

Our mission is to maintain and improve the quality of life reflecting community expectations through a focus on public participation and employees-mayor-council teamwork.



**Anacortes City Council
NOTICE OF SPECIAL MEETING**

**Monday, December 18, 2017
5:30 p.m.**

**Municipal Building Council Chambers
904 6th Street**

NOTICE IS HEREBY GIVEN that the Anacortes City Council will hold a special meeting on Monday, December 18, 2017 at 5:30 p.m. for the purpose of conducting an Executive Session lasting approximately 30 minutes regarding potential litigation per RCW 42.30.110(1)(i).

No testimony will be received and no action will be taken.

The regularly scheduled Anacortes City Council meeting of December 18, 2017 will be called to order at 6:00 p.m. immediately following the special meeting.

Published: December 13, 2017

**Distribution: City Council
Media**

If reasonable accommodation of a disability is needed please contact Cherri Kahns at 299-1950 at least 48 hours prior to this meeting.



Anacortes City Council
Municipal Building Council Chambers
904 Sixth Street

December 18, 2017
6:00 p.m.

PRELIMINARY AGENDA

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Announcements and Committee Reports**
 - a. Recognition of Retiring Councilmember Erica Pickett
 - b. Public Safety Committee
 - c. Skagit County Marine Resources Committee
 - d. Public Works Committee
4. **Public Comment**
5. **Consent Agenda (Action)**
 - a. Minutes of December 6, 2017 and December 11, 2017
 - b. Approval of Claims in the amount of: \$332,092.82
 - c. Contract Modification: On-Call Environmental Services Consultant 17-051-PLN-001 (Bachman Environmental, LLC)
 - d. Contract Modification: On-Call Environmental Services Consultant 17-051-PLN-002 (GeoEngineers, Inc.)
 - e. Contract Modification: On-Call Stormwater Engineering Consultant 17-051-PLN-003 (Gray & Osborne, Inc.)
 - f. Interlocal Agreement 259: Skagit Conservation District for NPDES Phase II Public Outreach & Education 2018
6. **Public Hearings**
7. **Other Business**
 - a. Andeavor Donation to Anacortes Police Department (Action)
 - b. Andeavor Donation to Anacortes Fire Department (Action)
 - c. * Public Informational Meeting: Ordinance 3019: Water System Plan (Action)
 - d. * Resolution 2004: Personnel Policies (Discussion/Possible Action)
 - e. * 4th Quarter Finance Update (Discussion)
 - f. * Ordinance 3016: Amending the 2017/2018 Budget (Action)
8. **Adjournment**

At the conclusion of the meeting, the public is invited to join the Mayor and City Council at a reception in the Council Chambers to honor retiring Councilmember Erica Pickett for her 34 years of public service.

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 December 26, 2017

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.

December 26, 2017 - CANCELLED

January 2, 2018

January 8, 2018

- Interlocal Agreement 256: Reciprocal Lending Agreement of Fire Equipment
- Interlocal Agreement 260: Basic Life Support Transport Services
- Closed Record Decision Hearing: Allen Family Investments Triplex Conditional Use Permit; 1211 & 1213 "H" Avenue, CUP-2017-0003 (Action)

January 16, 2018

January 22, 2018

February 5, 2018

February 12, 2018

February 20, 2018

Upcoming City Council Committee Meetings

The public is welcome to attend City Council Committee Meetings.

- Public Works, Monday, Dec 18, 2017, 5:00 PM, Public Works Director's Office, City Hall
- Planning, Tuesday, Dec 26, 2017, 5:00 PM, Main Conference Room, City Hall
- Finance, Wednesday, Dec 27, 2017, 5:00 PM, Main Conference Room, City Hall
- Public Works, Tuesday, Jan 2, 2018, 5:00 PM, Public Works Director's Office, City Hall
- Port/City Liaison, Tuesday, Jan 2, 2018, 8:30 PM, Port of Anacortes
- Housing Affordability & Community Services, Thursday, Jan 4, 2018, 1:30 PM, City Hall
- Planning, Monday, Jan 8, 2018, 5:00 PM, Main Conference Room, City Hall

Hunt, Marcia

From: Kahns, Cherri
Sent: Wednesday, December 6, 2017 12:52 PM
To: 'Media - Large List'; All City Staff
Subject: Press Release - Celebration to Honor Outgoing Councilmember Erica Pickett



PRESS RELEASE

FOR IMMEDIATE RELEASE

Laurie Gere, Office of the Mayor

December 5, 2017 Anacortes, WA - **Celebration to Honor Outgoing Councilmember Erica Pickett.** The public is invited to join the Mayor and City Council in thanking outgoing Councilmember Erica Pickett for her 34 years of public service. A reception to honor Ms. Pickett will occur immediately following the Anacortes City Council meeting, which begins at 6pm, on December 18 in the Anacortes Council Chambers located at 904 6th Street.

Councilmember Erica Pickett began her volunteer career in 1983 when she was appointed to the Forest Advisory Board. Ms. Pickett was appointed to the Planning Commission in 1984 and continued serving on the Planning Commission until she was elected to City Council in 2006.

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Cherri Kahns, Senior Executive Assistant
Mayor's Office/Public Works Administration/Legal
904 6th Street/PO Box 547
Anacortes, WA 98221
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Phone: 360.299.1950
Fax: 360.293.1938

From: Steven Jones <stdojo@gmail.com>

Sent: Saturday, December 16, 2017 9:25 PM

To: Walters, Ryan (Anacortes City Council); Adams, Brad; Johnson, Eric; Miller, Matt; McDougall, Bruce; Lovelett, Liz; Pickett, Erica; Gere, Laurie

Subject: Internet Neutrality

With the Trump administrations decision to eliminate internet neutrality this valuable resource is in danger.

Many small businesses depend on reliable, high speed access to the digital world.

Communities grow and prosper with high speed internet access.

In Anacortes, neither of our ISP's have expressed even the slightest interest in upgrading our infrastructure to fiber, which many communities have had for years.

And Comcast, one of the two monopolistic ISP's in Anacortes, has already signaled their intention to begin restricting access and throttling back speeds with the new anti-competitive privileges granted them by the FCC. See <https://arstechnica.com/tech-policy/2017/11/comcast-deleted-net-neutrality-pledge-the-same-day-fcc-announced-repeal/>.

Thanks to the far-sighted vision of the City of Anacortes, we have some basic infrastructure already in place with which we can modernize Anacortes and keep our city competitive in the business world. I hope you will work to expand the fiber Anacortes has in place to serve more of our community. It will help grow our city, it will better serve our citizens and it will signal that Anacortes is a forward thinking community that is ready for the future.

Thank you.

Steven D. Jones

1702 Tartan Place

Anacortes WA 98221

360.661.9365

City Council Minutes – December 6, 2017

Special Meeting

Between 5:30 and 7:30 p.m. Mayor Laurie Gere and City Councilmembers Eric Johnson, Erica Pickett and Liz Lovelett attended the Washington State Governor's Committee on Disability Issues and Employment (GCDE) Town Hall Meeting held at the Anacortes Senior Activity Center to discuss life and work issues faced by persons with disabilities.

No testimony was received and no action was taken. At approximately 7:30 p.m. the special meeting adjourned.

City Council Minutes – December 11, 2017

Mayor Laurie Gere called to order the regular Anacortes City Council meeting of December 11, 2017 at 6:00 p.m. Councilmembers Eric Johnson, Ryan Walters, Erica Pickett, Brad Adams, Bruce McDougall and Matt Miller were present. Councilmember Liz Lovelett was absent. The assembly joined in the Pledge of Allegiance.

Announcements and Committee Reports

Finance Committee: Mr. Walters reported from the committee meeting the prior Wednesday at which those present reviewed the upcoming year end budget amendment, the new LGFRS reporting tool available on the State Auditor website, and proposed changes to the investment policy.

Planning Committee: Mr. Adams reported from the committee meeting earlier in the evening at which those present undertook initial review of the draft parking code and draft sign ordinance under development for AMC Title 19. Mr. Adams advised that the code sections would be reviewed both at Planning Commission and at City Council with opportunities for public input.

Mr. Johnson reported from the Washington State Governor's Committee on Disability Issues and Employment (GCDE) Town Hall Meeting held at the Anacortes Senior Activity Center the prior Wednesday evening. He said Anacortes was one of the two cities visited by the GCDE in 2017. Mr. Johnson listed a number of Anacortes best practices that the committee noted and planned to share with other jurisdictions. Mr. Johnson said he learned at the meeting that Skagit County does not currently have an Accessible Communities Advisory Committee and that having such a group could open up state funding sources for accessibility and low income services.

Port/City Liaison Committee: Mr. Johnson reported from the committee meeting the prior Tuesday at which those present discussed Port planning activities for an event center to replace the Transit Shed, the Maritime Strategic Plan draft due out soon, Anacortes Railway feasibility review, and status of the Dakota Creek Industries waiver request still pending hearing by the U.S. Senate. Mayor Gere added that she and other local industry and elected officials were actively pursuing every avenue to encourage action on the waiver request before the Senate holiday recess. She encouraged community members to contact their senate delegation. Mr. Johnson said the Liaison Committee also honored retiring Port Commissioner Bill Short and retiring City Councilmember Erica Pickett for their many years of service.

Mr. Walters moved, seconded by Mr. Johnson, to excuse the absence of Ms. Lovelett who was ill. The motion carried unanimously by voice vote.

Mr. Walters reminded that he would be holding a Ward 1 community meeting on Tuesday, December 12 at 6 p.m. in the Library meeting room.

Public Comment

No one present wished to address the Council on any topic not already on the agenda.

Consent Agenda

Mr. Johnson removed Items 5a, 5c and 5e from the Consent Agenda.

Ms. Pickett moved, seconded by Mr. Adams, to approve the following Consent Agenda items. The motion carried unanimously by voice vote.

- b. Approval of Claims in the amount of: \$579,133.62
- d. Ordinance 3018: Blue Heron Circle Reservoirs Interfund Loan

The following vouchers/checks were approved for payment:
EFT numbers: 87328 through 87373, total \$460,158.74
Check numbers: 87326 through 87327 and 87374 through 87411, total \$113,458.23
Wire transfer numbers: 224390 through 225411, total \$2,979.21

- a. Minutes of December 4, 2017

Mr. Johnson requested that the draft minutes be corrected to include his comment during his Public Works Committee report that any surplus funding for the 32nd Street/D Avenue roundabout may go to the 32nd Street/M Avenue intersection.

- c. Board and Commission Appointments and Reappointments

Mr. Johnson observed the many years of public service reflected by the extensive list of board and commission appointments and reappointments. He thanked the community members involved for their generous service. Mayor Gere read the list of appointments from her staff memo included in the packet materials for the meeting and thanked the incredibly dedicated volunteers:

- Bob Ross reappointed to the Historic Preservation Board for a 3-year term that expires December 31, 2020.
- Donald Yankacy reappointed to the Museum Advisory Board for a 4-year term that expires December 31, 2021.
- Aaron Rasmussen reappointed to the Forest Advisory Board for a 5-year term ending in November of 2022.
- JoAnn York-Gilmore reappointed to the Parks and Recreation Advisory Commission for a 5-year term ending October 31, 2022.
- Christine Cleland-McGrath reappointed to the Planning Commission for a 6-year term that expires December 31, 2023.
- Betsy Humphrey and Marius Hibbard reappointed to the Arts Commission for terms that will expire December 2020.
- Jon Stables reappointed on the Civil Service Commission for a 3-year term that will end December 2020.
- Bill Kalin reappointed on the Civil Service Commission for a 3-year term that will end January 2021.
- Susan Rooks reappointed to the Anacortes Housing Authority board for a 5-year term that will end December 2022.

The mayor also advised that the following week she and Planning Director Don Measamer would be interviewing applicants for two open positions on the Planning Commission.

- e. Contract Award: Sidewalk ADA Cutting 17-028-TRN-002

Mr. Johnson asked Public Works Director Fred Buckenmeyer to display for the public the map included in the packet materials indicating the locations of sidewalk repairs planned under the subject contract. Mr. Buckenmeyer projected a revised graphic depicting the locations of the 395 potential trip hazards that would be corrected by the subject contract. He also displayed photos illustrating the sawcutting and patching process that would be used to create flush ADA-compliant joints in these locations by January 5,

2018. Mr. Buckenmeyer advised that some other potential hazard locations would be addressed by separate contracts using different correction methods in the year ahead. Mr. Walters asked why the map included in the packet materials was not the correct map for the proposed contract and reiterated his request that the scope of work be correctly and completely identified for each public works contract presented to City Council for approval.

Mr. Johnson moved, seconded by Mr. Adams, to approve Consent Agenda Items 5a (as amended), 5c and 5e. The motion carried unanimously by voice vote.

OTHER BUSINESS

Ordinance 3019: Water System Plan

Assistant Public Works Director Matt Reynolds explained that as a water purveyor in Washington State, Anacortes must have a Water System Plan (WSP) approved by the Department of Health (DOH). He said the Anacortes plan was last approved in 2012 for the six-year period that was standard at that time, but that changes in state law now allowed ten-year approvals. Staff consulted with DOH on options for the follow on plan and determined that a four-year limited update to the plan was the most sensible course of action; the next WSP would be due in 2022. Mr. Reynolds advised that the contents of the limited update are specified by DOH and that the draft update complying with those requirements was included in the packet materials for the meeting. He said that a public informational meeting on the update had been advertised for the December 18, 2018 regular City Council meeting and that staff would ask Council to take action to adopt the plan update by ordinance at the conclusion of that meeting.

Mr. Reynolds responded to councilmember questions regarding the apparent significant drop in Figure 1-3, Demand Summary Forecast, and agreed to include a copy of the Retail Service Area map from the existing WSP in the update. Public Works Committee members Mr. Johnson and Mr. Walters asked if potential changes in the water treatment plant's chlorine disinfection methodology were addressed in the update. Mr. Reynolds advised that staff were still investigating options in conjunction with state agencies. Mr. Adams confirmed that the details of the update would be addressed at the public informational meeting on December 18, 2018.

Grant Agreement: D Avenue and 32nd Street Roundabout

Mr. Buckenmeyer requested City Council authorization to accept a grant from the Washington State Transportation Improvement Board (TIB) in the amount of \$448,064 for the construction of a roundabout at the intersection of 32nd Street and D Avenue. Mr. Buckenmeyer estimated the total project cost at \$746,744 which would be funded by the TIB grant and \$298,710 of City funds. He reminded Council that the project had been budgeted exclusively with transportation impact fees and that the grant funding would free up impact fees to be used for other roadway projects. Mr. Buckenmeyer recognized City Engineer Eric Shjarback for pursuing and winning the TIB funding. He reported that the project design was 90% complete, that staff had met with adjacent residents to identify and mitigate driveway and access concerns, and that an open house was planned for early winter to continue the public outreach. Mr. Buckenmeyer displayed the preliminary design for the roundabout, then shared a timeline for major summer transportation projects in Anacortes including WSDOT projects on SR20. He explained that the 32nd Street/D Avenue project needed to complete by May 2018 due to Sharpes Corner detour plans and that meeting that schedule might involve a complete closure of 32nd Street/D Avenue during spring break week but that city detour options had not been finalized. Mr. Adams inquired about the ultimate source of the TIB funding and whether recent increases in the state gasoline tax were helping to fund this local improvement. Mayor Gere asked Mr. Buckenmeyer to report back with more details regarding the provenance of the grant funds.

Mr. Walters moved, seconded by Mr. McDougall, to approve the grant agreement with State of Washington Transportation Improvement Board (TIB) to receive grant funds of \$448,064 for the construction of a roundabout at the intersection of 32nd Street and D Avenue. Vote: Ayes – Walters, Pickett, Adams, McDougall, Miller and Johnson. Motion carried.

