is prohibited. Individuals engaged in it will be subject to discipline, up to and including termination (See DISCIPLINARY PROCEDURE, Policy 807):

- (a) Possessing firearms or other weapons on City of Anacortes property (unless employee is required to carry a firearm or other weapon as a condition of employment);
- (b) Fighting or assaulting a coworker or customer;
- (c) Threatening or intimidating coworkers, customers, or guests;
- (d) Engaging in any form of discrimination, sexual or other harassment, or retaliation (See PRODUCTIVE WORK ENVIRONMENT, Policy 202);
- (e) Reporting to work under the influence of alcohol, illegal drugs (including marijuana which remains illegal under federal law), controlled substances, or narcotics or using, selling, dispensing, or possessing alcohol, illegal drugs, or narcotics on City of Anacortes premises (See DRUGS, NARCOTICS, AND ALCOHOL, Policy 808);
- (f) Disclosing confidential City of Anacortes information (See MEDIA INQUIRIES, Policy 806);
- (g) Falsifying or altering any City of Anacortes record or report, such as an employment application, medical reports, production records, time records, expense accounts, absentee reports, or shipping and receiving records;
- (h) Stealing, destroying, defacing, or misusing City of Anacortes property or another employee's or customer's property;
- (i) Using City communication systems (including electronic mail, computers, Internet access, personal handheld devices and telephones), and social media in a manner inconsistent with or in violation of City policy (See USE OF COMMUNICATION SYSTEMS, Policy 804);
- (j) Refusing to follow management's instructions concerning a job-related matter or being insubordinate;
- (k) Failing to wear assigned safety equipment or failing to abide by safety rules and policies (See EMPLOYEE SAFETY AND THE SAFETY COMMITTEE, Policy 601);
- (l) Soliciting or distributing in violation of City of Anacortes policies (See SOLICITATION, Policy 603);
- (m) Smoking where prohibited by state law and City of Anacortes rules (See SMOKING, Policy 606);
- (n) Using profanity or abusive language (See USE OF COMMUNICATION SYSTEMS, Policy 804);
- (o) Sleeping on the job without authorization;

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(p) Gambling on City of Anacortes property;

(q) Playing pranks or engaging in horseplay; and

(r) Wearing improper attire or having an inappropriate personal appearance (See PERSONAL APPEARANCE, Policy 802);

(3) The examples of impermissible behavior described in Comment (2), above, are not intended to be an all-inclusive list. At management's discretion, any violation of the City of Anacortes's policies or any conduct considered inappropriate or unsatisfactory may subject the employee to disciplinary action. Questions about this policy should be directed to the Human Resource Department.

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POLICY 802 PERSONAL APPEARANCE OF EMPLOYEES

Policy:

The City of Anacortes requires each employee's dress, grooming, and personal hygiene to be appropriate to the work situation. Employees are expected at all times to present a professional image.

Comment:

(1) Employees are expected at all times to present a professional image to customers and the public. Professional personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment with the City of Anacortes. Radical departures from personal grooming and hygiene standards are not permitted.

(2) Office workers and any employees who have regular contact with the public must comply with the following personal appearance standards and are expected to dress in a manner that is considered professional attire in similar business establishments. Employees should not wear suggestive attire or athletic clothing, or similar items of casual attire that do not present a professional appearance.

(3) Employees who do not regularly meet the public should follow basic requirements of safety and comfort, but should still be as neat and professional as working conditions permit.

(4) Certain employees may be required to meet special dress, grooming, and hygiene standards, such as wearing uniforms, depending on the nature of the their job.

(5) On Fridays, the City of Anacortes allows employees (who are not required to wear a uniform) to dress in a more casual fashion than is normally required; however, employees are still expected to present a neat appearance and are not permitted to wear ripped or disheveled clothing, athletic wear, or similarly inappropriate clothing.

(6) An employee who does not meet the standards of this policy will be required to take corrective action, which may include leaving the premises. Non-exempt employees (those subject to the minimum wage and overtime requirements of the Fair Labor Standards Act) will not be compensated for any work time missed because of failure to comply with this policy.

Violations of this policy also may result in disciplinary action.

POLICY 803 PERSONAL FINANCES OF EMPLOYEES

Policy:

The City of Anacortes expects employees to meet their financial obligations in a timely manner.

Comment:

(1) Employees should manage their personal finances so that they do not adversely affect job performance or the City of Anacortes's image in the community. The failure of employees to meet financial obligations may impose an administrative and financial burden on the City of Anacortes through extra bookkeeping and the need to respond to legal notices and court orders.

(2) The City of Anacortes will not disclose employee financial information to outside parties without express written permission from the employee, except as required by law.

(3) The City of Anacortes will conduct credit checks of applicants for employment in accordance with its hiring policy.

(4) The Payroll manager of the Finance Department is the only person authorized to receive a writ of garnishment or attachment, a notice of levy by any taxing authority, or any other similar order requiring payment of a portion of an employee's compensation to someone other than the employee. The Human Resource Department will notify the affected employee and then Payroll will deduct the required amount from the employee's earnings, up to the limit permitted by law.

(5) No employee will be disciplined because their earnings have been garnished for one indebtedness. However, multiple garnishments may result in discipline, up to and including termination, depending on the circumstances of the case and any legal restrictions

POLICY 804 USE OF COMMUNICATION SYSTEMS

Policy:

The City of Anacortes provides or contracts for the communications services and equipment necessary to promote the efficient conduct of its business.

Comment:

(1) Communications systems and equipment are provided by the City of Anacortes to facilitate the performance of City work. Incidental personal use is secondary, should not interfere or conflict with business use or job performance, should clearly indicate that it is personal usage and is subject to regulation for cost controls required by the City. All communication systems must be used in compliance with applicable statutes, regulations, and the City's policies including those that require a work environment free from discrimination and harassment. Employees are expected to use common sense and sound judgment to avoid any communication which is disrespectful, offensive, or illegal.

(2) No Expectation of Privacy All City of Anacortes communications services and equipment, including the messages transmitted or stored by them, are the sole property of the City of Anacortes. Department Heads or as designated Division Managers may access and monitor employee communications and files as considered appropriate. Communication services and equipment include, among other things: mail, electronic mail ("e-mail"), instant messaging, courier services, facsimiles, telephone systems, personal computers, computer networks, on-line services and tapes, Internet connections, Intranets, computer files, video equipment and tapes, tape recorders and recordings, pagers, cellular phones, smart phones, personal digital assistants, tablets, voice mail, and bulletin boards.

(3) The City as provider of access to communication systems reserves the right to specify how the City's network resources will be used and administered to comply with this policy. Message content sent from City communication systems reflects the city's image, both positively and negatively. Employees may be subject to disciplinary action for using these resources in a manner other than for the intended purposes. The information sources available via the Internet are worldwide and constantly growing in kind and number. It is not possible for any organization to fully manage the types and content of information accessed by its systems and users. Nonetheless, the City reserves the right to restrict access to any data source if/when, in its sole discretion and after appropriate review, the City determines such a source to be problematic. These restrictions do not constitute an implication of approval of other non-restricted sources.

Without exhausting all of the possibilities, the following are examples of inappropriate use of City communication systems:

- (a) Exposing others, either through carelessness or intention, to materials which are offensive, obscene or in poor taste. This includes information which could create an intimidating, offensive, threatening, or hostile work environment.
- (b) Any use that may for a reasonable person create or further a hostile attitude or give offense on the basis of any protected class including sex, race, color, religion, national origin, genetic information, pregnancy, age, marital status, gender identification, disability, military status or any other characteristic protected by law.
- (c) Communication of confidential city information to unauthorized individuals within or outside the City. (See MEDIA INQUIRIES, Policy 806.)

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- (d) Sending messages or information which is in conflict with applicable law or City policies, rules, or procedures.
- (e) Unauthorized attempts to access data or break into any City or non-City system.
- (f) Theft or unauthorized copying of electronic files or data including documents, photographs, and music or video files
- (g) Intentional misrepresentation of one's identity for improper or illegal acts.

(4) Incidental personal use by employees of the City's communications services and equipment is allowed as long as the use does not interfere with the employee's work or the City's operations and does not violate any City policy. Employees must properly log any personal-use charges and reimburse the City for them. However, whenever possible, personal communications that incur usage charges should be placed on a collect basis or charged directly to the employee's personal credit card or account.

(5) City communications property or equipment may not be removed from the premises without written authorization from the employee's supervisor. Some resources (designated laptop computers and audio-visual equipment) are made available through a reservation system and may not require supervisory approval. In addition, employees should keep use of personal communication devices to a minimum so that their use does not interfere with the employee's work or the City's operations.

(6) Employees should ensure that no personal correspondence appears to be an official communication of the City of Anacortes. Employees may be perceived as representatives of the City of Anacortes and, therefore, damage or create liability for the City. All outgoing messages, whether by mail, facsimile, e-mail, Internet transmission, or any other means, must be accurate, appropriate, and work-related. Employees may not use City of Anacortes stationery or postage for personal letters. Only the City of Anacortes may issue personalized stationery and business cards bearing the City's logo.

(7) Employees must bear in mind that email is not private and its source is clearly identifiable. Email messages may remain part of City business records long after they have been deleted. Electronic records, including e-mail messages, are public records subject to Washington State's Public Disclosure Records Act, and will be disclosed upon request unless an exemption to disclosure is found to apply. In general, e-mail is subject to discovery in civil lawsuits.

(8) Email may not be used for spam (unsolicited bulk email) or to send or post chain letters, messages of a political or religious nature, or messages that contain obscene, profane, or otherwise offensive material or language.

(9) Emergency Contact Employees who do not have direct access to a City of Anacortes telephone should make provisions to have emergency or other necessary incoming calls routed to a department approved telephone or to the Human Resource Department. Although the City of Anacortes will attempt to deliver personal messages to employees, it cannot and does not accept responsibility for the prompt or accurate relay of these messages.

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(10) Improper use of City of Anacortes communications services and equipment and social media or any other violations of this policy will result in discipline, up to and including termination. Improper use includes any misuse as described in this policy, any misuse that would result in violations of other City policies, as well as any harassing, offensive, demeaning, insulting, defaming, intimidating, sexually suggestive, or otherwise inappropriate written, recorded, or electronically transmitted communications. (See PRODUCTIVE WORK ENVIRONMENT, Policy 202; and BEHAVIOR OF EMPLOYEES, Policy 801.) Nothing in this policy is designed to interfere with, restrain, or prevent employee communications regarding, wages, hours, or other terms and conditions of employment. Employees have the right to engage in or refrain from such activities.

POLICY 805 CONFLICTS OF INTEREST

Policy:

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

Comment:

- (1) Employees are expected to represent the City of Anacortes in a positive and ethical manner. Thus, employees have an obligation to avoid conflicts of interest and to refer questions and concerns about potential conflicts to their supervisor.
- (2) Employees may not, directly or indirectly whether on or off the job, engage in any conduct that is disruptive or damaging to the City of Anacortes.
- (3) Employees and their immediate family may not accept gifts, except those of nominal (i.e. less than \$20.00) value, or any special discounts or loans from any person or firm doing, or seeking to do, business with the City of Anacortes. The meaning of gifts for purposes of this policy includes the acceptance of entertainment and free travel and lodging.
- (4) Employees may not give, offer, or promise, directly or indirectly, anything of value to any representative or any entity in connection with any transaction or business that the City of Anacortes may have.
- (5) Employees may not accept any employment relationship with any organization that does business with the City of Anacortes. This prohibition on employment includes serving as an advisor or consultant to any organization of that type, unless the activity is conducted as an assigned representative of the City of Anacortes.
- (6) Any conflict or potential conflict of interest must be disclosed to the City of Anacortes. Failure to do so will result in discipline, up to and including termination. (See DISCIPLINARY PROCEDURE, Policy 807.)

POLICY 806 MEDIA INQUIRIES

Policy:

All media inquiries and other inquiries of a general nature should be referred to the Department Head or Division Manager. In addition, the Mayor must approve all press releases, publications, speeches, or other official declarations. (See SECURITY, Policy 605.) The Mayor may authorize specific employees to respond to media inquiries on the City's behalf without prior approval. Questions about employee references or other information concerning current or former employees should be referred to the Human Resource Department.

POLICY 807 DISCIPLINARY PROCEDURE

Policy:

The City of Anacortes expects that all employees comply with the City of Anacortes's standards of behavior and performance and that noncompliance with these standards must be corrected.

Comment:

(1) Under many circumstances, the City of Anacortes utilizes a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. It does, however, retain the right and discretion to administer discipline in any manner it sees fit, and to terminate all at-will employees with or without cause.

(2) Depending on the circumstances, the City of Anacortes may utilize the following procedures:

(a) If an employee is not meeting City of Anacortes standards of behavior or performance, the employee's supervisor may take the following action:

- (i) Meet with the employee to discuss the matter;
- (ii) Inform the employee of the nature of the problem and the action necessary to correct it; and
- (iii) Prepare a memorandum for the supervisor's own records indicating that the meeting has taken place.

(b) If there is a second occurrence, the supervisor may hold another meeting with the employee and take the following action:

- (i) Issue a written reprimand to the employee (the Human Resources Department should assist in the preparation of the written reprimand);
- (ii) Warn the employee that a third incident will result in more severe disciplinary action; and
- (iii) Prepare and forward to the Human Resource Department a written report describing the first and second incidents and summarizing the action taken during the meeting with the employee. This information will be included in the employee's personnel file. (See PERSONNEL RECORDS, Policy 901.)

(c) If there are additional occurrences, the supervisor may take the following action, depending on the severity of the conduct:

- (i) Issue a written reprimand or warning;
- (ii) Typically the employee should be suspended immediately, and an investigation of the incidents leading up to the suspension should be conducted to determine if any action such as termination should be taken; or

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- (iii) The supervisor must prepare and forward to the Human Resource Department another written report describing the occurrences, indicating the timing between the occurrences, and summarizing the action taken or recommended and its justification.

(3) The progressive disciplinary procedures described in Comment (2), above, may also be applied to an employee who is experiencing a series of unrelated problems involving job performance or behavior.

(4) The degree of disciplinary action administered depends on the severity of the infraction and will be carried out in accordance with this policy, or in accordance with applicable Civil Service Rules and Regulations or collective bargaining agreements. It is the responsibility of management to evaluate the circumstances and facts thoroughly and objectively. In cases involving serious misconduct, or any time the supervisor determines it is necessary, the procedures contained in Comment (2), above, may be disregarded. The supervisor should suspend the employee immediately and, if appropriate, recommend termination of the employee. (See BEHAVIOR OF EMPLOYEES, Policy 801.) If appropriate, an investigation of the incidents leading up to the suspension may be conducted to determine what further action, if any, should be taken. (See Comment (5), below.) Employees suspended from work generally will not receive or accrue any employee benefits during the suspension.