There being no further business, at approximately 6:40 p.m. the Anacortes City Council meeting of December 11, 2017 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 December 18, 2017 City Council meeting:

[Download this file in OpenDocument spreadsheet format.](#)

Invoice Doc #	Transaction Date	Invoice #	Vendor #	Vendor Full Name	Description	Total Amount
225672	8/31/2017	205518	07524	WIDENER & ASSOCIATES	WWTP OUTFALL REPAIR PERMITTING - AUGUST 2017	\$19,972.40
224858	9/13/2017	288032	01023	FRONTIER BUILDING SUPPLY	SUPPLIES- OPS REMODEL	\$23.60
224859	9/28/2017	290125	01023	FRONTIER BUILDING SUPPLY	LUMBER- OPS REMODEL	\$43.54
223008	10/11/2017	A2 9998	00524	CENTRAL WELDING SUPPLY CO, INC	PARTS FOR #90006	\$102.56
222943	10/28/2017	65501280	08535	WASTEQUIP LLC	96 GALLON TOTES	\$3,682.99
214438	10/30/2017	order veh 174 175 17	01599	LINN-BENTON COMMUNITY COLLEGE	AGA PROPANE SYSTEM KITS FOR 2017 CHEVY	\$18,420.00
225673	10/31/2017	17167	09434	TRANSPORTATION SOLUTIONS INC	32ND & D ROUNDABOUT INTERSECTION IMPROVEMENT DESIGN - OCT 2017	\$14,556.84
225626	11/2/2017	1098335066	02193	FERRELLGAS	PRESSURE WASHER TANK- PROPANE	\$325.28
225762	11/3/2017	0365798	02123	PLATT ELECTRIC SUPPLY INC	METAL HALIDE BULBS	\$80.51
225535	11/8/2017	8799650	05090	BSN SPORTS, LLC	BALL LOCKER	\$204.62
225577	11/15/2017	01	10552	CLEAN & CLIP GROOMING	K9 T-BONE GROOMING	\$50.00
225477	11/18/2017	17-111-IDS-0021	09953	SAIL ELECTRIC INC.	RETAINAGE RELEASE	\$544.75
224853	11/20/2017	296702	01023	FRONTIER BUILDING SUPPLY	1X3 MOULDING	\$6.18
225524	11/22/2017	1990452649	06718	ARAMARK	STA 3 MAT SERVICE: 11/22	\$21.70
225536	11/22/2017	1-559422	00789	DIAMOND RENTALS INC.	BACKPACK BLOWER	\$558.78
225241	11/27/2017	0188-486740	03816	CONSOLIDATED ELECTRICAL	L13T8UD5041K U SHAPE LED TUBE FOR CITY	\$399.28
224940	11/27/2017	Order	00850	EDGE ANALYTICAL, INC	FINAL EFFLUENT TESTING	\$129.00
225419	11/27/2017	S17-112705	00890	ENVIRO CLEAN EQUIPMENT INC	PARTS- VEH #303	\$225.72
225649	11/27/2017	00717101	01196	HARRINGTON INDUSTRIAL	FLOWMETER - PLANT EQUIPMENT	\$106.42
225753	11/27/2017	114-6080488	04834	UNITED SITE SERVICES, INC	AVON ALLEN RD +	\$22.58
225745	11/28/2017	947895	08839	BLACKSTONE PUBLISHING	BOOK ON CD	\$50.00
225060	11/28/2017	297352	01023	FRONTIER BUILDING SUPPLY	DOOR CLOSER- OPS REMODEL	\$122.97
225126	11/28/2017	360-293-3725-0501135	07909	FRONTIER COMMUNICATIONS	DEPOT PHONE 11/28-12/27/17	\$58.43
225521	11/28/2017	00717144	01196	HARRINGTON INDUSTRIAL	HOSE	\$405.49
223855	11/28/2017	00086478	09304	OWEN EQUIPMENT COMPANY	OPERATING PARTS FOR VACTOR SEWER JET	\$373.24
225526	11/28/2017	3185	02018	PACIFIC NW SECTION/AWWA	2017 WWUC DUES	\$500.00
225646	11/28/2017	Recurring	02879	VERIZON WIRELESS	CITY CELL PHONES 10/29-11/28/17	\$8,251.28
225239	11/29/2017	0188-487378	03816	CONSOLIDATED ELECTRICAL	2 LAMP BALLAST SUPPLY FOR LIGHTS IN	\$179.03
225021	11/29/2017	DMCMA 2018	00808	DMCMA TREASURER	2018 DMCMA DUES	\$150.00
225779	11/29/2017	114-6092409	04834	UNITED SITE SERVICES, INC	FINAL BILLING ON PORT -A- POTTIES FOR	\$898.67

Invoice Doc #	Transaction Date	Invoice #	Vendor #	Vendor Full Name	Description	Total Amount
225625	11/29/2017	21394	06562	WESTERN SYSTEMS REFUSE &	PART- VEH #510	\$566.37
225537	11/29/2017	22361	10148	WETLANDS & WOODLANDS, INC.	PLANTS FOR THE ROUNDABOUT	\$1,057.88
225529	11/30/2017	1990465244	06718	ARAMARK	APD NYLON MATS CLEANED	\$16.28
225279	11/30/2017	1414-U01	00369	BLYTHE PLUMBING & HEATING INC	HVAC PREVENTATIVE MAINTENANCE - BOILERS	\$1,045.94
225430	11/30/2017	S17-113005	00890	ENVIRO CLEAN EQUIPMENT INC	PARTS- VEH #303	\$720.05
225667	11/30/2017	WAMO143716	00939	FASTENAL CO	FENDER WASHERS	\$9.78
225528	11/30/2017	191788	00950	FIDALGO COFFEE ROASTERS	WTP BREAKROOM SUPPLIES	\$93.00
225727	11/30/2017	10739182	01165	HACH COMPANY	STERIL PIPET	\$122.17
225769	11/30/2017	31710495	01318	INGRAM LIBRARY SERVICES, LLC	BOOKS - ADULT	\$181.62
225523	11/30/2017	11/30/17	01364	ISLAND HOSPITAL	AMBULANCE SUPPLIES & O2 FOR OCTOBER	\$2,232.93
225431	11/30/2017	33702	01530	LAKESIDE INDUSTRIES, INC.	DUMP FEES- WATER DEPT	\$400.38
225747	11/30/2017	0000569113	01958	OCLC, INC	CATALOGING, ILL, FIRSTSEARCH/WORLDCAT DISCOVERY (7/1/17-6/30/18)	\$345.21
225675	11/30/2017	957	02470	SKAGIT CONSERVATION DISTRICT	NPDES II OUTREACH & EDUCATION - NOVEMBER 2017	\$1,032.87
225636	11/30/2017	46282	02478	SKAGIT RIVER STEEL &	REFRIGERATOR DROP OFF & UNPREPARED STEEL	\$151.20
225454	11/30/2017	INV00308889	10661	SMARSH	ARCHIVING PLATFORM 11/01-11/30/17	\$477.05
225771	11/30/2017	111136	08545	STURDY ENGINEERING CORPORATION	CITY HALL SEISMIC UPGRADE DESIGN	\$5,942.50
225671	11/30/2017	S20180283	02677	SUPERIOR SYSTEMS, INC	ALUMINUM PLATES	\$175.62
225746	11/30/2017	1193521	02681	SURETY PEST CONTROL	LIBRARY PEST CONTROL	\$66.19
225650	11/30/2017	COA1217	09183	SYSTEMS DESIGN WEST, LLC	AMBULANCE SERVICE BILLING NOVEMBER	\$2,994.60
225674	11/30/2017	17191	09434	TRANSPORTATION SOLUTIONS INC	32ND & D ROUNDABOUT INTERSECTION IMPROVEMENT DESIGN - NOV 2017	\$12,566.43
225767	11/30/2017	114-6110727	04834	UNITED SITE SERVICES, INC	PORTABLE TOILET RENTAL - WA PK LOOP #1 11/1- 11/30/17	\$47.89
225765	11/30/2017	114-6110728	04834	UNITED SITE SERVICES, INC	PORTABLE TOILET RENTAL - ACE OF HEARTS 11/1- 11/30/17	\$63.86
225766	11/30/2017	114-6110759	04834	UNITED SITE SERVICES, INC	PORTABLE TOILET RENTAL - WA PK - LOOP 2 11/01- 11/30/17	\$62.00
225764	11/30/2017	114-6110794	04834	UNITED SITE SERVICES, INC	PORTABLE TOILET RENTAL - EDWARDS WAY 11/1- 11/30/17	\$81.29
225768	11/30/2017	114-6110844	04834	UNITED SITE SERVICES, INC	PORTABLE TOILET - WA PARK PLAYGROUND 11/1- 11/30/17	\$81.29
225760	11/30/2017	114-6110860	04834	UNITED SITE SERVICES, INC	2100 PENNSYLVANIA AVE - NOVEMBER	\$119.11
225540	11/30/2017	7110099	02855	UTILITIES UNDERGROUND LOCATION	NOVEMBER UTILITY LOCATE TICKETS	\$158.62
225749	11/30/2017	205641	07524	WIDENER & ASSOCIATES	GUEMES CHANNEL TRAIL ENVIRONMENTAL COMPLIANCE REVIEW - NOV 2017	\$1,317.40
225276	12/1/2017	8541	10687	AQUATECHNEX	AQUATIC VEGETATION MANAGEMENT OF HEART LAKE	\$2,115.75

Invoice Doc #	Transaction Date	Invoice #	Vendor #	Vendor Full Name	Description	Total Amount
225461	12/1/2017	P01/8B-2017	00843	EDASC	EDASC 1/2 YEAR DUES 7/1-12/31/17	\$10,250.00
225641	12/1/2017	360-293-1900-0122885	07909	FRONTIER COMMUNICATIONS	CITY MAIN PHONE 12/1-12/31/17	\$1,063.88
225754	12/1/2017	200000666863	02192	PUGET SOUND ENERGY	LIBRARY 10TH STREET LED (S11/1-12-1/17)	\$13.58
225756	12/1/2017	200000667101	02192	PUGET SOUND ENERGY	LIBRARY 1220 10TH (11/1-11/30/17)	\$3,047.66
225758	12/1/2017	200000667218	02192	PUGET SOUND ENERGY	LIBRARY 10TH & M ST (11/1-11/31/2017)	\$83.65
225570	12/1/2017	30000006951	02192	PUGET SOUND ENERGY	17TH ST Q TO COMMERCIAL AVE STREET	\$152.91
225631	12/1/2017	300000290043	02192	PUGET SOUND ENERGY	STREET LIGHTS 10/01-10/31/2017	\$17,272.84
225666	12/1/2017	WABO2018	02935	WASHINGTON ASSOCIATION OF	WABO DMEASAMER 2018 MEMBERSHIP	\$95.00
225725	12/1/2017	1388665-0043-8	02997	WASTE MANAGEMENT	NOVEMBER 2017 CONTRACTED SERVICES	\$100,020.17
225645	12/1/2017	091497809	03123	XEROX CORPORATION	XEROX COLOR CUBE PRINTER USAGE 10/21-11/21/17	\$145.02
225660	12/4/2017	0188-487466	03816	CONSOLIDATED ELECTRICAL	QHE1X32T8/UNVISNSC BALLAST	\$195.30
225732	12/4/2017	4900/0100121024/2018	00778	DEPARTMENT OF NATURAL	DNR LEASE 2664 1/3/18-1/2/19	\$35,470.49
225253	12/4/2017	9633661625	03120	GRAINGER	PIPE NIPPLES AND UNION COUPLINGS	\$91.45
225417	12/4/2017	72251454	01337	INTERSTATE BATTERIES	BATTERY- VEH #025	\$126.64
224941	12/4/2017	04733	10139	JB INDUSTRIAL SALES, LLC	LORAX ASH PUMP TUBING	\$463.18
225606	12/4/2017	0214661-IN	02260	REISNER DISTRIBUTOR INC	OIL FOR THE PLANT	\$248.17
225458	12/4/2017	3134	07059	THE STORE	REFRESHMENTS & LUNCH FOR 3-DAY EOC TRAINING	\$894.15
225761	12/5/2017	8542	10687	AQUATECHNEX	FINAL REPORT FOR HEART LAKE AQUATIC VEGETATION MANAGEMENT	\$542.50
225475	12/5/2017	163984D-5	00355	BIRCH EQUIPMENT CO., INC	JOB SHACK RENTAL- OPS REMODEL	\$265.82
225520	12/5/2017	2670754	09961	CARDINAL HEALTH 110, INC.	PHARMACEUTICALS	\$327.72
225669	12/5/2017	17-33945	00850	EDGE ANALYTICAL, INC	3MG FLUORIDE ANALYSIS	\$24.00
225780	12/5/2017	RI103467818	09303	FRANCOTYP-POSTALIA, INC	MAILING MACHINE QUARTERLY RENTAL 12/1-2/28/18	\$130.07
224949	12/5/2017	BINV0006631	01106	GOBLE SAMPSON ASSOCIATES, INC	WATSON MARLOW CHEMICAL FEED PUMPS	\$15,817.42
225612	12/5/2017	BINV0006632	01106	GOBLE SAMPSON ASSOCIATES, INC	ROTOR ASSEMBLIES	\$1,517.28
225744	12/5/2017	10745074	01165	HACH COMPANY	ICE PIC BENCH CALIBRATION	\$349.20
225462	12/5/2017	604002	01765	MISTER T'S AWARDS &	PLAQUES FOR NAME PLATES FOR ACHIEVEMENT AWARDS	\$371.07
225418	12/5/2017	001-387974	02109	PISTON SERVICE OF ANACORTES	OIL FILTER- SHOP STOCK	\$17.99
225620	12/5/2017	001-388005	02109	PISTON SERVICE OF ANACORTES	PARTS- VEH #135	\$83.68
225619	12/5/2017	001-388016	02109	PISTON SERVICE OF ANACORTES	PARTS- VEH #607	\$16.68
225656	12/5/2017	18580	02405	SEBO'S DO-IT CENTER	SURVEY TAPE - LIME GREEN	\$54.65
225632	12/5/2017	108661/4/48638	02651	STOWES SHOES & CLOTHING	WORK BOOTS FOR WAYNE DAVIS	\$170.57

Invoice Doc #	Transaction Date	Invoice #	Vendor #	Vendor Full Name	Description	Total Amount
225763	12/6/2017	80523	00003	A-1 MOBILE LOCK AND KEY, INC.	TOMMY THOMPSON TRAIL BATHROOM	\$1,882.48
225770	12/6/2017	0000015196	10845	ALEXANDER GOW FIRE EQUIPMENT	O2 SENSOR	\$147.61
225530	12/6/2017	1990473650	06718	ARAMARK	STA 3 MAT SERVICE: 12/6	\$21.70
225466	12/6/2017	cs- Tango	05274	GOOD, PAMELA	FALL TANGO INSTRUCTOR PAYMENT	\$255.00
225457	12/6/2017	134599	08654	NAPA	OIL- SHOP	\$315.08
225621	12/6/2017	001-388089	02109	PISTON SERVICE OF ANACORTES	PART- VEH #159	\$33.36
225618	12/6/2017	001-388123	02109	PISTON SERVICE OF ANACORTES	PART FOR SHOP STOCK	\$9.65
225777	12/6/2017	220013286525	02192	PUGET SOUND ENERGY	HEART OF ANACORTES 11/4-12/5/17	\$115.66
225726	12/6/2017	Reim	02372	SCHUH, EMILY	REIMBURSE TRAVEL EXPENSES	\$53.90
225459	12/6/2017	P54963	02465	SKAGIT COUNTY AUDITOR'S OFFICE	LIEN COMMERCIAL & TENTH LLP	\$35.00
225647	12/6/2017	10837575	02519	SKAGIT PUBLISHING LLC	PUBLISH AA-1701138	\$44.66
225456	12/6/2017	18003184	02930	WASHINGTON STATE PATROL	P&R BACKGROUND CHECKS	\$12.00
225544	12/6/2017	18003212	02930	WASHINGTON STATE PATROL	SR CENTER BACKGROUND CHECK	\$12.00
225460	12/6/2017	18003693	02930	WASHINGTON STATE PATROL	BACKGROUND CHECKS; NOVEMBER 2017	\$156.00
225661	12/7/2017	*12717	00180	ANACORTES TOWING LLC	TOWING; APD CASE 17-A09477	\$162.75
225617	12/7/2017	1262017	00180	ANACORTES TOWING LLC	TOWING; APD CASE 17-A09452	\$162.75
225531	12/7/2017	1990475752	06718	ARAMARK	STA 2 MAT SERVICE: 12/7	\$21.70
225533	12/7/2017	1990475758	06718	ARAMARK	APD NYLON MATS CLEANED	\$16.28
225534	12/7/2017	1990475759	06718	ARAMARK	STA 1 MAT SERVICE: 12/7	\$21.70
225657	12/7/2017	1990475763	06718	ARAMARK	OPS & PARKS LAUNDRY SVC FOR	\$67.09
225627	12/7/2017	1990475764	06718	ARAMARK	OPS- MAT SERVICE: 12/07	\$37.84
225575	12/7/2017	749965	00306	BAYSHORE OFFICE PRODUCTS INC	BAYSHORE PRINTING - EXHIBIT	\$76.49
225474	12/7/2017	cpls	00765	DEPARTMENT OF LICENSING	CPLS TO D.O.L.; NOVEMBER 2017	\$396.00
225539	12/7/2017	AR87044	09741	ELECTRONIC BUSINESS MACHINES	COPIES FOR WWTP	\$267.03
225522	12/7/2017	192141	00950	FIDALGO COFFEE ROASTERS	10 LBS COFFEE 12/7	\$94.10
225783	12/7/2017	932595-0	09557	KEENEY'S OFFICE SUPPLY, INC.	OFFICE SUPPLIES - PLANNING/BLDG	\$73.99
225519	12/7/2017	200024889996	02192	PUGET SOUND ENERGY	14301 AVON ALLEN RD., 11/1-12/1/17	\$356.91
225658	12/7/2017	18754	02405	SEBO'S DO-IT CENTER	STRECH CORD SET	\$60.18
225578	12/7/2017	123	10766	STUM, MELANIE	PUB DEF CONFLICT	\$65.00
225579	12/7/2017	124	10766	STUM, MELANIE	PUB DEF CONFLICT	\$32.50
225580	12/7/2017	125	10766	STUM, MELANIE	PUB DEF CONFLICT	\$234.00
225581	12/7/2017	126	10766	STUM, MELANIE	PUB DEF CONFLICT	\$65.00
225607	12/7/2017	127	10766	STUM, MELANIE	PUB DEF CONFLICT	\$91.00
225608	12/7/2017	128	10766	STUM, MELANIE	PUB DEF CONFLICT	\$71.50
225609	12/7/2017	129	10766	STUM, MELANIE	PUB DEF CONFLICT	\$19.50
225610	12/7/2017	130	10766	STUM, MELANIE	PUB DEF CONFLICT	\$71.50