(5) **Pre-disciplinary Meeting** In the case of suspension or termination of an employee (other than introductory employees), the city will conduct a pre-disciplinary meeting. The pre-disciplinary meeting serves as a check against mistaken decisions and as an opportunity for an employee to furnish additional facts before a suspension or termination decision is finalized. The employee shall be provided with a notice of intended discipline. The notice shall include an explanation of the charges on which the recommendation is based, and the time and date for a pre-disciplinary meeting. If the employee fails or refuses to appear, the suspension or termination may proceed. Pre-disciplinary meeting will be presided over by the Human Resources Director or designated representative.

A non-supervisory employee who is represented by a union may request that a union representative be present at a predisciplinary meeting. The meetings are intended to be informal. The employee may show cause why they should not be suspended or terminated. Usually within two working days after the pre-disciplinary meeting, the Mayor will issue a decision on whether there are reasonable grounds to believe the charges against the employee are true and support suspension or termination. A longer review period may be required in situations that are more complex.

The Human Resource Department shall review and approve all recommendations for termination before any final action is taken. (See TERMINATION OF EMPLOYMENT, Policy 213)

(6) Employees who believe that this policy has not been followed, and wish to challenge the decision, must use the dispute resolution procedure. (See DISPUTE RESOLUTION PROCEDURE, Policy 902)

(7) If a disciplined employee works a full year without further disciplinary action under this policy, the next failure to meet behavior or performance standards may be treated as a first occurrence under this policy; however, the City of Anacortes may still consider all past disciplinary actions in evaluating the employee. (See PERFORMANCE APPRAISALS, Policy 302.)

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POLICY 808 DRUGS, NARCOTICS, AND ALCOHOL

Policy:

The purpose of this policy is to ensure employee fitness for duty and to protect them and the public from the risks associated with the abuse of alcohol and/or drugs.

Any employee who has questions about requirements and procedures under this policy may direct such questions to the Human Resource Generalist.

Comment:

- (1) This policy applies to all employees. Parts of this policy relating to drug and alcohol testing apply only to those employees who have been deemed to work in a safety-sensitive position, including public safety employees and employees required to hold a Commercial Driver's License (CDL).
- (2) The City's policy has not changed as a result of the decriminalization of marijuana in Washington State. Marijuana remains an illegal drug under federal law, and it continues to be a violation of the U.S. Department of Transportation regulations and the City's policy prohibiting employees from testing positive for marijuana use. City policy requires that the workplace remain drug and alcohol free and prohibits reporting to work under the influence of drugs or alcohol. The City also prohibits the unlawful manufacture, distribution, dispensing, possession, or use of drugs or alcohol on City premises, or while conducting City business whether on or off City premises. City policy requires any employee to submit to drug testing when employee behavior, speech, or appearance gives rise to a reasonable suspicion that drugs or alcohol may be impairing an employee's ability to satisfactorily perform work.

(3) DEFINITIONS - The following definitions are provided for clarity:

- (a) **Safety Sensitive Function:** An employee who must hold a CDL to perform their job or a public safety employee, including police and fire.
- (b) **Prohibited Drugs:** Any illegal drug or any substance identified in schedules of the Controlled Substance Act (21 U.S.C. 812) and as further defined by 21 CFR 1308.11 through 1308.15. This includes, but is not limited to: marijuana, amphetamines, opiates, phencyclidine (PCP), heroin, and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, the misuse of legally prescribed drugs, or the use of illegally obtained prescription drugs.
- (c) **Allowable Drugs:** A legally prescribed drug designated by prescription or other written approval, in the employee's name, from a physician for the use of the drug in the course of medical treatment. It must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization.

The use of any substance that carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to supervisory personnel prior to performing duties. It is the employee's

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responsibility to read warning labels and/or to seek medical advice from a physician when appropriate. It is also the responsibility of employees to remove themselves from service if they are experiencing any adverse effects from medication. The misuse or abuse of legal drugs while performing business is prohibited.

(d) **Drug Test:** The drugs that will be tested for include marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP). An initial drug screen will be conducted on each urine specimen. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (CG/MS) test will be performed.

(e) **Prohibited Alcohol:** Beverages or other substances containing alcohol, including any medication, mouthwash, food, candy or any other substance, such that alcohol is present in the body while on City of Anacortes property, time or in other circumstances that might adversely affect operations, safety or job performance is prohibited.

(f) **Alcohol Test:** A breath alcohol concentration test will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA) approved evidential breath device (EBT) operated by a trained breath alcohol technician (BAT). If the initial test indicates an alcohol concentration of point zero two (.02) or greater, a second test will be performed to confirm the results of the initial test. Any employee who has a confirmed alcohol concentration of point zero two (.02) or greater but less than point zero four (.04) will be removed from their position for twenty-four (24) hours and considered to be in violation of this policy and subject to discipline. An alcohol concentration of point zero four (.04) or greater will be considered a positive alcohol test and in violation of this policy and a violation of the requirements set forth in federal regulations for safety-sensitive employees. Alcohol testing should be performed within two (2) hours of an accident or a determination of reasonable suspicion, or the City must maintain a record stating the reasons the test was not promptly administered. Alcohol testing may not take place more than eight (8) hours after an accident or determination of reasonable suspicion.

(4) Violation of the following provisions is prohibited and punishable by disciplinary action up to and including termination:

(a) **Manufacturing, Sale, Possession and Use:** Employees are prohibited from engaging in the manufacture, sale, distribution, dispensing, possession or use of any substances which impair job performance or pose a hazard, when use or possession occurs on City premises or property, or during work time, or while representing the City in any work related fashion. Employees who violate this provision will be subject to discipline, up to and including termination.

(b) **Drug and Alcohol Use:** Employees must not report for work or continue to work if they are not fit for duty because of the presence of prohibited substances or alcohol in their system. Any employee who is reasonably suspected of being not fit for duty due to drug or alcohol

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use shall be suspended from duties pending an investigation of condition.

- (c) **Positive Drug Test:** The test will be considered positive if the amounts present are above the minimum thresholds established in 49 CFR Part 40, as amended. Any employee that has a verified positive drug test will be removed from their position immediately. The person will be informed of education and rehabilitation programs available and referred to a Substance Abuse Professional (SAP) for assessment.

- (d) **Positive Alcohol Test:** A alcohol test is considered positive if the individual is found to have a quantifiable presence or a prohibited substance in the body above the minimum thresholds defined in 49 CFR Part 40, as amended. Any employee who tests positive for alcohol at point zero four (.04) or higher will be removed from the position immediately and referred to a Substance Abuse Professional. Any safety-sensitive employee who tests positive for alcohol at a confirmed level between point zero two (.02) – point zero three nine (.039) will be removed from their position for twenty-four (24) hours.

- (5) **Failure to Comply with Testing Requirements:** Any employee who refuses to comply with a request for testing shall be removed from duty. Such refusals will be recorded as a positive test. Refusal can include an inability to provide a sufficient urine specimen or breath sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, failure to appear for a test within a reasonable time after being directed to do so, physical absence resulting in the inability to conduct or complete the testing process, use of a prosthetic or other device that could be used to interfere with the collection process, having an adulterated or substituted specimen, or any other acts constituting refusal under 49 C.F.R. part 40.

- (a) Any employee who is suspected of providing false information in connection with a test, or who is suspected of falsifying test results through tampering, contamination, adulteration or substitution will be required to undergo an observed collection by medical personnel and may be disciplined.

- (6) **Notification of Criminal or DWI Convictions:** All employees are required to notify the City of Anacortes of any criminal drug statute conviction for a violation within five days after such conviction. Failure to report such conviction or any moving violation causing the loss of driver's license by state or local law enforcement involving drugs or alcohol, shall result in discipline, up to and including termination.

- (7) **Failure to Comply with Treatment Requirements:** Employees are encouraged to make use of the available resources for treatment of alcohol misuse and illegal drug use problems. Under certain circumstances, employees may be required to undergo treatment for substance abuse or alcohol misuse. Any employee who refuses or fails to comply with the City of Anacortes' requirements shall be subject to discipline, up to and including termination.

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- (8) **Testing Procedures:** The testing process will insure protection of individual dignity, privacy and confidentiality. Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities that have been approved by the U.S. Department of Health and Human Services (DHHS). All testing will be conducted consistent with the procedures put forth in 49 CFR Part 40, as amended.

Analytical urine drug testing and breath testing for alcohol may be conducted when circumstances warrant or as required by Federal regulations. All CDL and public safety employees shall be subject to testing prior to employment, for reasonable suspicion and following an accident. All employees shall be subject to testing for reasonable suspicion, and following an accident. In addition, all employees will be tested prior to returning to duty after failing a drug or alcohol test and after completion of the Substance Abuse Professional's recommended treatment program. Employees who perform CDL or safety sensitive functions shall also be subject to follow-up testing on a random, unannounced basis. Follow-up testing will be conducted for a period of one to five years, with at least six tests performed during the first year.

Employees should note that direct observation for collection is a federal requirement for all follow-up and return-to-duty testing conducted on or after August 31, 2009.

- (9) **Pre-employment Testing:** All safety-sensitive position applicants shall undergo urine drug testing immediately following the offer of employment, or transfer into a safety-sensitive position and prior to performing any safety sensitive functions. The employment offer is contingent upon successful test results. Receipt by City of Anacortes of a negative drug test is required prior to employment. Applicants testing positive will not be eligible to be considered for employment for a period of twelve (12) months, and must provide proof of evaluation, referral and satisfactory completion of an approved treatment program. Applicants for DOT regulated positions may also be asked to authorize the City to contact prior DOT regulated employers for whom the applicant has worked during the last two (2) years to determine if the applicant has violated DOT regulations in prior employment.

- (10) **Reasonable Suspicion Testing:** All employees may be subject to urine and/or breath testing when there are reasons to believe they are not fit for duty immediately prior to, during or immediately after performing job duties or while on City of Anacortes property.

Reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances that are consistent with the short-term effects of substance abuse.

Reasonable suspicion referrals must be made by a supervisor who is trained to detect the signs and symptoms of drug and alcohol use and who reasonably concludes that an employee may be adversely affected or impaired in their work performance due to possible prohibited substance misuse.

- (11) **Post Accident Testing:** All employees in safety sensitive positions will be required to undergo urine and breath testing if they are involved in an accident with a City of Anacortes vehicle that results in a fatality. This includes all surviving employees who

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are operating the vehicle and any others whose performance could have contributed to the accident. In addition, a post-accident test will be conducted if the driver received a citation for a moving violation and the accident involved bodily injury to any person who, as a result of the accident, immediately received medical treatment away from the scene of the accident; or the driver received a citation for a moving violation and the accident involved one or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

Following an accident, the employee will be tested as soon as possible, but not to exceed eight (8) hours for alcohol testing and thirty-two (32) hours for drug testing. Any employee involved in an accident (as defined above) must refrain from alcohol use for eight (8) hours following the accident or until they undergo a post-accident alcohol test. Any employee who leaves the scene of the accident without justifiable explanation prior to submission to drug and alcohol testing will be considered to have refused the test. Employees tested under this provision will include not only the driver, but also any other employees whose performance could have contributed to the accident.

- (12) **Random Testing:** Employees in CDL positions will be subject to random, unannounced urine and breath testing. The selection of CDL employees for random drug and alcohol testing will be made using a scientifically valid method that ensures each covered employee will have an equal chance of being selected each time selections are made. The random tests will be unannounced and spread throughout the year. The City utilizes a consortium/third party administrator to facilitate the random selection of the drivers and notification to the City of the driver(s) selected for testing.

A CDL employee shall be subject to random testing for controlled substances at any time while performing work for the City. A CDL employee shall be subject to random testing for alcohol just before, during or after performing a "safety-sensitive function". A "safety-sensitive function" means all time from the time the employee begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include: all time waiting to be dispatched or remaining in readiness to operate a vehicle, unless relieved from duty; all time inspecting, servicing or conditioning any commercial motor vehicle; all time in or upon a commercial motor vehicle; all time loading or unloading a vehicle, or supervising/assisting in the loading or unloading of a vehicle; or all time spent repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

- (13) **Return to Duty Testing:** All employees who previously tested positive on an alcohol and/or drug test must test negative for drugs and alcohol, and be evaluated and released for duty by the Substance Abuse Professional before returning to work.
- (14) **Follow-up Testing:** Employees who previously tested positive will be required to undergo frequent unannounced, random urine and/or breath testing following their return to duty. The follow-up testing will be performed for a period of one to five years (based on the Substance Abuse Professional's recommendation), with six (6) tests to be performed during the first year.

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(15) **Employee Requested Testing:** Any employee who questions the results of a required drug test, may request that an additional test be conducted. The test must be conducted on the split sample that was provided by the employee at the same time as the original sample. The employee pays all costs for such testing unless the result of the split sample test invalidates the result of the original test. The method of collecting, storing and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to the Medical Review Officer (MRO) within seventy-two (72) hours of notice of the original sample verified test result. Request after seventy-two (72) hours will only be accepted if the delay was due to documented facts that were beyond the control of the employee.

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(16) **Assessment/Assistance Referrals:** Employees are encouraged to seek treatment voluntarily and to utilize the Employee Assistance Program. Any employee who comes forth and notifies the City of Anacortes of alcohol or drug abuse problems will be given the assistance extended to employees with any other illness. Any such program, however, may not interfere with the tests required by these rules. For example, a CDL driver may not identify himself/herself as unfit to drive after having been notified of a random or reasonable suspicion test and expect to avoid the consequences for a positive test or a refusal to test. In addition, voluntarily seeking assistance does not excuse any failure to comply with all of the provisions of this policy.

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(17) Sick leave, vacation leave, or leave of absence without pay may be granted for treatment and rehabilitation as in other illnesses. Insurance coverage for treatment will be provided to the extent of individual coverage. Confidentiality of information will be maintained as much as possible at all times.

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(18) Any employee who tests positive for the presence of illegal drugs or alcohol above the minimum thresholds set forth in 49 CFR Part 40, as amended, will be provided a list of Substance Abuse Professionals (SAP) to whom they can go for evaluation.

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(a) A SAP is a licensed or certified physician, psychologist, social worker, employee assistance professional, or addiction counselor with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol-related disorders. The SAP will evaluate each employee to determine what assistance, if any, the employee needs in resolving problems associated the prohibited drug use or alcohol misuse.

(b) If an employee is allowed to return to duty, they must properly follow the rehabilitation program prescribed by the SAP, the employee must have a negative return-to-duty drug and alcohol test, and be subject to unannounced follow-up tests for a period of one to five years. The cost of any treatment or rehabilitation services is the responsibility of the employee.

(19) **Record Retention:** All records related to drug and alcohol testing will be maintained in a secure location with controlled access. These records will be kept separate from personnel records.