Invoice Doc #	Transaction Date	Invoice #	Vendor #	Vendor Full Name	Description	Total Amount
225572	12/8/2017	052-0010-00 Nov	00147	ANACORTES, CITY OF	NOVEMBER WATER, SEWER, GARBAGE FOR	\$204.18
225543	12/8/2017	190-1840-00	00147	ANACORTES, CITY OF	UTILITY BILLING FOR WWTP	\$4,779.31
225781	12/8/2017	750042	00306	BAYSHORE OFFICE PRODUCTS INC	VARIOUS CALENDARS - PLANNING/BLDG DEPT	\$52.26
225623	12/8/2017	192208	00950	FIDALGO COFFEE ROASTERS	OPS- BREAKROOM SUPPLIES	\$93.00
225571	12/8/2017	298420	01023	FRONTIER BUILDING SUPPLY	4X8X1/2" WALL BOARD FOR OPS REMODEL	\$345.03
225782	12/8/2017	932904-0	09557	KEENEY'S OFFICE SUPPLY, INC.	OFFICE SUPPLIES - BLDG	\$34.23
225546	12/8/2017	17-006-TRN-0011	01546	LARRY BROWN CONSTRUCTION INC	RETAINAGE RELEASE	\$13,718.41
225611	12/8/2017	115595	01939	NORTHSTAR CHEMICAL INC.	SODIUM BISULFITE 38% SOLUTION	\$1,339.98
225574	12/8/2017	018837	02405	SEBO'S DO-IT CENTER	MAINTENANCE SUPPLIES - W.T. PRESTON	\$19.28
225616	12/9/2017	00005W5A83497	02817	UNITED PARCEL SERVICE	UPS SHIPPING CHARGES; WEEK END 12-09-17	\$7.78
225664	12/11/2017	500077449 A	10834	AARP DRIVING COURSE	AARP SMART DRIVER SAFETY COURSE; AUX PATROL	\$70.00
225648	12/11/2017	1990479815	06718	ARAMARK	LAUNDRY SERVICE FOR WWTP	\$71.61
225633	12/11/2017	17-33952	00850	EDGE ANALYTICAL, INC	THICKENED SLUDGE TESTING	\$205.00
225637	12/11/2017	19056	02477	SKAGIT COUNTY TREASURER	2017 (40,000 AC) SE 1/4 NE 1/4 PROPERTY TAX	\$33.10
225736	12/12/2017	Refund #145-3525-02	10838	ALLEY, DOUGLAS & TAMMY	Refund on Closed Account	\$77.47
225740	12/12/2017	Refund #071-5500-01	10842	BROWN, JUSTIN	Refund on Closed Account	\$126.06
225739	12/12/2017	Refund #071-5170-02	10841	CRMA INVESTMENTS LLC	Refund on Closed Account	\$69.73
225737	12/12/2017	Refund #143-1960-02	10839	HOLMES, JOHN	Refund on Closed Account	\$24.73
225738	12/12/2017	Refund #380-2670-02	10840	MENZA, MATTHEW & TARA	Refund on Closed Account	\$108.31
225734	12/12/2017	Ref #052-7160-01	10836	MYERS, MIRIAM & WILLIS	Refund on Closed Account	\$65.08
225735	12/12/2017	Refund #060-0210-02	10837	NATIONSTAR MORTGAGE LLC	Refund on Closed Account	\$82.46
225778	12/12/2017	2421	04817	NW CLEANERS	CITY HALL/ SR CENTER JANITORIAL SERVICES	\$230.00
225741	12/12/2017	Refund #220-1740-01	10843	OBERHOFER, CARLA & STEVE	Refund on Closed Account	\$33.13
225724	12/12/2017	18450	02405	SEBO'S DO-IT CENTER	CITY HALL USE ITEMS	\$119.52
225405	12/21/2017	12224	00148	ANACORTES CHAMBER OF COMMERCE	2018 ANNUAL DUES	\$525.00
225226	12/22/2017	8400681309	09706	SHRED-IT USA, LLC	OLD RECORDS DESTROYED - APD	\$42.35
225728	12/30/2017	LL.MEAD	01364	ISLAND HOSPITAL	NOV. MEAD, LIFELINE SERVICE FEE	\$64.95
224850	1/1/2018	168227	10388	CIVICPLUS, INC.	HOSTING & SUPPORT 1/1-12/31/18	\$4,882.50

Invoice Doc #	Transaction Date	Invoice #	Vendor #	Vendor Full Name	Description	Total Amount
225003	1/1/2018	776277	05284	GUARDIAN SECURITY SYSTEMS INC	ALARM MONITORING - FIRE STATION 1 1/1-3/31/18	\$165.00
224998	1/1/2018	776278	05284	GUARDIAN SECURITY SYSTEMS INC	CLOUD STORAGE/VIDEO FEED - SHOP 1/1-3/31/18	\$657.00
225004	1/1/2018	776279	05284	GUARDIAN SECURITY SYSTEMS INC	ALARM MONITORING - INTERPRETIVE CTR 1/1-3/31/18	\$165.00
224999	1/1/2018	776280	05284	GUARDIAN SECURITY SYSTEMS INC	ALARM MONITORING - APD 1/1-3/31/18	\$165.00
224995	1/1/2018	776281	05284	GUARDIAN SECURITY SYSTEMS INC	ALARM MONITORING - WT PRESTON 1/1-3/31/18	\$165.00
225000	1/1/2018	776282	05284	GUARDIAN SECURITY SYSTEMS INC	ALARM MONITORING - FIDALGO CENTER 1/1-3/31/18	\$165.00
224996	1/1/2018	776283	05284	GUARDIAN SECURITY SYSTEMS INC	ALARM MONITORING - LIBRARY 1/1-3/31/18	\$165.00
224994	1/1/2018	776284	05284	GUARDIAN SECURITY SYSTEMS INC	ALARM MONITORING - MUSEUM 1/1-3/31/18	\$165.00
225001	1/1/2018	776285	05284	GUARDIAN SECURITY SYSTEMS INC	ALARM MONITORING - WTP 1/1-3/31/18	\$96.00
225002	1/1/2018	777978	05284	GUARDIAN SECURITY SYSTEMS INC	ALARM MONITORING - CITY HALL 1/1-3/31/18	\$165.00
225742	1/2/2018	171535	10028	MSDSOONLINE, INC.	MSDSOONLINE HQ ACCOUNT - RENEWAL & SITE ADMINISTRATOR RENEWAL	\$2,987.01
225733	1/2/2018	Schuh29199	03535	NPELRA	NATIONAL PELRA MEMBERSHIP DUES, 2018 YEAR, E. SCHUH	\$200.00
225730	1/2/2018	#9007279172	02572	SOCIETY FOR HUMAN RESOURCE	SHRM MEMBERSHIP, 2/1/18 - 1/31/19, LYNN BARBER	\$209.00
282450		224860	01023	FRONTIER BUILDING SUPPLY	RETURN ITEM- LUMBER OPS REMODEL	(\$57.95)
289486		224861	01023	FRONTIER BUILDING SUPPLY	RETURN ITEM- METAL OPS REMODEL	(\$26.40)
289686		224862	01023	FRONTIER BUILDING SUPPLY	RETURN ITEM- INSULATION OPS REMODEL	(\$256.23)
296703		224854	01023	FRONTIER BUILDING SUPPLY	RETURNED 1X3 MOULDING	(\$6.18)
297471		225054	01023	FRONTIER BUILDING SUPPLY	RETURN ITEM- ADHESIVE SPREADER, CAULK	(\$46.68)

Total

\$332,092.82



City Council Agenda Bill

Meeting Date: 12/18/2017

Agenda Item: 5c

Subject: Contract Modification for On-Call Environmental Services Consultant - Bachman Environmental LLC

Staff Contact: Don Measamer

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

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

Summary Statement: City staff seeks City Council consent exercise the option to extend the period of performance for contract 17-051-PLN-001 for one additional year in accordance with Article 3, Period of Performance, for an On-Call Environmental Services Consultant. The extension includes an increase of \$25,000.00 for 2018, for a total aggregate contract value of \$50,000.00.

Background: On February 14, 2017 a Request for Qualifications was issued for Professional On-Call Consulting Services for the Planning, Community & Economic Development (PCED) Department. After review of the submittals Bachman Environmental, LLC was chosen for the award of an On-Call Environmental Services Consultant contract. The consultant provides a variety of on-call planning services to the City as applications for development review are submitted to the city, or as other projects are budgeted. These services may include, but are not limited to, evaluation of residential or commercial development applications for consistency with environmental regulations and/or the Shoreline Master Program, including proposals that may impact wetlands, streams, habitat conservation areas, shorelines, geologically hazardous areas, frequently flooded areas, and/or aquifer recharge areas.

Budget Impact	
Amount Budgeted	\$2,000.00
Budget Account (BARS)	001.240.558.50.41
Proposed Expenditure	\$25,000.00
Budget Amendment Required?	Yes
Revenue Source	Professional services or lease permits

Proposed Contract	
Contractor	Bachman Environmental, LLC
Amount	\$25,000.00
Start Date	Inception
End Date	12/31/18

Previous Council/Committee Action: N/A

Competing Viewpoints Considered: N/A

Recommended Motion: I move that City Council authorize the Mayor to sign a contract modification to extend the On-Call Environmental Services Consultant contract with Bachman Environmental, LLC for one additional year for an added \$25,000.00.

Alternative Actions: Issue a new Request for Qualifications

Attachments: Contract Modification for 17-051-PLN-001



Contract Number 17-051-PLN-001
MODIFICATION 01

Date December 19, 2017

Page 1 of 1 Pages

Contract No. 17-051-PLN-001
Project Title On-Call Environmental Services Consultant
Prime Contractor Bachman Environmental, LLC

BACKGROUND

Under Article 3. Period of Performance, the City hereby exercises its right to extend the period of performance from December 31, 2017 to December 31, 2018. In addition this modification incorporates the rate fee for 2018.

Accordingly, the following changes are incorporated under this contract:

Article 3. Period Performance, is revised to read:

"The period of performance under this Agreement is from inception through December 31, 2018."

Article 4. Payment Terms, is revised to read:

"Payment for services during the years 2017 and 2018 shall be made according to the following rates:

Classification	Hourly Rate
Principal Ecologist	\$95.00

All other terms of the contract remain unchanged.

CITY OF ANACORTES

By _____
Laurie Gere, Mayor

Date _____

BACHMAN ENVIRONMENTAL, LLC

By _____
Signature

Printed Name _____

Title _____

Date _____

Original Agreement Amount	\$25,000.00	Original Contract Completion Date	12/31/2017
Current Agreement Amount	\$25,000.00	Current Contract Completion Date	12/31/2017
Change Per this Modification	\$25,000.00	Net Change	365 Days
Total After Modification	\$50,000.00	Contract Completion Date After Change	12/31/2018



City Council Agenda Bill

Meeting Date: 12/18/2017

Agenda Item: 5d

Subject: Contract Modification for On-Call Environmental Services Consultant - GeoEngineers, Inc.

Staff Contact: Don Measamer

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

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

Summary Statement: City staff seeks City Council consent exercise the option to extend the period of performance for contract 17-051-PLN-002 for one additional year in accordance with Article 3, Period of Performance, for an On-Call Environmental Services Consultant. The extension includes an increase of \$25,000.00 for 2018, for a total aggregate contract value of \$50,000.00.

Background: On February 14, 2017 a Request for Qualifications was issued for Professional On-Call Consulting Services for the Planning, Community & Economic Development (PCED) Department. After review of the submittals GeoEngineers, Inc. was chosen for the award of an On-Call Environmental Services Consultant contract. The consultant provides a variety of on-call planning services to the City as applications for development review are submitted to the city, or as other projects are budgeted. These services may include, but are not limited to, evaluation of residential or commercial development applications for consistency with environmental regulations and/or the Shoreline Master Program, including proposals that may impact wetlands, streams, habitat conservation areas, shorelines, geologically hazardous areas, frequently flooded areas, and/or aquifer recharge areas.

Budget Impact	
Amount Budgeted	\$2,000.00
Budget Account (BARS)	001.240.558.50.41
Proposed Expenditure	\$25,000.00
Budget Amendment Required?	Yes
Revenue Source	Professional services or lease permits

Proposed Contract	
Contractor	GeoEngineers, Inc.
Amount	\$25,000.00
Start Date	Inception
End Date	12/31/18

Previous Council/Committee Action: N/A

Competing Viewpoints Considered: N/A

Recommended Motion: I move that City Council authorize the Mayor to sign a contract modification to extend the On-Call Environmental Services Consultant contract with GeoEngineers, Inc. for one additional year for an added \$25,000.00.

Alternative Actions: Issue a new Request for Qualifications

Attachments: Contract Modification for 17-051-PLN-002



**Contract Number 17-051-PLN-002
MODIFICATION 01**

Date December 19, 2017

Page 1 of 1 Pages

Contract No. 17-051-PLN-002
Project Title On-Call Environmental Services Consultant
Prime Contractor GeoEngineers, Inc.

BACKGROUND

Under Article 3. Period of Performance, the City hereby exercises its right to extend the period of performance from December 31, 2017 to December 31, 2018. In addition this modification incorporates the rate fee for 2018.

Accordingly, the following changes are incorporated under this contract:

Article 3. Period Performance, is revised to read:

"The period of performance under this Agreement is from inception through December 31, 2018."

Article 4. Payment Terms, is revised to read:

"Payment for services during the year 2017 shall be made in accordance with Exhibit A – Schedule of Charges 2017. Payment for services during the year 2017 shall be made in accordance with Exhibit B – Schedule of Charges 2018."

All other terms of the contract remain unchanged.

CITY OF ANACORTES

GEOENGINEERS, INC.

By Laurie Gere, Mayor

By _____
Signature

Date _____

Printed Name _____

Title _____

Date _____

Original Agreement Amount	<u>\$25,000.00</u>	Original Contract Completion Date	<u>12/31/2017</u>
Current Agreement Amount	<u>\$25,000.00</u>	Current Contract Completion Date	<u>12/31/2017</u>
Change Per this Modification	<u>\$25,000.00</u>	Net Change	<u>365 Days</u>
Total After Modification	<u>\$50,000.00</u>	Contract Completion Date After Change	<u>12/31/2018</u>



City Council Agenda Bill

Meeting Date: 12/18/2017

Agenda Item: 5e

Subject: Contract Modification for On-Call Stormwater Engineering Services Consultant - Gray & Osborne, Inc.