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(20) **Education and Training:** Drivers subject to this policy pursuant to federal regulations will be provided with this policy and information on signs and effects of alcohol and/or drug abuse. Supervisory level staff will receive at least two (2) hours of instruction on how to identify the signs of drug and/or alcohol used or impairment and what to do in reasonable suspicion cases.

(21) **Changes in Testing Procedures:** Should there be improvements in the technology of testing procedures providing more accurate testing the City will consider utilizing the new testing procedures.

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POLICY 901 PERSONNEL RECORDS

Policy:

The City of Anacortes maintains personnel records for applicants, employees, and past employees in order to document employment-related decisions, evaluate and assess policies, and comply with government record keeping and reporting requirements.

Comment:

- (1) The City of Anacortes tries to balance its need to obtain, use, and retain employment information with a concern for each individual's privacy. To this end, it attempts to maintain only the personnel information that is necessary for the conduct of its business or required by federal, state, or local law.
- (2) The Human Resource Department is responsible for overseeing record keeping for all personnel information and will specify what information should be collected and how it should be stored and secured.
- (3) Employees have a responsibility to keep their personnel records up to date and should notify the Human Resource Department in writing of any changes in at least the following:

- (a) Name;
- (b) Address;
- (c) Telephone number;
- (d) Marital status (for benefits and tax withholding purposes only);
- (e) Number of dependents;
- (f) Addresses and telephone numbers of dependents and spouse or domestic partner, or former spouse or domestic partner (for insurance purposes only);
- (g) Beneficiary designations for any of the City of Anacortes's insurance, disability plans; and for the State Department of Retirement Systems.
- (h) Persons to be notified in case of emergency.

In addition, employees who have a change in the number of dependents or marital status should complete a new Form W-4 for income tax withholding purposes.

- (4) Employees may inspect their own personnel records and may copy, but not remove, documents in the file. Inspections by employees must be requested in writing to the Human Resource Department and will be scheduled at a mutually convenient time. All inspections must be conducted in the presence of a designated member of the Human Resource Department. A reasonable charge, not to exceed the actual cost to the City of Anacortes, will be made for any copies of records made by the employee.

(5) Employees who believe that any file material is incomplete, inaccurate, or irrelevant may submit a written request for file revisions to the Human Resource Department. If the request is not granted, the employee may place a written statement of disagreement in the file and make a complaint using the regular grievance procedure. (See DISPUTE RESOLUTION PROCEDURE, Policy 902.)

(6) Only supervisory and management employees who have an employment-related need-to-know for information about another employee may inspect the files of that employee. The inspection must be approved and witnessed by the Human Resource Department.

(7) Employees should refer all requests from outside the City of Anacortes for personnel information concerning applicants, employees, and past employees to the Human Resource Department. The Human Resource Department normally will release personnel information only in writing and only after obtaining the written consent of the individual involved. Exceptions may be made to cooperate with legal, safety, and medical officials who need specific employee information. In addition, exceptions may be made to release limited general information, such as the following: employment dates, position held, and location of job site.

(8) General Retention Schedule

Documents the City is required by government regulation to retain for particular periods of time:

- (a) Job announcements for postings and application forms and/or resumes when applicant is not hired. (3 years)
- (b) Employment Interview Evaluation Files. (3 years)
- (c) I-9 forms. (Retain for duration of employment, plus 3 years after the date of hire or 1 year after the termination date- whichever is later.)
- (d) Records pertaining to promotion (Termination plus 6 years)
- (e) Demotion. (Termination plus 6 years)
- (f) Transfer. (Termination plus 6 years)
- (g) Layoff or termination. (Termination plus 6 years)
- (h) Payroll records. (Termination plus 6 years)
- (i) Records pertaining to the employment of minors. (Termination plus 6 years)
- (j) Records of reported occupational injuries and illness (OSHA/WISHA logs). (Termination plus 30 years)
- (k) ADA Claim and Accommodation files. (Completion of accommodation plus 6 years)
- (l) Employee medical records. (Termination plus 30 years)
- (m) Verification
- (n) Minutes from the Safety Committee (1 year)

These documents are centralized in the Human Resources Department. Generally, contents of a personnel file are retained for up to six years after an employee terminates. Other employee documents such as medical records must be retained for a longer period.

The City customarily retains certain documents in the regular course of business as a part of an employee's permanent record, even if no regulation requires retention. Examples of this type of document would include performance management memos, disciplinary or warning memos, and memos describing the outcome of an internal investigation.

Other working documents that the manager may need: The manager should consider first whether a document in this category should be routed to the Human Resources Department. The manager should contact the Human Resources Director or Representative if unclear whether or not the contents should be placed in the employee's file.

- (a) Drafts, notes of conversations
- (b) Interviews or investigations
- (c) Email
- (d) Correspondence
- (e) Memos
- (f) Other working documents that may be needed to manage ongoing issues with employees. These documents may have little utility for anyone other than for the manager and/or the employee's manager and that generally are not viewed by anyone other than HR, the manager, in some cases the employee, and perhaps Legal.

The following documents should be routed to Human Resources for inclusion in the employee's personnel or medical file. Medical files are kept separately from personnel files.

- (a) Application forms/ resumes/letters of offer
- (b) Reviews/evaluation forms
- (c) Performance Management memos
- (d) Disciplinary memos
- (e) Memos regarding the result of any internal complaint/investigation that resulted in disciplinary action being taken
- (f) Termination/resignation notices
- (g) Documents regarding the offer and/or acceptance of severance benefits
- (h) Post-termination documents referencing a former employee's eligibility or ineligibility for rehire
- (i) Applications for health, life, disability or other insurance or benefit program
- (j) Workers' compensation claims
- (k) Leave of absence
- (l) Unemployment claims
- (m) Medical records
- (n) Physician's releases
- (o) Documents pertaining to an ergonomic evaluation
- (p) Request for accommodation of a physical or mental condition.

POLICY 902 DISPUTE RESOLUTION PROCEDURE

Policy:

The City of Anacortes believes that employees should have an opportunity to present their work-related complaints and to appeal management decisions through a dispute resolution procedure. The City of Anacortes will attempt to resolve promptly all disputes that are appropriate for handling under this policy.

Comment:

(1) Employees are encouraged to consult on a less formal basis with the human resources department, their supervisors, or other members of management regarding work-related complaints or disputes.

(2) An appropriate dispute is defined as an employee's expressed dissatisfaction concerning any interpretation or application of a work-related policy by management, supervisors, or other employees. Examples of matters that may be considered appropriate disputes under this policy include:

- (a) A belief that City of Anacortes policies, practices, rules, regulations, or procedures have been applied inconsistently to an employee;
- (b) Treatment considered unfair by an employee, such as coercion, reprisal, harassment (including sexual harassment), intimidation, or retaliation;
- (c) Alleged discrimination because of race, color, sex, age, religion, national origin, marital status, gender identification, disability, or any other class protected by law; and

Improper or unfair administration of employee benefits or conditions of employment such as scheduling, vacations, fringe benefits, promotions, retirement, holidays, performance review, salary, or seniority. (3) If the employee seeks to complain about harassment, discrimination, or retaliation, this complaint should be directed to the Human Resources Director. (See [PRODUCTIVE WORK ENVIRONMENT Policy 202.](#)) If the employee believes that the Human Resources Director is involved, the employee should direct the complaint to the Mayor. While employees are encouraged to have their concerns addressed internally, they may also direct these concerns to the Washington Human Rights Commission, the Equal Opportunity Commission, or any other government agency that receives and handles such complaints. For internal complaints, the Human Resources Director or Mayor will apply this dispute resolution process beginning at Step 3. For all other types of complaints, the dispute resolution procedure is the exclusive remedy for employees with appropriate complaints. Employees should notify the City of Anacortes in a timely fashion of any dispute considered appropriate for handling under this policy. As used in this policy, the terms "timely fashion," "reasonable time," and "promptly" generally will mean ten working days. Certain employees may have more than one source of dispute resolution rights, i.e. a collective bargaining agreement, the City's Civil Service Rules, and this complaint process. Employees represented by a bargaining unit or who are covered under civil service rules should follow grievance procedures set out in their respective labor contracts or civil service rules where applicable. In all other cases, the procedures described in this section are to be used. Under no circumstances shall an employee have the right to utilize both this process and any other complaint or appeal procedure that may be available to the employee.

(4) The dispute resolution procedure has a maximum of three steps, but disputes may be

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resolved at any step in the process. Disputes will be processed until the employee is satisfied, does not file a timely appeal, or exhausts the right of appeal under the policy. A decision becomes binding on all parties whenever an employee does not file a timely appeal or when a decision is made in the final step and the right of appeal no longer exists.

(5) Employees who feel they have an appropriate dispute should proceed as follows:

- (a) Step One - Promptly bring the complaint to the attention of the immediate supervisor. If the dispute involves the supervisor, then the employee may proceed directly to step two. The supervisor, if authorized should investigate the complaint or refer it to the Human Resources Department for handling, attempt to resolve it, and give a decision to the employee within a reasonable time. The supervisor should prepare a written and dated summary of the dispute and proposed resolution.
- (b) Step Two - Appeal the decision to the department head, if dissatisfied with the supervisor's decision, or initiate the procedure with the department head if Step One has been bypassed. This appeal or initial dispute notification must be made in a timely fashion using a written form provided for this purpose. The supervisor's version of the dispute and decision will then be submitted using a similar written form. The department head will, in a timely fashion, confer with the employee, the supervisor, and any other members of management considered appropriate; investigate the issues; and communicate a decision in writing to all the parties involved.
- (c) Step Three - Appeal an unsatisfactory department head decision to the Mayor. The timeliness requirement and procedures to be followed are similar to those in Step Two. The Mayor will take the necessary steps to review and investigate the dispute and will then issue a written, final, and binding decision.

(6) The Human Resource Department will provide training and support to supervisors and department heads in dealing with employee complaints. In addition, employees should be encouraged to consult with the Human Resource Department, their supervisors, or other members of management on a less formal basis regarding employee complaints or disputes.

(7) Final decisions on disputes will not be precedent-setting or binding on future disputes unless they are officially stated as City of Anacortes policy. When appropriate, the decisions will be retroactive to the date of the employee's original dispute notification.

(8) Information concerning an employee dispute should be confidential to the extent possible. Supervisors, department heads, and other members of management who investigate a complaint may discuss it only with those individuals who have a need to know about it or who are needed to supply necessary background information or advice.

(9) Time spent by employees in dispute discussions with management during their normal working hours will be considered hours worked for pay purposes.

(10) Employees will not be penalized for proper use of the dispute resolution procedure. However, it is not considered proper use if an employee raises complaints in bad faith or solely for the purposes of delay or harassment or repeatedly raises meritless disputes. Implementation of the dispute resolution procedure by an employee does not limit the right of the City of Anacortes to proceed with any disciplinary action that is not in retaliation for the use of the dispute resolution procedure. In addition, employees and supervisors are prohibited from retaliating against an employee who properly uses the dispute resolution procedure.

(11) The City of Anacortes may, at its discretion, refuse to proceed with any dispute it determines is improper under this policy.

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POLICY 903 WHISTLEBLOWER PROTECTION ACT

Policy:

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

Comment:

- (1) Improper Governmental action is any action by a city officer or employee that is:
 - (a) Undertaken in the performance of the official's or employee's official duties, whether or not the action is within the scope of the employee's employment, and
 - (b) In violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety, or is a gross waste of public funds.
 - (c) Improper governmental action does not include personnel actions including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, re-employments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or civil service laws, alleged violation of labor agreements or reprimands. In addition, employees are not free to disclose matters that would affect a person's right to legally protected confidential communications.
- (2) Retaliatory Action is any material adverse change in the terms and conditions of an employee's employment. Emergency means a circumstance that if not immediately changed may cause damage to persons or property.
- (3) Employees who become aware of improper governmental action should follow these procedures:
 - (a) Bring the matter to the attention of the Human Resources Director, if non-involved, in writing that states in detail the basis for the employee's belief that an improper action has occurred. This should occur as soon as the employee becomes aware of the improper action. Where the employee believes the improper action involves the Human Resources Director, the employee may raise the issue directly with the Mayor.

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

(b) The Mayor or the mayor's designees shall promptly investigate the report of improper government action. After the investigation is completed (within thirty (30) days of the employee's report), the employee shall be advised of the results of the investigation. City of Anacortes officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law, unless the employee authorizes the disclosure of their identity in writing. After an investigation has been completed, the employee reporting the improper governmental action shall be advised of a summary of the results of the investigation. To the extent allowed under the Public Record Act, personnel actions taken as a result of the investigation may be kept confidential.

(4) An employee who makes a good faith effort to follow this policy is entitled to protection against retaliation pursuant to RCW 42.41.030.

(5) In the case of an emergency, where the employee believes that damage to persons or property may result if action is not taken immediately, the employee may bypass the above procedure and report the improper action directly to the appropriate government agency responsible for investigating the improper action. Outside agencies to which reports may be made include, but are not limited to, the following:

Skagit County Prosecuting Attorney's Office
Courthouse Annex
605 S. Third
Mt. Vernon, WA 98273
(360)336-9460

Washington Attorney General

Washington State Auditor

Department of Labor & Industries

Washington State Patrol

Washington Department of Natural Resources

(6) Employees may report information about improper governmental action directly to an outside agency if the employee reasonably believes that an adequate investigation was not undertaken by the City to determine whether an improper governmental action occurred, or that insufficient action was taken by the City to address the improper action or that for other reasons the improper action is likely to recur.

(7) It is unlawful for a local government to take retaliatory action because an employee, in good faith, provided information that improper government action occurred. An employee who believes that retaliation has occurred for reporting an improper government action should:

- (a) Employees must provide a written complaint to the Human Resources Director within thirty days of the occurrence of the alleged retaliatory action. If the Human

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Resources Director is involved, the notice should go to the Mayor. The written charge must specify the alleged retaliatory action and the relief requested.