Staff Contact: Don Measamer

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

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

Summary Statement: City staff seeks City Council consent exercise the option to extend the period of performance for contract 17-051-PLN-003 for one additional year in accordance with Article 3, Period of Performance, for an On-Call Stormwater Engineering Services Consultant. The extension includes an increase of \$25,000.00 for 2018, for a total aggregate contract value of \$50,000.00.

Background: On February 14, 2017 a Request for Qualifications was issued for Professional On-Call Consulting Services for the Planning, Community & Economic Development (PCED) Department. After review of the submittals Gray & Osborne, Inc. was chosen for the award of an On-Call Stormwater Engineering Services Consultant contract. The consultant provides a variety of on-call planning services to the City as applications for development review are submitted to the city, or as other projects are budgeted. These services may include, but are not limited to, review and evaluation of development proposals for conformance with applicable stormwater regulations, the City's NPDES Permit, and the applicable DOE stormwater Management Manual for Western Washington, NPDES Phase II permit implementation support, engineering reports, AKART review and adaptive management analysis, stormwater facility design and analysis, professional support as requested to respond to major policy issues and permit approvals or recommendations as a technical expert.

Budget Impact	
Amount Budgeted	\$2,000.00
Budget Account (BARS)	001.240.558.50.41
Proposed Expenditure	\$25,000.00
Budget Amendment Required?	Yes
Revenue Source	Professional services or lease permits

Proposed Contract	
Contractor	Gray & Osborne, Inc.
Amount	\$25,000.00
Start Date	Inception
End Date	12/31/18

Previous Council/Committee Action: N/A

Competing Viewpoints Considered: N/A

Recommended Motion: I move that City Council authorize the Mayor to sign a contract modification to extend the On-Call Stormwater Engineering Services Consultant contract with Gray & Osborne, Inc. for one additional year for an added \$25,000.00.

Alternative Actions: Issue a new Request for Qualifications

Attachments: Contract Modification for 17-051-PLN-003



**Contract Number 17-051-PLN-003
MODIFICATION 02**

Date December 19, 2017

Page 1 of 1 Pages

Contract No. 17-051-PLN-003

Project Title On-Call Stormwater Engineering Services Consultant

Prime Contractor Gray & Osborne, Inc.

BACKGROUND

Under Article 3. Period of Performance, the City hereby exercises its right to extend the period of performance from December 31, 2017 to December 31, 2018. In addition this modification incorporates the rate fee for 2018.

Accordingly, the following changes are incorporated under this contract:

Article 3. Period Performance, is revised to read:

"The period of performance under this Agreement is from inception through December 31, 2018."

Article 4. Payment Terms the second paragraph is revised to read:

"Progress payments for work performed from June 25, 2017 through June 15, 2018, shall be made according to Exhibit B, FULLY BURDENED BILLING RATES, which is hereby made a part hereof and incorporated by reference."

All other terms of the contract remain unchanged.

CITY OF ANACORTES

GRAY & OSBORNE, INC.

By Laurie Gere, Mayor

By _____
Signature

Date _____

Printed Name _____

Title _____

Date _____

Original Agreement Amount	<u>\$25,000.00</u>	Original Contract Completion Date	<u>12/31/2017</u>
Current Agreement Amount	<u>\$25,000.00</u>	Current Contract Completion Date	<u>12/31/2017</u>
Change Per this Modification	<u>\$25,000.00</u>	Net Change	<u>365 Days</u>
Total After Modification	<u>\$50,000.00</u>	Contract Completion Date After Change	<u>12/31/2018</u>



City Council Agenda Bill

Meeting Date: 12/18/2017

Agenda Item: 5f

Subject: Interlocal Agreement 259 – Skagit Conservation District – NPDES Phase II Public Outreach & Education

Staff Contact: Fred Buckenmeyer

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

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

Summary Statement: City staff seeks approval to execute an Interlocal Cooperative Agreement with Skagit Conservation District for the 2018 NPDES Phase II Public Outreach & Education program for an amount not to exceed \$14,300.00.

Background: Phase II municipal stormwater permits require that municipalities develop and implement a Stormwater Management Project (SWMP) to reduce pollutants to the maximum extent practicable and minimum control measures including public education and outreach on stormwater impacts. Skagit Conservation District has been providing these public education and outreach services to the City as well as other local governments in Skagit County.

Budget Impact	
Amount Budgeted	\$42,500.0
Budget Account (BARS)	445.711.531.00.51
Proposed Expenditure	\$14,300.00
Budget Amendment Required?	No
Revenue Source	City Funds

Proposed Contract	
Contractor	Skagit Conservation District
Amount	\$14,300.00
Start Date	1/1/18
End Date	12/31/18

Previous Council/Committee Action: Interlocal agreements have been executed with Skagit Conservation District for these services in the past years to meet requirements under the National Pollutant Discharge Elimination System (NPDES) permit.

Competing Viewpoints Considered: N/A

Recommended Motion: I move that City Council authorize the Mayor to sign the Interlocal Cooperative Agreement between the City of Anacortes and the Skagit Conservation District for the 2018 NPDES Phase II Public Outreach & Education program.

Alternative Actions: N/A

Attachments (listed in order presented): Interlocal agreement with Skagit Conservation District

INTERLOCAL COOPERATIVE AGREEMENT
BETWEEN
SKAGIT CONSERVATION DISTRICT
AND
CITY OF ANACORTES

COA IL#259

WHEREAS, Phase II municipal stormwater permits require that municipalities develop, and implement a Stormwater Management Program ("SWMP") designed to reduce pollutants to the maximum extent practicable and that minimum control measures in the SWMP include: (i.) Public education and outreach on stormwater impacts, (ii.) Public participation/involvement opportunities, (iii.) Detection and elimination of illicit discharges to the Municipal Separate Storm Sewer System (MS4) (a regulatory program), (iv.) Post-construction stormwater management in new development and redevelopment (a regulatory program), and (v.) Pollution prevention and good housekeeping for municipal operations; and,

WHEREAS, the City of Anacortes, hereinafter referred to as "CITY", and the Skagit Conservation District, hereinafter referred to as "DISTRICT", would achieve mutual benefit from an agreement which would allow the DISTRICT to perform work on a reimbursable basis to assist CITY with the completion of certain tasks related to the implementation of NPDES Phase II permit requirements; and,

WHEREAS, working cooperatively on these programs can greatly aid in their overall quality, efficiency and economy.

NOW THEREFORE, THIS AGREEMENT (herein the "Agreement") is made and entered into by and between the DISTRICT, a Washington special purpose district and quasi-municipal corporation, and CITY, a Washington municipal corporation, pursuant to the authority granted by Chapter 39.34 RCW, INTERLOCAL COOPERATION ACT. DISTRICT and CITY may be individually referred to herein as "party" and may be collectively referred to herein as the "parties." In consideration of the following terms and conditions, the parties mutually agree as follows:

1. GENERAL PURPOSE: The CITY will reimburse the DISTRICT in accordance with Section 4 herein for planning and carrying out specific public education and outreach activities related to stormwater management, as specified in Exhibit A (attached hereto and incorporated by reference). The CITY intends to use these activities to fulfill its responsibilities under the National Pollution Discharge Elimination System Phase II (NPDES II) permit under Section S5.C.1 and Section S5.C.2. This work is in addition to a previous agreement between the CITY and the DISTRICT for similar services, which successfully completed several initial tasks associated with NPDES II permit compliance, including stormwater pond maintenance, stormwater education in schools, and coordination of the Stream Team volunteer program.

2. RESPONSIBILITIES:

2.1. The CITY shall:

2.1.1. Verify with the State Department of Ecology that tasks and deliverables performed and submitted pursuant to this Agreement meet the CITY's NPDES, Phase II requirements.

2.1.2. Reimburse the DISTRICT for the work as identified in Exhibit A (Scope of Work and Schedule), in accordance with the terms of this Agreement.

2.1.3. The CITY is not obligated to perform or provide any other services, duties, or responsibilities except as otherwise specified pursuant to the terms of this Agreement.

2.2. The DISTRICT shall:

2.2.1. Provide the work, services, and deliverables as described in Exhibit A (Scope of Work and Schedule), in accordance with the terms of this Agreement.

2.2.2. Be responsible for overseeing and managing volunteers identified in Exhibit A. All volunteers shall be volunteers of the DISTRICT and not volunteers of the CITY.

2.2.3. Be responsible and liable for all costs and expenses associated with all work involved in the education and outreach plan not reimbursed under this Agreement unless this Agreement is subsequently amended as provided for in Section 9 of this Agreement.

3. TERM OF AGREEMENT:

3.1. The term of this Agreement shall be from January 1, 2018 through December 31, 2018, unless sooner terminated pursuant to the terms herein.

4. MANNER OF PAYMENT:

4.1. The DISTRICT shall submit invoice(s) MONTHLY for quantities delivered during the invoice period and include with each invoice a report documenting each task and the work accomplished. Invoices shall be accompanied by any backup documentation pertaining to the invoice as may be requested by the CITY.

4.2. Upon receipt of invoices from the DISTRICT pursuant to 4.1, the CITY shall pay the DISTRICT for expenditures based on satisfactory performance and progress toward deliverables as provided and documented in reports accompanying detailed invoices for services. The CITY shall pay such invoice(s) to the DISTRICT within thirty (30) days. Such payment shall be full compensation for work performed or services rendered, including, but not limited to all labor, materials, supplies, equipment, and incidentals necessary to complete the work (as identified and described at Exhibit A).

4.3. The parties agree that the maximum funding to be provided by the CITY to the DISTRICT pursuant to this Agreement shall be no more than **Fourteen Thousand Three Hundred Dollars (\$14,300.00)** for the term of this agreement.

5. ADMINISTRATION: The following individuals are designated as representatives of the respective parties. The representatives shall be responsible for administration of this Agreement and for coordinating and monitoring performance under this Agreement. In the event such representatives are changed, the party making the change shall notify the other party.

5.1. The CITY's representative shall be the Stormwater Coordinator for the City of Anacortes Public Works Department.

5.2. DISTRICT's representative shall be the District Manager.

6. TREATMENT OF ASSETS AND PROPERTY: No fixed assets or personal or real property will be jointly or cooperatively, acquired, held, used, or disposed of pursuant to this Agreement.

7. INDEMNIFICATION: Each party agrees to be responsible and assume liability for its own wrongful and/or negligent acts or omissions or those of their officials, officers, agents, or employees to the fullest extent required by law, and further agrees to save, indemnify, defend, and hold the other party harmless from any such liability. It is further provided that no liability shall attach to the CITY by reason of entering into this contract except as expressly provided herein.

8. TERMINATION: Any party hereto may terminate this Agreement upon thirty (30) days' notice in writing either personally delivered or mailed postage-prepaid by certified mail, return receipt requested, to the party's last known address for the purposes of giving notice under this paragraph. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

9. CHANGES, MODIFICATIONS, AMENDMENTS AND WAIVERS: The Agreement may be changed, modified, amended or waived only by written agreement executed by the parties hereto. Waiver or breach of any term or condition of this Agreement shall not be considered a waiver of any prior or subsequent breach.

10. SEVERABILITY: In the event any term or condition of this Agreement or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other terms, conditions or applications of this Agreement which can be given effect without the invalid term, condition, or application. To this end the terms and conditions of this Agreement are declared severable.

11. DOCUMENTS AND MATERIALS PRODUCED: The CITY shall have the right to use and distribute any and all documents, writings, data, public records or other materials prepared by either party in connection with performance of this Agreement. When using material that is funded under the Implementation Grant, the parties shall acknowledge the funding source.

12. DEFAULT: Failure of the parties to comply with the terms of this Agreement shall constitute default.

13. VENUE AND CHOICE OF LAW: In the event that any litigation should arise concerning the construction or interpretation of any of the terms of this agreement, the venue of such action of litigation shall be in the Superior Court of the State of Washington in and for the County of Skagit. This agreement shall be governed by the laws of the State of Washington.

14. NO THIRD PARTY BENEFICIARIES: This Agreement is not intended to nor does it create any third party beneficiary or other rights in any third person or party, including, but not limited to, any agent, contractor, subcontractor, consultant, volunteer, or other representative of either party.

15. COUNTERPARTS: This Agreement may be executed in any number of counterparts, and each such counterpart hereof shall be deemed to be an original instrument, but all such counterparts together shall constitute but one agreement.

16. ENTIRE AGREEMENT: This Agreement contains all the terms and conditions agreed upon by the parties. All items incorporated herein by reference are attached. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto.

SKAGIT CONSERVATION DISTRICT

CITY OF ANACORTES

By: _____
Dean Wesen
Chair

By: _____
Laurie Gere
Mayor

Date: _____

Date _____

Address: Skagit Conservation District
2021 E. College Way, Suite 203
Mount Vernon, WA 98273

City of Anacortes
904 6th Street
Anacortes, WA 98221

TN: (360) 482-4313

(360) 293-1966

FAX: (360) 424-6172

(360) 293-1938

DATED this _____ day of _____, 201__.

“Exhibit A”
Scope of Work and Schedule

**Public Education, Outreach, Participation and Involvement Project for National Pollution
Discharge Elimination System (NPDES) Phase II Compliance**

1.1 Public Education, Outreach, Participation and Involvement

The DISTRICT, with CITY assistance, shall develop and implement activities for addressing the “Public Participation and Involvement” minimum control measure, one of six measures required to meet the conditions of the NPDES stormwater permit. The essential goals include improving public knowledge of local stormwater issues, receiving public input on potential solutions, gaining public support for the compliance with the CITY’s Stormwater Management Program (SWMP), and developing a volunteer workforce to help implement this plan.

Task 1.1 Host Private Stormwater Facility Maintenance Workshop

The DISTRICT will organize and implement a public workshop focusing on Private Stormwater Facility Maintenance. The target audience for this group will be Home Owner Associations, private stormwater facility owners, and the general public. This workshop will focus on educating the audience on their responsibilities to maintain their private stormwater facilities.

Required Tasks and Deliverables:

- a. The DISTRICT, with CITY assistance, shall develop and deliver one partial day or evening workshops. The workshop shall occur before June 30, 2018.
- b. The workshop shall include:
 1. An overview of the key components of identifying private stormwater maintenance and a field trip to visit several private facility examples.
 2. An assessment of the attendees behavior change as a result of the workshop.

Estimated Cost = **\$1,650**

Task 1.2 – Watershed Masters Volunteer Training Program

This volunteer training program will be conducted on an annual basis and shall consist of 40 hours of training and will focus on: providing presentations/training to the Watershed Masters (WSM) on CITY stormwater program priorities through classroom and fieldtrip activities. Topics covered include, but are not limited to: watershed history and geology, water quality, stream ecology, salmon, wetlands and soils, agricultural and forestry Best Management Practices (BMPs), stormwater runoff and activities that landowners can do to reduce stormwater water quality impacts, and low impact development practices. Content of coursework will be coordinated with CITY staff to meet the needs of CITY stormwater program. Participants will return 40 hours of volunteer service and make a commitment to reduce stormwater runoff impacts in their own backyards.

Required Tasks and Deliverables:

The DISTRICT shall organize and present one Watershed Master’s Program in 2018. The DISTRICT shall:

- a. Perform recruitment of interested community residents to participate in the annual Watershed Masters Volunteer Training Program.
- b. Document participation and volunteer activities conducted by the Watershed Masters volunteers.
- c. Coordinate and track volunteer hours contributed by participants.
- d. Include program evaluation forms that will be completed by the participants to determine behavior changes implemented.
- e. Participants will report BMPs implemented at home based on education learned during training.

Estimated Costs = **\$2,150**

Task 1.3 – Volunteer Water Quality Monitoring Program (Skagit Stream Team)

The primary purposes of the program are: to inspire stewardship in regards to water quality by educating citizens about land use, stormwater runoff, and nonpoint source pollution and involving them in the process of water quality data gathering; to develop and implement a routing sampling program that can be used to assess water quality trends, characterize the existing water quality of priority freshwater drainages, and to determine how water quality conditions compare to State Standards; and to document improvements in water quality as a result of the implementation of BMPs. A Quality Assurance/Quality Control (QA/QC) plan and lab plan for the Stream Team program have been approved by the Washington Department of Ecology. Water quality conditions monitored by volunteers currently include: fecal coliform bacteria, dissolved oxygen, water temperature, turbidity, and total depth.

- a. Coordinate with the CITY to determine priority areas for monitoring.
- b. Coordinate with the CITY to determine stream priority.
- c. Promote program in partnership with the CITY and recruit citizen participation.
- d. Coordinate volunteer activities; maintain volunteer records and data sheets and coordinate volunteer recognition events.

Required Task and Deliverables:

- a. Annual recruitment of volunteers to participate in the Stream Team program will be conducted. Recruitment efforts will target local residents age 18 and up, Watershed Masters, and Environmental Tech students attending Skagit Valley College.
- b. The DISTRICT shall conduct an annual 3-session training event in 2018.
- c. Four to six teams of volunteers (2-3 volunteers on each team) will make a commitment to collect water quality data at 4-5 assigned stations on a monthly basis for one year (each station will be monitored twice a month). Stations will be located in consultation with CITY staff.
- d. Volunteer hours contributed by participants will be tracked on a yearly basis and submitted with 4th quarter report.
- e. An annual report will be submitted to the CITY on or before January 15, 2019.
- f. Streams located within the CITY Phase II NPDES Permit area include:
 - Ace of Hearts
 - Clyde
 - Happy Valley

Estimated Costs = **\$4,400**

2.1 Public Education and Outreach

The DISTRICT, with CITY assistance, shall develop and implement activities for addressing the “Public Education and Outreach” minimum control measure, one of six measures required to meet the conditions of the NPDES stormwater permit. The goal of this minimum control measure is to facilitate greater public awareness of the sensitivity of local surface waters, their beneficial uses, the detrimental effects of polluted storm water and illicit discharges, and measures that can be taken to reduce stormwater pollution.

Task 2.1 – Backyard Conservation Stewardship Short Course Program

This annual 6-week short course will feature tips for native plant landscaping, environmentally friendly gardening practices, composting, mulching, nutrient management, pest management, landscaping for wildlife, water conservation tips, low impact development practices for homeowners, and overall, backyard practices that will reduce stormwater runoff pollution. The training will be provided by local experts. Participants will attend 6 evening sessions (once a week) and two Saturday field excursions. The following topics will be included in the training: Proper use and disposal of pesticides, herbicides, and fertilizers, and use of non-toxic alternatives; use of native plants in landscaping, reducing size of lawn; preventive car maintenance, including proper disposal of used oil, coolant, and other toxic materials; use of permeable pavement for driveways and patios; proper disposal of pet waste and livestock waste and composting.

Required Tasks and Deliverables:

The DISTRICT shall organize and present one Backyard Conservation Stewardship Course Program in 2018. The DISTRICT shall:

- a. Organize and conduct the Backyard Conservation Stewardship program in partnership with local jurisdictions on an annual basis.
- b. Engage in recruitment of interested residents to participate in the annual Backyard Conservation Stewardship program.
- c. Coordinate with, and involve businesses, schools, parks, and other organizations in establishing backyard stewardship practices that will promote habitat for wildlife and reduce stormwater runoff.
- d. Provide one evening or Saturday public workshop promoting backyard conservation practices.
- e. Document participation of class attendees.
- f. Ensure that program evaluation forms are completed by the participants to determine class effectiveness. Follow up surveys will be conducted on an annual basis to determine whether or not class participants have made behavior changes to reduce stormwater impacts based on what was learned in the program.

Estimated Costs = **\$2,150**

Task 2.2 – Workshops for Local Contractors and Businesses

The DISTRICT will organize and implement two public workshops focusing on topics that include green roofs, pervious pavement, rain gardens, bio-infiltration, pervious pavement, and pervious concrete. The target audience for these workshops will be local contractors and businesses.

Required Tasks and Deliverables:

The DISTRICT will organize and implement two public workshops focusing on education and outreach to local contractors and businesses on a variety of Low Impact Development (LID) techniques.

The DISTRICT, with CITY assistance, shall develop and deliver one partial day or evening workshop which shall occur before June 30, 2018. The workshop shall include:

- a. An overview of the benefits and challenges of the different types of LID techniques and instruction on how to implement LID into their operations.
- b. An assessment of the attendees behavior change as a result of the workshop.

Estimated Costs = **\$1,650**

Task 2.3 – Miscellaneous

Assist the CITY with other related programs or tasks on an as needed basis upon mutual agreement between the CITY and DISTRICT.

Required Tasks and Deliverables:

- a. To be determined as agreed to between the parties.

Estimated Costs = **\$2,300**



City Council Agenda Bill

Meeting Date: 12/18/2017

Agenda Item: 7a

Subject: Andeavor Donation to Anacortes Police Department

Staff Contact: Karl Wolfswinkel

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.
	Contract
	Public Hearing
x	Staff Report

Summary Statement: Andeavor Community Affairs has generously agreed to provide APD with a \$25,000.00 donation for the purchase of new computer equipment for our computer forensics lab, new tracking equipment for our Project Lifesaver program, and a new speed measuring radar unit that our volunteers place in areas of chronic speeding complaints. These were areas that we identified as needing technological improvement to replace outdated equipment that we use for criminal investigations and public safety.

Background: For a number of year Andeavor (formerly Tesoro) has reached out to APD and inquired about ways they could help us financially to support our mission of reducing criminal activity and improving community well-being. These donations have been used previously to purchase items such as new cars for our Auxiliary Patrol and bicycles for our Bike Patrol officers. The donations are part of Andeavor's partnership with their stakeholder neighbors to ensure safe, clean, and well educated communities.

Budget Impact	
Amount Budgeted	
Budget Account (BARS)	001.310.367.00.00
Proposed Revenue	\$25,000
Budget Amendment Required?	Yes
Revenue Source	Donation

Proposed Contract	
Contractor	
Amount	
Start Date	
End Date	

Previous Council/Committee Action: N/A

Competing Viewpoints Considered: N/A

Recommended Motion: I move to accept the donation of \$25,000 from Andeavor to fund Anacortes Police Department equipment needs.

Alternative Actions: N/A

Attachments (listed in order presented): N/A



December 6, 2017

Officer Karl Wolfswinkel
Anacortes Police Department
1218 24th Street
Anacortes WA 98221

Dear Officer Wolfswinkel:

Andeavor is committed to collaborating with our stakeholders to create cleaner, safer, well-educated communities where we operate. We are very proud to support the City of Anacortes Police Department and your accomplishments to the overall improvement of the quality of life in the City of Anacortes, through reducing danger from criminal activity and improving community well-being. We commend all of your tireless efforts.

By way of this letter, we are pleased to confirm Andeavor approved a grant in the amount of \$25,000.00 to, please, be distributed as follows:

- Forensic Equipment Project - \$18,000.00
- Lost Person Tracking Project - \$3,300.00
- Radar Unit Project - \$3,700.00

Enclosed, please find your check.

Matt Gill, Sr. Manager - Government & Public Affairs, will be coordinating our efforts in the above mentioned projects. If you have any questions, please feel free to contact Matt at (360) 293-9149 or Matthew.P.Gill@andeavor.com.

Again, we're proud to support City of Anacortes Police Department. To learn more about our new Company identity, please visit our website at www.andeavor.com.

Best wishes for Happy Holidays!

Sincerely,

A handwritten signature in black ink, appearing to read 'Jared T. Skok'.

Jared T. Skok, MPA
Executive Director
Andeavor Foundation



City Council Agenda Bill

Meeting Date: 12/18/2017

Agenda Item: 7b

Subject: Andeavor Donation to Anacortes Fire Department

Staff Contact: Richard Curtis

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.
	Contract
	Public Hearing
x	Staff Report

Summary Statement: Andeavor Community Affairs has generously agreed to provide AFD with a \$20,000.00 donation for the purchase of Hydraulic Extrication Cutter and Power Pack. This equipment with its capacity to cut high strength steel is currently not available for the fire department's use.

Background: Andeavor (formerly Tesoro) was a community partner in providing a hydraulic spreader and power supply earlier this year. This spreader is one of the tools capable of more easily spreading and tearing apart high tension steel, which most vehicles now are constructed of. As an aid in the extrication process, this additional donation will allow for the purchase of a hydraulic cutter. Both these tools will reduce the extrication time allowing for the removal of the patient for quicker treatment and transportation to a trauma hospital.

Budget Impact	
Amount Budgeted	
Budget Account (BARS)	110.320.594.22.64
Proposed Revenue	\$20,000
Budget Amendment Required?	Yes
Revenue Source	Donation

Proposed Contract	
Contractor	
Amount	
Start Date	
End Date	

Previous Council/Committee Action: This extrication equipment cost is anticipated in the 2017 year end budget amendment to be approved by Council.

Competing Viewpoints Considered: N/A

Recommended Motion: I move to accept the donation of \$20,000 from Andeavor to fund Anacortes Fire Department extrication equipment program.

Alternative Actions: N/A

Attachments (listed in order presented): N/A



December 6, 2017

Chief Richard B. Curtis
Anacortes Fire Department
1016 13th Street
Anacortes WA 98221

Dear Chief Curtis:

Andeavor and Andeavor Foundation are proud to support City of Anacortes Fire Department and your dedication to serving your community, saving lives and protecting property.

By way of this letter, we are pleased to confirm Andeavor has approved a grant in the amount of \$20,000.00 for the Enhanced Vehicle Extrication Equipment. Enclosed, please find your check.

Matt Gill, Sr. Manager - Government & Public Affairs, will be coordinating our efforts for the Enhanced Vehicle Extrication Equipment. If you have any questions, please feel free to contact Matt at (360) 293-9149 or Matthew.P.Gill@andeavor.com.

Again, we're proud to support City of Anacortes Fire Department.

To learn more about our new Company identity, please visit our website at www.andeavor.com.

Best wishes for Happy Holidays!

Sincerely,

A handwritten signature in black ink, appearing to read 'Jared T. Skok'.

Jared T. Skok, MPA
Executive Director
Andeavor Foundation

GENESIS

RESCUE SYSTEMS



- HYDRAULIC SPREADERS
- HYDRAULIC CUTTERS
- HYDRAULIC COMBI TOOLS
- HYDRAULIC RAMS
- HYDRAULIC POWER UNITS
- HYDRAULIC AIR BAGS
- HYDRAULIC JACKS
- HYDRAULIC PUMPS
- HYDRAULIC LIFTING
- HYDRAULIC FORCIBLE ENTRY
- USAR

S-53XL

- Video
- Specifications
- User Guide
- Warranty







S20



S45XL



S49-XL



S53-XL



S60-XL



S80XL

GENESIS

RESCUE SYSTEMS



- CUTTERS
- COMBI TOOLS
- RAMS
- POWER UNITS
- AIR BAGS
- HYDRAULIC TOOLS
- STABILIZATION
- FORCIBLE ENTRY
- ILSAR

C-365

NFPA 1936 Rating - A8|B9|C8|D9|E9

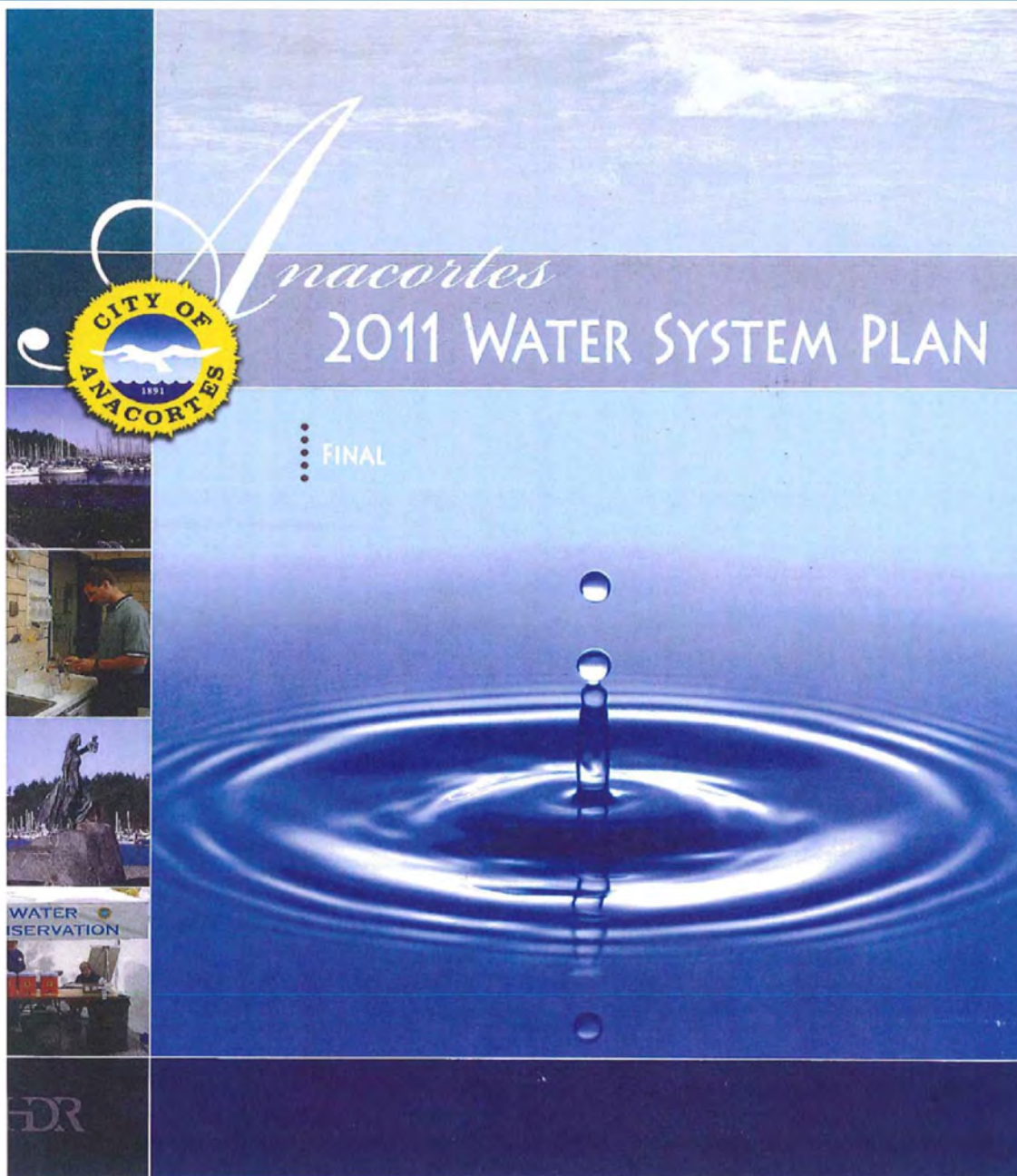
- Video
- Specifications
- User Guide
- Warranty



CSC
ONE STEP COUPLER

BC
BODYPARTICLE

 C30	 C50	 MTC	 C165	 C185
 C195	 C236	 C365	 ALL 9	 CRUSHER



1. Update historical water demand data, including impact of conservation
2. Address capacity comment in Table 1-4
3. Provide update to deficiencies noted on page 1-10
4. Discuss status of service area adjustments with PUD
5. Provide asset management/critical infrastructure analysis update
6. Conduct self assessment for gaps or catchups