- (b) The Mayor shall investigate the complaint and responding in writing within thirty days of receipt of the written charge.
- (c) After receiving the response of the City of Anacortes or thirty (30) days after the delivery of the charge to the City of Anacortes, the employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing should deliver the request for hearing to the City of Anacortes Mayor within the earlier of either fifteen (15) days of deliver of the City of Anacortes' response to the charge of retaliatory action, or forty-five (45) days of delivery of the charge of retaliation to the City of Anacortes for response.
- (d) Within five (5) working days of receipt of a request for hearing the City shall apply to the State Office of Administrative Hearing's for an adjudicative proceeding before an administrative law judge. At the hearing, the employee must prove that a retaliatory action occurred by a preponderance of the evidence. The ALJ will issue a final decision no later than forty-five days after the date of the request for hearing, unless an extension is granted.
- (e) Additional information can be obtained on the Internet:
<https://www.sao.wa.gov/en/audits/whistleblower/pages/whistleblower.aspx>

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Deleted: You and your covered family members may continue coverage under your health plan provided through the AWC Employee Benefit Trust ("AWC Trust") in certain instances when coverage would otherwise be lost. **When you first become covered by your health plan, this "Initial COBRA Notification" explains your rights and obligations should your employment end or certain other events occur which cause you to lose your medical coverage.** This notice is also sent to employees and retirees on an annual basis in order to remind you of your COBRA rights.¶

¶ COBRA coverage will be the same as that provided to employees (or if you are on a retiree plan, retirees) and their covered family members, including domestic partners.¶

¶ Rules for the continued coverage are provided by federal law – the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), as amended, and its regulations. COBRA continuation coverage is continuation of Plan coverage when coverage would end because of a life event known as a "qualifying event." Under COBRA, you can continue medical coverage if you have any one of these qualifying events that causes you to lose to coverage under the Plan.¶

Your employment terminates for any reason other than for gross misconduct. If you decide not to return to employment at your employer during FMLA leave, you will be offered COBRA at the earlier of the date your FMLA leave ends or the date you tell your employer that you will not return to work after the FMLA leave.¶

You are no longer eligible for coverage due to reduced work hours.¶

¶ Your covered family members can continue coverage if their coverage ends because of one of these qualifying events.¶

One of the two qualifying events listed above:¶

Your death;¶

Legal separation, divorce, or termination of domestic partnership; or¶

Your child is no longer eligible for coverage, due to age or loss of disability status.¶

¶ Persons who are eligible to continue coverage under COBRA are called "qualified beneficiaries." You may change your coverage and add or cancel coverage for eligible family members (1) during any annual or other open enrollment period that is offered; and (2) during any special enrollment period applicable to your coverage.¶

¶ When the qualifying event is the end of your employment, the reduction of hours of your employment, or your death, your employer will notify the AWC Trust of the qualifying event within 30 days of the event.¶

¶ **You must give notice of some qualifying events.** You or a family member is responsible for notifying the AWC Trust of a qualifying event which is your legal separation, divorce, termination of domestic partnership or your dependent child ceasing to be eligible for coverage. Such notice must be provided in writing within 60 days of the qualifying event to the AWC Trust as provided in the "Notice Procedures" below.¶

¶ **Failure to furnish notice in accordance with these rules will result in a loss of coverage continuation rights that are otherwise available under COBRA.**¶

¶

Section Break (Continuous)

How to apply and pay for COBRA¶

How to apply and pay for COBRA¶

You must follow the steps below to apply and pay for COBRA continuation coverage.¶

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You and your covered family members may continue coverage under your health plan provided through the AWC Employee Benefit Trust ("AWC Trust") in certain instances when coverage would otherwise be lost. **When you first become covered by your health plan, this "Initial COBRA Notification" explains your rights and obligations should your employment end or certain other events occur which cause you to lose your medical coverage.** This notice is also sent to employees and retirees on an annual basis in order to remind you of your COBRA rights.

COBRA coverage will be the same as that provided to employees (or if you are on a retiree plan, retirees) and their covered family members, including domestic partners.

Rules for the continued coverage are provided by federal law – the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), as amended, and its regulations. COBRA continuation coverage is continuation of Plan coverage when coverage would end because of a life event known as a "qualifying event." Under COBRA, you can continue medical coverage if you have any one of these qualifying events that causes you to lose to coverage under the Plan:

Your employment terminates for any reason other than for gross misconduct. If you decide not to return to employment at your employer during FMLA leave, you will be offered COBRA at the earlier of the date your FMLA leave ends or the date you tell your employer that you will not return

to work after the FMLA leave.

You are no longer eligible for coverage due to reduced work hours.

Your covered family members can continue coverage if their coverage ends because of one of these qualifying events:

- One of the two qualifying events listed above;

- Your death;

- Legal separation, divorce, or termination of domestic partnership; or

- Your child is no longer eligible for coverage, due to age or loss of disability status.

Persons who are eligible to continue coverage under COBRA are called “qualified beneficiaries.” You may change your coverage and add or cancel coverage for eligible family members (1) during any annual or other open enrollment period that is offered; and (2) during any special enrollment period applicable to your coverage.

When the qualifying event is the end of your employment, the reduction of hours of your employment, or your death, your employer will notify the AWC Trust of the qualifying event within 30 days of the event.

You must give notice of some qualifying events. You or a family member is responsible for notifying the AWC Trust of a qualifying event which is your legal separation, divorce, termination of domestic partnership or your dependent child ceasing to be eligible for coverage. Such notice must be provided in writing within 60 days of the qualifying event to the AWC Trust as provided in the “Notice Procedures” below.

Failure to furnish notice in accordance with these rules will result in a loss of coverage continuation rights that are otherwise available under COBRA.

How to apply and pay for COBRA

You must follow the steps below to apply and pay for COBRA continuation coverage.

Within 14 days after the AWC Trust receives notice of your qualifying event, a COBRA Enrollment Form will be mailed to the address listed on your employment record.

Complete the form and return it to the address on the form within 60 days of the later of (a) the date you are notified of the right to choose COBRA coverage; or (b) the date coverage would otherwise end. **IF YOU DO NOT SUBMIT A COMPLETED FORM BY THIS DUE DATE, YOU WILL LOSE YOUR RIGHT TO ELECT COBRA CONTINUATION COVERAGE.**

Send a check or money order for the required premium for the appropriate month(s) to the address on the enrollment form. The envelope must be postmarked within 45 days from the date COBRA is elected.

Payments are due each month on the due date listed on your billing statement, but must be postmarked no later than 31 days after the due date. You will receive premium-due billing statements each month, which will provide the address to which your payments must be mailed.

Each qualified beneficiary will have an independent right to elect COBRA continuation coverage. A spouse or domestic partner may elect, but not decline, COBRA continuation coverage on behalf of the other spouse or domestic partner. Either parent may elect or decline COBRA continuation coverage on behalf of their children, except that children who have reached the age of majority or who are otherwise considered adults under state law must decline COBRA continuation coverage on behalf of themselves.

Duration of COBRA coverage

COBRA continuation coverage is a temporary continuation of coverage. If coverage ends due to your termination of employment (other than for gross misconduct), or a reduction in hours, coverage may be continued for up to 18 months. If coverage ends due to any other qualifying event, coverage may be continued for up to 36 months beginning with the date coverage ended.

If you were originally only eligible for 18 months of COBRA, in the event of a disability (as defined under the applicable provisions of the Social Security Act) existing at the time of your termination or reduction in hours or existing within the first sixty days of COBRA continuation coverage, you and other family members on COBRA continuation are eligible for an additional 11 months of continuation coverage (for a total of 29 months). The disability must also last at least until the end of the initial 18-month period of COBRA continuation coverage. The person(s) wishing to receive the additional 11 months of coverage must notify the Claim Administrator in writing at the address below under "Notice Procedures" of the determination of disability by the Social Security Administration within 60 days of the later of (a) the date of the disability determination by

the Social Security Administration; or (b) the date on which the qualifying event occurred that entitled you and/or your family members to receive COBRA continuation coverage with a maximum duration of 18 months.