1. Update historical water demand data, including impact of conservation

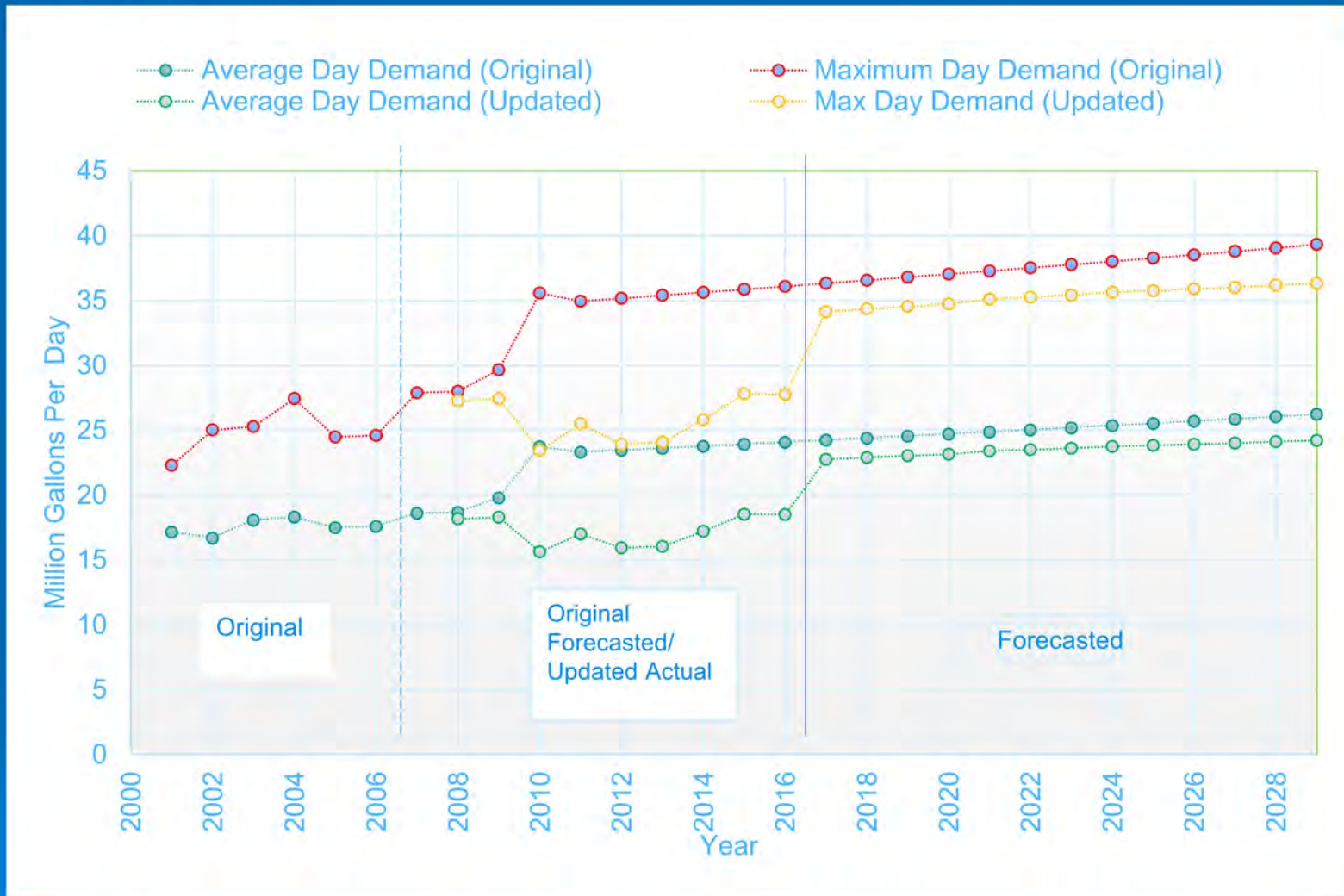


Figure 1-3 Updated Demand Forecast Summary (With Conservation)

2. Address capacity comment in Table 1-4

Table 1-4 Source and Storage Analysis

SOURCE ANALYSIS	
AREA ANALYZED	CAPACITY ADEQUATE THROUGH 2029
Entire System – Retail and Regional Service Area	Yes.
High, Mid, "A" Ave, Rock Ridge, Castilleja, The Pointe and Tyler Zone	No. An increase in the 3-MG Pump Station capacity is included in the CIP.
Fidalgo Bay Estates Zone	Yes.
"A" Avenue Zone	Yes.
Rock Ridge Zone	Yes.
Castilleja Zone	Yes.
The Pointe Zone	Yes
STORAGE ANALYSIS	
AREA ANALYZED	CAPACITY ADEQUATE THROUGH 2029
Storage Volume for the Entire Retail Service Area and Pressure Adequacy for the Low Zone.	Yes.
Storage Volume for the High, Mid, "A" Ave., Rock Ridge, Castilleja, The Pointe, and Tyler Zones and Pressure Adequacy for the High, Mid, and Tyler Zones	Yes.
Storage and Pressure Adequacy for the Fidalgo Bay Estates Zone	Yes.



Figure 2-4 - Distribution System

3. Provide update to deficiencies noted on page 1-10



Table 10-1 CIP Projects Identified by System Analysis

PROJECT NUMBER	DESCRIPTION	EXISTING DIAMETER (inch)	NEW DIAMETER (inch)	TOTAL LENGTH (LF)	JUSTIFICATION	BASE PROJECT COST ¹
PROJECTS IDENTIFIED THROUGH HDR SYSTEM ANALYSIS						
Water Booster Pump Stations						
P-1	Fidalgo Bay Zone - Add fire pump and adjust the pressure zone boundary to include services in the Fidalgo Bay Estates pressure zone.		6	532	Fire Flow	\$344,000
P-2	Hadden Road, Saint Mary's Drive, and R Avenue near the 3 MG Reservoir. Create a new pressure zone for services on these roads as they are the highest in the High Zone and have low pressures during a fire flow.				Low Pressure, Low FF	\$325,000
P-3	Upgrade 3MG Pump Station				Skyline Reservoir	\$573,000
Water Distribution System						
D-1	West of the intersection of Cabana Lake and Skyline Way. Replace existing 6 inch pipe with 12 inch to the first hydrant and with 8 inch to the other two hydrants.	6	12	347	Fire Flow	\$267,000
		6	8	972		
D-2	North of the intersection of Twin Place and Devonshire Drive. Replace existing 6 inch pipe with 8 inch.	6	8	222	Fire Flow	\$67,000
D-3	Sterling Drive near Bradley Drive. Adjust zone boundary of the High Zone to include hydrants with low available fire flow on Sterling Drive and Heather Drive.				Fire Flow	
D-4	28th Street west of M Avenue. Replace existing 4 inch pipe with 8 inch to hydrant and to a 6 inch after the hydrant.	4	8	138	Fire Flow	\$74,000
		4	8	246		
D-5	The Pointe Pressure Zone. Replace existing plastic pipe with new DI pipe and adjust zone boundary to include highest services of the High Zone into the Pointe Zone.	12	12	2,128	Fire Flow	\$605,000
		8	8	1,592		
			8	1,100		
D-6	Oakes Avenue from Glasgow Way (PRV-10) to Ferry Terminal Road. Replace existing 8 inch pipe with 12 inch.	8	12	2,345	Fire Flow	\$350,000
D-7	Construct new 12 inch pipe from intersection of 6th Street and R Avenue east to 6th Street and Rotary/T Ave, north along Rotary/T Avenue to Rotary/T Avenue and 4th Street and west to 4th Street and Commercial Avenue to connect into an existing 12 inch diameter pipe. In addition complete 6 inch loop on "R" Avenue between 4th Street and 3rd Street.		12	721	Fire Flow	\$432,000
			12	595		
			12	1,509		
			6	170		
D-8	Construct new 6 inch pipe from intersection of Commercial Avenue and 13th Street east to an existing 12-inch-diameter pipe.		6	181	Fire Flow	\$28,000
D-9	South of and parallel to 30th Street from V Place to W Avenue. Replace existing 6 inch pipe with 8 inch.	6	8	211	Fire Flow	\$65,000
D-10	Whistle Lake Road/Terrace from 3 MG Reservoir to Fidalgo Bay Estates. Construct new 8 inch pipe in the High Zone and relocate existing services from the existing 20 inch transmission line to the 8 inch distribution line to eliminate low pressures.		8	5,840	Low Pressure	\$1,271,000
D-11	North of the intersection of Q Avenue and 3rd Street. Replace existing 8 inch pipe with 8 inch.	8	8	206	Fire Flow	\$54,000
D-12	7th Street and W Avenue. Replace existing 6 inch pipe with 8 inch.	6	8	1,006	Fire Flow	\$232,000
D-13	South of 37th Street and D Avenue. Replace existing 6 inch pipe with 8 inch.	6	8	259	Fire Flow	\$64,000
PROJECT TOTALS				20,323		\$5,031,000

1. Base Project Cost includes: construction costs (materials and labor), sales tax (8.2% of construction), construction contingency (20% of construction + sales tax), and design engineering/geotechnical/surveying/permitting/administration (25% of construction + sales tax + contingency).

4. Discuss status of service area adjustments with PUD

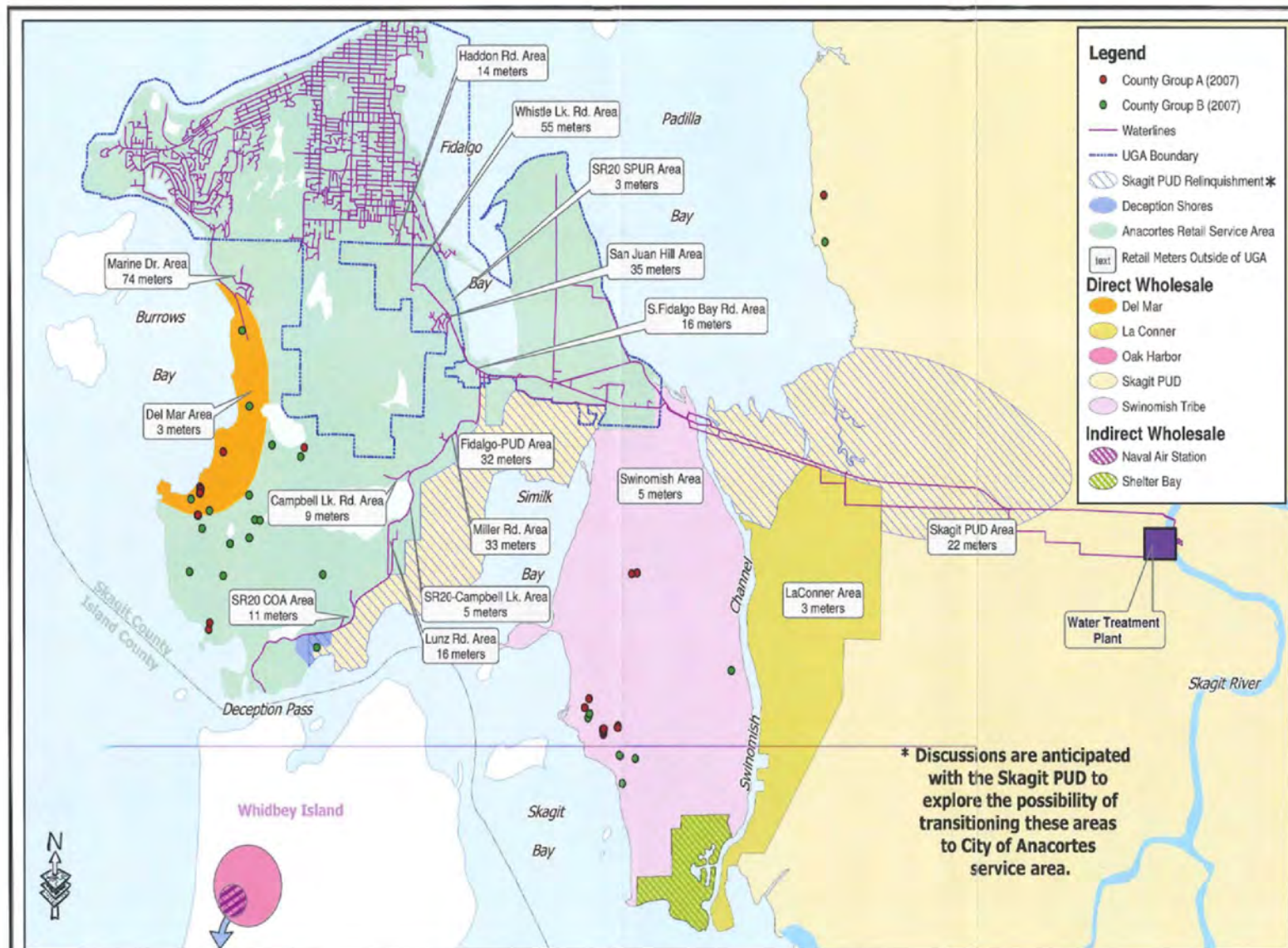


Figure 2-2 - Service Areas

5. Provide Asset Management/critical infrastructure analysis update
6. Conduct self assessment for gaps or catchups

Recommended Action

To approve Ordinance 3019 adopting the 4-year limited update to the City's 2011 Water System Plan



City Council Agenda Bill

Meeting Date: 12/18/2017

Agenda Item: 7c

Subject: Public Informational Meeting and Adoption of the 4-Year Limited Update to the City of Anacortes 2011 Water System Plan

Staff Contact: G. Matt Reynolds

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

Action Type	
X	Ordinance No. 3019
	Code Revision?
	Resolution No.
	Contract
	Public Hearing
	Staff Report

Summary Statement: At the time the City's 2011 Water System Plan was developed, approval of water system plans was for a period of six years. The City's 2011 Water System Plan was approved on March 7, 2012. Due to recent changes in legislation, the approval period is now ten years. Approval of the attached 4-Year Limited Update by the Department of Health (DOH) will provide approval of the City's Water System Plan for an additional four years, effectively making the plan a 10-year plan. For the DOH to approve the update, an informational meeting must be held for the water customers and the Council must adopt the update by ordinance. The informational meeting will summarize the WSP update elements. The request for a 4-Year Limited Update is due to the DOH in January 2018.

Background: On March 8, 2017, City of Anacortes staff met with Department of Health (DOH) staff to discuss the options available for water system planning given the recent changes in legislation. Options discussed were for the City to do a 2-year existing plan extension, a 4-year limited update, or a 10-year new plan. Through that discussion, the City decided to proceed with the 4-Year Limited Update as that provides the most time to develop a new 10-year water system plan. With this update, that new plan will be due in 2022.

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

Proposed Contract	
Contractor	NA
Amount	
Start Date	
End Date	

Previous Council/Committee Action: Adoption of the 2011 Water System Plan on March 5, 2012. Discussion and first reading of proposed Ordinance 3019 at the regular City Council meeting on December 11, 2017.

Competing Viewpoints Considered: NA

Recommended Motion: I move to approve Ordinance 3019 adopting the 4-year limited update to the City of Anacortes 2011 Water System Plan.

Alternative Actions: NA

Attachments : Proposed Ordinance 3019, 4-Year Limited Update Report

ORDINANCE NO. 3019

AN ORDINANCE OF THE CITY OF ANACORTES, WASHINGTON, RELATING TO THE CITY WATER UTILITY; ADOPTING THE 4-YEAR LIMITED UPDATE TO THE CITY'S WATER SYSTEM PLAN; INCORPORATING THE 4-YEAR LIMITED UPDATE INTO THE CITY COMPREHENSIVE PLAN; AND RATIFYING AND CONFIRMING PRIOR ACTS.

THE CITY COUNCIL OF THE CITY OF ANACORTES, WASHINGTON, does hereby ordain as follows:

SECTION 1. RECITALS AND FINDINGS

1.1 The City of Anacortes ("City") owns and operates a regional water supply system which supplies approximately 22 million gallons per day to approximately 56,000 residential, commercial and industrial customers ("Water Utility"). The Water Utility effectively came into existence in 1919 when the City purchased the water system from Washington Water and Power Company.

1.2 The Water Utility is now part of the combined utility system of City utilities ("System"). The System includes the Water Utility; the City system of storm and surface water management; the City system of garbage and refuse collection and disposal; and the City Sewer Utility.

1.3 The Water Utility provides the entire domestic service for all residential and commercial customers in the City and residential and commercial retail customers in parts of unincorporated Skagit County. And, consistent with the Skagit County Coordinated Water System Plan and the City's original 2011 water system plan, the City has entered into long-term supply contracts with seven wholesale and industrial customers for water service to other municipal and tribal areas and a military base. Those contracts, and contract terms, include: City of Oak Harbor – December 31, 2036; Town of La Conner – December 31, 2036; Skagit PUD –

December 31, 2036; Swinomish Utility Authority – December 31, 2036; Tesoro Refinery and Marketing Company (now Andeavor) – December 31, 2036; Shell Oil Products US (Shell Puget Sound Refinery) – December 31, 2036.

Under Department of Health regulations at the time the City's Water System Plan was adopted, water system plans were to be updated every six years. WAC 246.290.100. Under current Department of Health regulations, water system plans are to be updated every ten years. This 4-year Limited Update effectively converts the City's original 2011 Water System Plan to a ten year plan.

1.5 The City's Determination of Non-Significance on the 4-Year Limited Update pursuant to the State Environmental Policy Act was issued in December **2017**.

1.6 Following published notice, the City conducted a public informational meeting on the 4-Year Limited Update to the City's 2011 Water System Plan for Water Utility customers and others on December 18, 2017.

1.7 The 4-Year Limited Update to the 2011 Water System Plan is consistent with the City's rights and responsibilities under the 1996 Memorandum of Agreement Regarding Utilization of Skagit River Basin Water Resources for Instream and Out of Stream Purposes, commonly referred to as the 1996 Memorandum of Agreement. The parties to the Memorandum of Agreement are the Skagit PUD, Skagit County, Washington State Department of Ecology, Washington State Department of Fish and Wildlife, the Swinomish Indian Tribal Community, the Upper Skagit Indian Tribe, and the Sauk-Suiattle Indian Tribes. The Water System Plan is also consistent with the Coordinated Water System Plan for Skagit County.

1.8 The City Council, having considered the 4-Year Limited Update to the 2011 Water System Plan and any comment thereon, determines it appropriate to adopt the Plan for the 2010 - 2029 planning period.

1.9 The 4-Year Limited Update to the 2011 Water System Plan is also adopted as part of the City Comprehensive Plan, consistent with the Growth Management Act (RCW 36.70A.070) and City planning authority (RCW 35A.63.062).

SECTION 2. WATER SYSTEM PLAN APPROVED

The Updated City of Anacortes Water System Plan is hereby approved and adopted as the City's Water System Plan and the City's system and plan for Water Utility improvements.

SECTION 3. COMPREHENSIVE PLAN AMENDED

The Updated Water System Plan approved and adopted by this Ordinance supersedes and replaces amends the City's original 2011 Water System Plan and by this Ordinance is hereby incorporated into the City Comprehensive Plan.

SECTION 4 RATIFICATION AND CONFIRMATION

All acts prior to and consistent with this ordinance are hereby ratified and confirmed.

SECTION 5 EFFECTIVE DATE

This Ordinance is both subject to State regulatory oversight and an exercise of a power delegated to the City legislative body; and, therefore, not subject to referendum. This ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication in the manner required by law.

SECTION 6 ADOPTION

PASSED by the City Council and APPROVED by the Mayor of the City of Anacortes, Washington, this ____ day of December, 2017 at a regular open public meeting thereof.

Laurie Gere, Mayor

ATTEST:

APPROVED AS TO FORM:

Steve D. Hoglund, City Clerk/Treasurer

Darcy James Swetnam, WSBA **40530**,
City Attorney

REPORT
CITY OF ANACORTES
2012 WATER SYSTEM PLAN
4-YEAR LIMITED UPDATE

On March 8, 2017, City of Anacortes staff met with Department of Health (DOH) staff to discuss the options available for water system planning given recent legislation that now allows water system plans to be approved by the DOH for ten years rather than six years. The City's current Water System Plan (WSP) was approved by the DOH on March 7, 2012. Options discussed were for the City to do a 2-year existing plan extension, a 4-year limited update, or a new 10-year plan. Through that discussion, the City decided to proceed with a request for a 4-year limited update and prepared this report to support the request. Guidance from the DOH was to build on the existing plan with updated information in the following areas:

- Update the historical water demand data, including the successful impact of conservation on demand. Update Figure 1-3.
- Explain how the lack of capacity identified in Table 1-4, Source and Storage Analysis, has been or will be addressed.
- Provide an update to the Peak Hour Demand Conditions/deficiencies noted on page 1-10
- Discuss status of service area adjustments with the Skagit PUD.
- Check with wholesale customers to update demand projections/verify City's capacity will be adequate for the extended planning period.
- Provide an Asset Management/critical infrastructure analysis update.
- Conduct a self-assessment for any gaps or catch-up for this limited plan update.
- Conduct a consumer meeting to summarize the WSP update elements.
- Document City Council plan approval prior to DOH final approval.
- Provide SEPA documentation.
- Provide Local Government Consistency from appropriate planning agencies.
- Provide a narrative cover letter with professional engineer seal discussing current plan validity.

SYSTEM CAPACITY

Demand Forecast Update

Figure 1-3 was updated using data from the attached updated Table 4-10, "Demand Forecast (With Additional Conservation)". For the City's retail system, the update included replacing projected average day demands for residential and commercial accounts with actual data for the years 2008 through 2016. The methodology used for the original retail projections was to multiply the projected number of residential and commercial accounts by the "water use factors" for each. The water use factors were the

average daily demand for each type of account for the years 2005 through 2007. The number of accounts was grown at 2% per year.

That methodology for projecting the retail demand was used with the new projection except the water use factors were updated, using the average for years 2014 through 2016. The number of accounts was increased from the 2016 numbers at 2% per year, as with in the original projection. In 2016, the City adopted a new Comprehensive Plan that projected the population of Anacortes in the year 2036 at 22,293. With a 2016 population of 16,398, that growth rate is approximately 1.8%. Therefore, 2% growth is thought to be conservative in terms of projecting demand.

To update the wholesale portion of the demand projection, each wholesale customer was contacted, mostly by phone. The responses are as follows:

- Shell: no changes in the foreseeable future. The average of average day demand for years 2014 through 2016 (7.21 mgd) was held for years 2017 through 2029.
- Tesoro (now Andeavor): No foreseeable changes in flow other than a project in 2018 that will increase their flow by 45 gallons per minute (gpm) and another project in 2021 that will increase flow by another 100 gpm. Those two increases were included in the forecast and the projected flow was otherwise held constant.
- Oak Harbor: Recommended using the projection in their 2013 water system plan.
- Skagit PUD: Recommended not making any changes to the original projection.
- La Conner: Recommended using the projection from their 2009 water system plan.
- Swinomish: Recommended not making any changes to the original projection.
- Del Mar: Del Mar believes they are at or near build-out and recommended not increasing the projection beyond current use. They think the demand might go down as a result of a significant waterline replacement project anticipated in the next few years.

No changes were made in the "Future Industrial Block" or "Non-Revenue", and the same peaking factor of 1.5 was used in the update of the table.

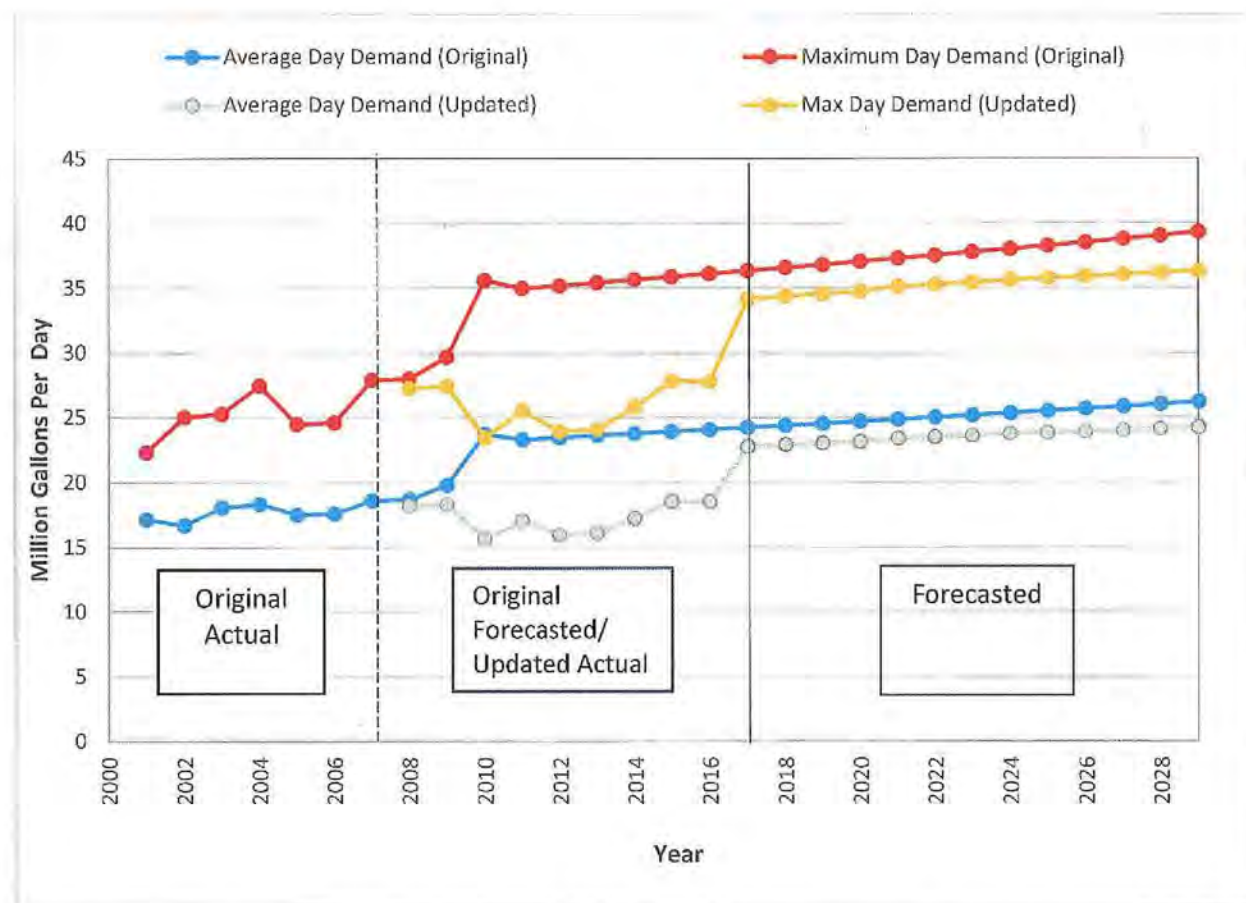


Figure 1-3 Updated Demand Forecast Summary (With Conservation)

As can be seen in Figure 1-3, the City's annual water demand for the years 2008 through 2016 has been below that projected in the original demand forecast. Also, the adjusted projections for years 2017 through 2029 remain below the original projections. Therefore, except as discussed below, the conclusions of the plan are still valid.

Source and Storage Update

Subsection 6.2.2 of the WSP provides a discussion of the Source Capacity Evaluation that was performed. That effort identified the current capacity of 3-MG Pump Station as "insufficient to provide supply for these (High, Mid, A Avenue, Rock Ridge, Castilleja, and The Pointe) zones starting prior to 2015." This was also reported in Table 1-4.

A manifestation of the problem was the difficulty in filling the Skyline Reservoir. While the 29th Street Reservoir and Skyline Reservoir were constructed at the same elevation, the Skyline Reservoir is located 4 miles further away from the source (the 3MG Reservoir/Pump Station) than the 29th Street Reservoir. Due to head loss, the 29th Street Reservoir would fill faster than the Skyline Reservoir and would routinely be full before the Skyline Reservoir. An interim solution that was employed was the installation of flow control valves, controlled by the WTP, at both reservoirs. This allows both reservoirs

to fill and has, at least in the near term, solved the problem with filling the reservoirs. However, modeling has demonstrated that under future maximum day demand (MDD) conditions, this solution will not be adequate.

The City contracted with MWH Americas Inc. to evaluate the situation and identify solutions. Their report was completed in 2012. The modeling consultant, HDR Engineering, performed extended period hydraulic model simulations of five alternative solutions to the problem of filling the Skyline Reservoir during future MDD conditions. Of the five alternative solutions that were modeled, only an increase to the capacity of the 3MG Reservoir Pump Station appeared to result in the desired filling and draining of the Skyline Reservoir during both current and future MDD conditions.

The MWH report recommends three new equally sized horizontal splitcase centrifugal pumps of similar type and physical dimensions to the existing large pumps at the pump station. The new pumps should be sized so two pumps operating 24 hours per day can meet the future MDD of 4.06 million gallons. One of the three pumps will remain out of service for redundancy. Variable frequency drives are recommended. This project is in the Capital Improvement Plan and the City anticipates doing this work in 2019/2020.

Peak Hour Demand/Deficiencies Update

Subsection 6.5.4 of the WSP discusses modeling results for peak hour analysis. The analysis identifies certain areas that had pressure less than 20 psi during current and 20-year conditions, and identifies possible solutions to problems. Also, subsection 6.5.6 discusses model result for Fire Flow Analysis. The analysis identifies areas with deficient fire flows and proposes possible solutions. These results are summarized in Subsection 1.5.

Proposed solutions are outlined in Table 10-1, CIP "Projects Identified by System Analysis". Progress has been made on several of those projects. Referencing Table 10-1, work completed includes predesign on project P-3 with construction anticipated in 2019 and 2020, as discussed above. Completed projects include Projects D-3, D-4, D-8, D-9, and D-11. Other projects to increase pipe size/fire flow not specifically identified in Table 10-1 have also been completed. Work to increase pipe size in the Skyline area will begin in 2018 and will likely take several years to complete.

In 2017, the modeling consultant, HDR Engineering, updated the model with as-built information provided by the City for water projects completed since the model was created. The model continues to be a useful tool particularly to do "what-if" scenarios to verify the City's waterline projects are accomplishing desired results.

Water Use Efficiency Update

In 2008, Anacortes adopted a goal of saving over 30 million gallons over a seven-year period ending in 2014. As shown in the updated Table 4-10, the difference between the projected residential average day demand (ADD) and the actual residential ADD in 2009 is approximately 0.09 MGD, or approximately 32 million gallons for the year. By that measure, the goal was reached in the first year. And that trend carried through the remaining years to 2014 and beyond. So the goal was well surpassed. As shown in the updated Figure 4-10, residential ADD for each year from 2008 through 2016, has been below the projected ADD. In fact, residential ADD has been below the 2007 actual amount in each of those years except 2016. It is noted that starting in 2014, there has been a sharp increase in commercial consumption

going well beyond the increase in the number of commercial accounts. The reason for this is not well understood at this time but will be monitored by the City. It is interesting to note that there has been a reduction in consumption from the City's wholesale customers that provide residential water.

In 2016, the City adopted a new water conservation goal and new water conservation measures to accomplish the goal. The new goal is to decrease residential water consumption by 917,500 gallons per year for the following 6 years. The City will continue to do many of the things it did before, including distributing leak detection tablets, providing education on websites and at local festivals and community events. In addition to those things, the City has adopted a program that includes an Appliance Energy Efficient Rebate Program for clothes washers, dishwashers, and toilets; Energy Savings Kit/WaterSense shower head giveaways; and shower timer giveaways.

RETAIL SERVICE AREA

Service Area Adjustment Update

Item 6 in Subsection 2.3 of the WSP mentions that an update of the Coordinated Water System Plan (CWSP) is anticipated and that discussions would likely occur as a part of that process regarding adjustments to the City of Anacortes/Skagit PUD services area. WSP Figure 2-2 shows the areas of possible adjustments. One area is generally east of the Swinomish Channel along the City's transmission lines. The other area is the PUD service area on Fidalgo Island. Work has not begun on updating the CWSP. And discussions have not occurred on the area east of the Swinomish Channel. However, several discussions have occurred regarding the PUD's service area on Fidalgo Island becoming the City's service area. The PUD's interest in such an adjustment relates to the logistics of maintenance activities so far removed from the PUD's other areas of responsibilities. The City is open to continuing the discussion. Due to recent changes in the PUD management, particularly on the PUD Commission, further discussions will probably wait for a time for the new commissioner to become more familiar with the situation.

OPERATION AND MAINTENANCE

Asset Management Update

As discussed in WSP Subsection 9.1, the operation and maintenance (O&M) of the City's water system is divided within the Public Work Department between the Water Treatment Division and the Operations Division. The Treatment Division is responsible for the Water Treatment Plant (WTP), pump stations, and reservoirs. The Operations Division is responsible for the transmission pipelines and distribution system including PRVs. Currently, the City uses two different asset management programs, one for the Treatment Division and another for the Operations Division. This came about because the two programs were developed at different times.

The Water Treatment Division uses a preventive maintenance and asset management program by Antero. The water treatment plant (WTP) project provided an opportunity to develop an asset management program and the current program was developed when the new WTP was coming on line in 2013, along with a complete electronic O&M manual system. The program allows staff to create,

schedule, and plan work orders as well as manage corrective actions requests. In addition, the program helps staff analyze equipment costs to help determine equipment replacement schedules. Inventory management is another component of the program that staff use to track spare parts and consumables in order to complete scheduled maintenance tasks.

In 2015, the Engineering and Operations Divisions began implementing an asset management system by Cartegraph to track everyday maintenance of utilities with the City. This system is used for all of the Operation Divisions assets, not just water assets, and Cartegraph was determined to be the best fit for that purpose. For the water system, valves, hydrants, blowoffs, PRVs, ARVs, cathodic protection, water laterals, and all water lines are tracked. The system has the ability to track costs involved with completed maintenance and upgrades to the system. This tracking will help in planning future upgrades of our assets. The implementation of this program is continuing and more management tools may continue to be added in the future.