However, such written notice must be furnished before the end of the first 18 months of COBRA continuation coverage. A copy of the Social Security determination must be included with the notice. If during the additional 11-month period it is determined that the person is no longer disabled under the Social Security Act, the right to continuation coverage ceases. The affected person must notify the AWC Trust in writing at the address below under "Notice Procedures" that the person is no longer disabled within 30 days of such determination. **Failure to furnish a written notice in accordance with the Plan rules and the Notice Procedures will result in a loss of coverage continuation rights that are otherwise available under COBRA.**

If you are a spouse, a domestic partner, or a Dependent child and you were originally only eligible for 18 months of COBRA continuation, and during the first eighteen (18) months, one of the four following events happens which would also have caused you to lose coverage, you are eligible for an additional 18 months of continuation coverage (for a total of 36 months): death of the Employee; divorce, legal separation, or termination of domestic partnership of the Employee; or the Dependent child ceasing to be eligible as a Dependent under the Benefit. You or a family member is responsible for notifying the AWC Trust in writing at the address below under "Notice Procedures" of such an event within 60 days of its occurrence. Reasonable documentation of the second qualifying event must be included with the notice. For example, if the second qualifying event is your death, a certified copy of the death certificate must be included. If it is your divorce, a copy of the final divorce decree must be included. **Failure to furnish written notice in accordance with these rules will result in a loss of coverage continuation rights that are otherwise available under COBRA.**

COBRA may also be elected, for the remainder of the parents' own continuation coverage, for any Dependent child born to, placed for adoption with or adopted by an employee or former employee during the period of COBRA continuation coverage. When a family member becomes eligible for continuation coverage when or after an employee becomes entitled to Medicare, the family member is entitled to continuation for a period of no less than 36 months from the date the employee became entitled to Medicare.

COBRA coverage will terminate if your employer terminates group coverage on all its employees (or if you are on retiree coverage, for all of its retirees) or if the recipient becomes covered under Medicare or covered under a new group health plan after the COBRA election (as long as the recipient is not subject to a pre-existing condition limitation in the other group plan). (Please note that plans will not be able to impose pre-existing condition limitations beginning in 2014). You must notify the AWC Trust in writing at the address listed below under "Notice Procedures" if you become entitled to Medicare or become covered under other group health plan within 30 days of such entitlement or coverage. However, your COBRA coverage will not be terminated based

on the fact that you had other group coverage (including Medicare) in place prior to electing COBRA. Non-payment of premiums will also terminate coverage at the end of a 31-day grace period.

Following the termination of continuation coverage, no further benefits will be payable unless eligible charges were actually incurred prior to the date continuation coverage terminates.

Special considerations in deciding whether to elect COBRA

In considering whether to elect COBRA, you should take into account that you have special enrollment rights under federal law. You have the right to request special enrollment in another group health plan for which you are otherwise eligible (such as a plan sponsored by your spouse's employer) with 30 days after your group health coverage under the Plan ends because of one of the qualifying events listed above. You will also have the same special enrollment right at the end of the COBRA coverage if you get COBRA coverage for the maximum time available to you.

In addition to COBRA coverage, you should consider health coverage alternatives that may be available to you through the Health Insurance Marketplaces. In the Marketplace, you could be eligible, depending upon your household income and other factors, for a new kind of tax credit that lowers your monthly premiums right away. At the Marketplace, you can see what your premium, deductibles, and out-of-pocket costs will be before you make a decision to enroll in any available insurance. Being eligible for COBRA does not limit your eligibility for a tax credit through the Marketplace. For more information about health insurance options available through the Health Insurance Marketplace in Washington, visit www.wahealthplanfinder.org. For information about health insurance options in other states, visit www.healthcare.gov.

Cost of COBRA coverage

You pay the full premium cost of COBRA coverage, plus a 2% administrative fee, as permitted by law. For any COBRA member who has extended COBRA eligibility for 11 months due to a disability, the cost of the extended coverage will be 150% of the full premium cost.

Address changes

In order to protect your family's rights, you should keep your employer and the AWC Trust informed in writing of any changes in the address or marital status or domestic partnership of family members. You should also keep a copy for your records of any notices you send to the AWC Trust, your employer, or anyone else concerning COBRA.

This notice may not describe all information concerning your continuation rights under federal law. More complete information regarding such rights is available by contacting the AWC Trust.

Any notice that you provide must be ***in writing*** to the AWC Trust as described below: Oral notice, including notice by telephone, is not acceptable. You must mail, fax or hand-deliver your notice addressed as follows:

Mail to:

AWC Employee Benefit Trust
c/o Northwest Administrators P.O. Box 84303
Seattle, WA 98124

Hand-deliver to:

AWC Employee Benefit Trust
1076 Franklin Street SE Olympia,
WA 98501

Fax to:

AWC Employee Benefit Trust
c/o Northwest Administrators
(206-926-2699)

OR

AWC Employee Benefit Trust
c/o Northwest Administrators
2323 Eastlake Avenue East
Seattle, WA 98102

If mailed, your notice must be postmarked no later than the last day of the required notice period. In addition to the information required by the Plan for the notice, all notices you provide must state:

- The name of the plan,
- The name and address of the employee or former employee,
- The name(s) and address(es) of the qualified beneficiary(ies), and
- The **qualifying event** and the **date** it happened.

If the qualifying event is a **divorce, legal separation, or termination of domestic partnership**, your notice must include **a copy of the divorce decree, legal separation agreement, or similar document**.



Anacortes City Council

Proposed Agenda Items for the Next Eight Weeks Beginning August 8, 2016

Subjects listed below have been tentatively suggested for consideration by the Anacortes City Council on the dates indicated. Items may be added to, removed from or rearranged on this list. Routine business such as approval of minutes, vouchers and consent agenda items is not included. The complete Preliminary Agenda for each meeting is published at 3:00 on the Wednesday prior to the meeting. Published Agendas are subject to change and may be updated following the posting period. For additional information on agenda topics, please contact the City Clerk's office at 360-299-1960 to be directed to the sponsoring staff member.

August 8, 2016

- Resolution 1958: Adopting Emergency Operation Plan
- Public Hearing: Ordinance 2979/Resolution 1963: Stormwater Utility Monthly User Fee Rate and Code Update (Discussion/Possible Action)
- Ordinance 2983: Amending 2015-2016 CFP (Discussion/Possible Action)
- Ordinance 2984: Amending 2016 Budget (Discussion/Possible Action)

August 15, 2016

- Closed Record Public Hearing to Decide on Appeals and Planning Commission's Recommendation on the Haddon Road 13 Lot Plat & PUD, PUD-2016-1001
- Interlocal Agreement with Skagit County: Economic Development Public Facility Project Funding for City of Anacortes Fiber Optic Network (Discussion/Possible Action)

August 22, 2016

September 6, 2016

September 12, 2016

September 19, 2016

September 26, 2016

October 3, 2016

Upcoming City Council Committee Meetings

The public is welcome to attend City Council Committee Meetings.

- Public Works, Monday, Aug 1, 2016, 5:00 PM, Public Works Director's Office
- Housing Affordability & Community Services, Thursday, Aug 4, 2016, 1:30 PM, Main Floor Conference Room (Parks Office)
- Planning, Monday, Aug 8, 2016, 5:00 PM, Main Floor Conference Room (Parks Office)
- Finance, Wednesday, Aug 10, 2016, 5:00 PM, Johnny Picasso's, 501 Commercial Avenue
- Public Works, Monday, Aug 15, 2016, 5:00 PM, Public Works Director's Office
- Public Safety, Monday, Aug 15, 2016, 5:15 PM, Main Floor Conference Room (Parks Office)
- Parks & Recreation, Thursday, Aug 18, 2016, 6:00 PM, Main Floor Conference Room (Parks Office) Meeting Room
- Planning, Monday, Aug 22, 2016, 5:00 PM, Planning Director's Office
- Finance, Wednesday, Aug 24, 2016, 5:00 PM, Johnny Picasso's, 501 Commercial Avenue