Time will tell if the City maintains two systems or merges to one system in the future. For now, each system is working well for each division.

Critical Infrastructure Analysis Update

The City of Anacortes participated in the 2014 update of the Skagit County Natural Hazard Mitigation Plan that provides information to assist governmental jurisdictions and agencies and others in understanding the hazard related issues facing citizens, businesses, government and the environment. The document serves as a guide to reduce vulnerability and minimize loss from future natural hazard events. The Hazard Mitigation Plan discusses natural hazard identification/rating and mitigation in general and then specifically for each jurisdiction in Skagit County, including the City of Anacortes. This is not a water system specific evaluation but certain water system components are identified as critical facilities, including the water treatment plant, reservoirs, and distribution system. The plan concludes Anacortes is most vulnerable to severe storms, flooding, and earthquakes and identifies natural hazard mitigation strategies and projects which include seismic analysis and upgrade of existing structures.

Other than the Skagit County plan, the City has not done a formal water system-specific hazard mitigation analysis/plan that is relevant in the current planning period. The City will consider completing a formal analysis for both natural and human hazard in the future. However, an informal analysis is always performed in the development of the capital improvement plan (CIP) and in project execution. That is, a fundamental component of identifying projects for the CIP involves a recognition of threats and vulnerabilities to the water system. The projects themselves are seen as opportunities to upgrade the system for such hazards beyond what may be the original purpose for the project. The new water treatment plant, for example, was not constructed solely for the purpose of hazard mitigation, but that was certainly incorporated in its design. For example, seismic vulnerability was evaluated and resulted in the installation of over 600 piling to mitigate for the liquefaction threat. Also, the new WTP was constructed to withstand at least a 100 year storm event by placing all openings above the 100-year flood elevation. And the WTP now has emergency generators that can supply the average day demand for seven days. Another example is the Blue Heron Circle 3 MG Reservoir project. One of the factors that led the City to replace, rather than rehabilitate, the existing reservoir was its seismic vulnerability. The old reservoir did not meet current seismic standards and there was no practical way to bring it into compliance. The new reservoirs that are being built to replace the old one meet current standards.

GAP ANALYSIS

There are two issues not discussed in the original WSP that will need to be resolved in the near future. Both have to do with the water treatment plant. One pertains to the re-rating of the filter capacity and the other pertains to disinfection using chlorine gas.

Filter Rating

The new City of Anacortes Water Treatment Plant (WTP) was designed and constructed to have a firm treatment production capacity of 42 million gallons per day (MGD), based on the WSP 20-year demand projection, and a hydraulic capacity of 54.9 MGD, based on the City's overall water right. The new plant has eight rapid sand filters of equal size. With one filter offline, a rated capacity of 42 MGD relies on a permitted flow rate of 7.41 gallons per minute per square foot of filter surface area (gpm/sf). The DOH's standard permitted capacity for rapid sand filtration is 6 gpm/sf. The intention was to perform a pilot study once the new plant came on line to demonstrate the higher flow rate was permissible. A pilot plan was prepared and a pilot study was completed which the City felt demonstrated filter effectiveness at the higher flow rate. However, the DOH was not satisfied with this initial study and is requiring further study. The City is preparing to perform this additional study.

While the updated demand projections are below that of the original WSP, the rated capacity of the new WTP necessary to meet future demand projections depends on DOH approval of the higher flow rate. This is an issue the City will need to resolve.

Chlorine Gas Disinfection

The new WTP was designed using chlorine gas disinfection. This was the disinfection process used in the old plant and it was the preference of the WTP staff for the new plant during design. Recently, the Department of Ecology (DOE) raised concern about the use of chlorine gas because of the possibility of gas leaving the WTP sight in the case of a catastrophic failure of the system, and the potential adverse effect on the general public such an event might have. A recent DOE inspection of the chlorine gas disinfection system, which is housed in its own containment building equipped with a scrubber system and other safeguards, found the system to be a good design. However, a question the City is currently evaluating is whether the ongoing operation of the system with its rigorous procedural requirements, will be so onerous that it would be worthwhile to switch to a different form of chlorine disinfection.

The capital and operational costs associated with switching to a hypochlorite system, either one that uses a 12.5% solution or one that utilizes on-site generation, is currently being considered.

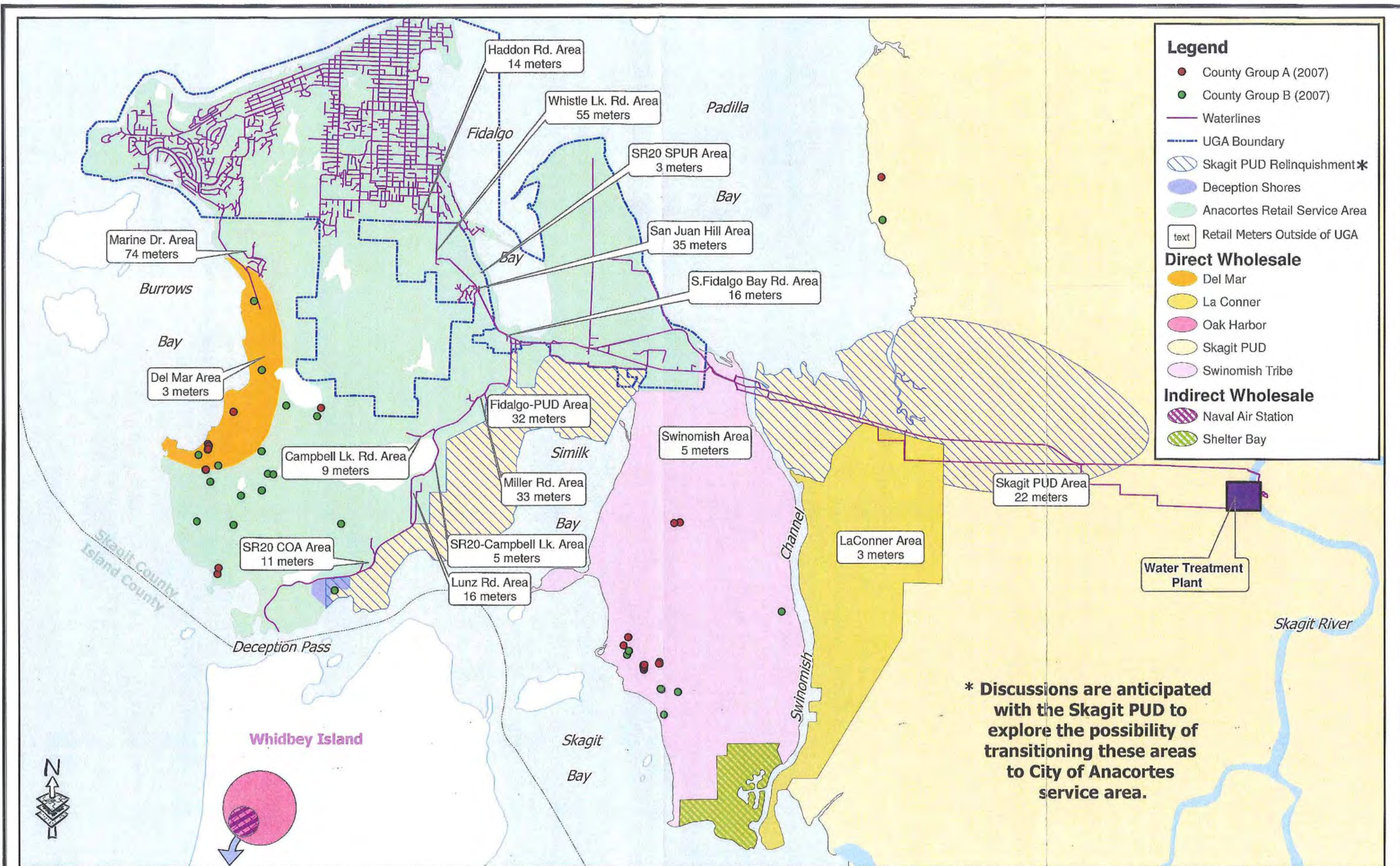


Table 4-10 (Updated) Demand Forecast (With Additional Conservation)

Calendar Year	Relevance of Year	Demographics ¹		Water Use Factors (gpd) ²		Demand														Maximum Day Demand (MDD mgd) ¹⁶
						Average Day Demand (ADD mgd)														
		Residential Accounts	Commercial Accounts	Per Residential Account	Per Commercial Account	Retail				Wholesale					Future Industrial Block ¹²	Future Agricultural Block ¹³	Non Revenue ¹⁴	Total ¹⁵		
Residential ³	Commercial ⁴					Shell ⁵	Tesoro ⁶	Oak Harbor ⁷	Skagit PUD ⁸	La Conner ⁹	Swinomish ¹⁰	Del Mar ¹¹								
2000	Actual	n/a	n/a	n/a	n/a	0.94	0.69	6.36	5.11	2.35	1.28	0.40	0.09	0.02	n/a	n/a	-0.16	17.10	25.64	
2001	Actual	n/a	n/a	n/a	n/a	0.95	0.75	6.75	5.37	2.26	0.59	0.38	0.09	0.02	n/a	n/a	0.01	17.15	22.30	
2002	Actual	n/a	n/a	n/a	n/a	0.98	0.51	7.17	5.04	2.29	0.62	0.53	0.10	0.02	n/a	n/a	-0.58	16.69	25.03	
2003	Actual	n/a	n/a	n/a	n/a	1.10	0.79	6.69	5.28	2.56	1.24	0.53	0.12	0.03	n/a	n/a	-0.27	18.06	25.29	
2004	Actual	n/a	n/a	n/a	n/a	1.20	0.78	6.74	5.74	2.40	1.00	0.41	0.10	0.02	n/a	n/a	-0.09	18.30	27.45	
2005	Actual	n/a	n/a	n/a	n/a	1.17	0.65	6.60	5.16	2.36	0.59	0.38	0.09	0.02	n/a	n/a	0.48	17.49	24.49	
2006	Actual	n/a	n/a	n/a	n/a	1.18	0.56	6.36	5.48	2.29	1.04	0.38	0.06	0.02	n/a	n/a	0.19	17.58	24.61	
2007	Actual	6,505	994	n/a	n/a	1.15	0.52	7.21	6.02	2.40	0.92	0.37	0.09	0.02	n/a	n/a	0.11	18.60	27.90	
2008	Non WSP Yr	6,516-6,538	986-1,007	182.7-156.40	593.0-492.0	1.19-1.02	0.58-0.50	6.79-6.79	5.18-5.76	2.48-2.21	1.33-0.92	0.44-0.35	0.12-0.10	0.05-0.02	n/a	n/a	0.51	18.67-18.18	28.01-27.27	
2009	Non WSP Yr	6,644-6,558	1,005-1,015	182.1-171.41	592.1-473.9	1.21-1.12	0.60-0.48	6.80-7.31	6.12-4.88	2.56-2.36	1.33-1.08	0.44-0.39	0.12-0.11	0.07-0.03	n/a	n/a	0.53	19.78-18.29	29.67-27.44	
2010	WSP - Yr 1	6,775-6,580	1,025-1,022	181.9-155.43	591.2-443.2	1.23-1.02	0.61-0.45	6.80-6.99	6.12-3.28	2.64-2.06	1.33-0.78	0.44-0.33	0.12-0.09	0.07-0.03	3.40 n/a	0.34 n/a	0.61	23.72-19.38	35.58-29.07	
2011	WSP - Yr 2	6,908-6,618	1,045-1,023	181.6-150.78	590.3-430.4	1.26-1.00	0.62-0.44	6.80-6.76	6.12-4.93	2.73-2.04	0.71-0.75	0.53-0.34	0.12-0.11	0.08-0.04	3.40 n/a	0.34 n/a	0.60	23.31-20.75	34.96-31.13	
2012	WSP - Yr 3	7,044-6,652	1,066-1,021	181.4-145.89	589.5-478.7	1.28-0.97	0.63-0.49	6.80-6.04	6.12-4.21	2.81-2.04	0.73-0.78	0.53-0.34	0.12-0.13	0.08-0.04	3.40 n/a	0.34-0.15	0.61	23.46-19.34	35.18-29.01	
2013	WSP - Yr 4	7,183-6,728	1,087-1,009	181.1-150.20	588.7-492.1	1.30-1.01	0.64-0.50	6.80-6.38	6.12-4.53	2.89-1.99	0.76-0.23	0.53-0.34	0.12-0.12	0.09-0.05	3.40 n/a	0.34-0.28	0.62	23.61-19.45	35.41-29.18	
2014	WSP - Yr 5	7,324-6,810	1,108-1,016	181.1-150.73	587.9-722.7	1.33-1.03	0.65-0.73	6.80-6.83	6.12-5.19	2.97-1.98	0.78-0.14	0.53-0.35	0.13-0.12	0.09-0.05	3.40 n/a	0.34-0.18	0.62	23.76-20.62	35.64-30.93	
2015	WSP - Yr 6	7,468-6,894	1,130-1,019	181.1-158.77	587.9-896.9	1.35-1.09	0.66-0.91	6.80-7.29	6.12-5.17	3.05-2.04	0.80-0.50	0.53-0.41	0.13-0.13	0.09-0.06	3.40 n/a	0.34-0.30	0.63	23.91-21.93	35.87-32.90	
2016	WSP - Yr 7	7,615-6,989	1,152-1,026	181.1-171.30	587.9-814.7	1.38-1.20	0.68-0.84	6.80-7.52	6.12-5.33	3.13-2.07	0.82-0.15	0.53-0.38	0.13-0.12	0.10-0.06	3.40 n/a	0.34-0.21	0.63	24.07-21.91	36.10-32.87	
2017	WSP - Yr 8	7,765-7,129	1,175-1,047	181.1-160.3	587.9-811.5	1.41-1.14	0.69-0.85	6.80-7.21	6.12-5.39	3.21-2.34	0.84	0.53-0.41	0.14	0.10-0.06	3.40	0.34	0.64	24.23-22.76	36.34-34.14	
2018	WSP - Yr 9	7,918-7,271	1,198-1,067	181.1-160.3	587.9-811.5	1.43-1.17	0.70-0.87	6.80-7.21	6.12-5.39	3.29-2.41	0.86	0.53-0.41	0.14	0.11-0.06	3.40	0.34	0.65	24.38-22.91	36.57-34.37	
2019	WSP - Yr 10	8,074-7,417	1,222-1,089	181.1-160.3	587.9-811.5	1.46-1.19	0.72-0.88	6.80-7.21	6.12-5.39	3.38-2.48	0.89	0.53-0.41	0.14	0.11-0.06	3.40	0.34	0.65	24.54-23.04	36.81-34.56	
2020	WSP - Yr 11	8,232-7,565	1,246-1,111	181.1-160.3	587.9-811.5	1.49-1.21	0.73-0.90	6.80-7.21	6.12-5.39	3.46-2.52	0.91	0.53-0.41	0.15	0.11-0.06	3.40	0.34	0.66	24.70-23.16	37.05-34.74	
2021	WSP - Yr 12	8,394-7,716	1,270-1,133	181.1-160.3	587.9-811.5	1.52-1.24	0.75-0.92	6.80-7.21	6.12-5.53	3.54-2.54	0.93	0.53-0.42	0.15	0.12-0.06	3.40	0.34	0.67	24.86-23.41	37.29-35.12	
2022	WSP - Yr 13	8,560-7,871	1,295-1,155	181.1-160.3	587.9-811.5	1.55-1.26	0.76-0.94	6.80-7.21	6.12-5.53	3.62-2.58	0.95	0.53-0.42	0.15	0.12-0.06	3.40	0.34	0.67	25.02-23.51	37.53-35.27	
2023	WSP - Yr 14	8,728-8,028	1,321-1,178	181.1-160.3	587.9-811.5	1.58-1.29	0.78-0.96	6.80-7.21	6.12-5.53	3.70-2.61	0.97	0.53-0.42	0.15	0.13-0.06	3.40	0.34	0.68	25.18-23.62	37.78-35.43	
2024	WSP - Yr 15	8,900-8,189	1,347-1,202	181.1-160.3	587.9-811.5	1.61-1.31	0.79-0.98	6.80-7.21	6.12-5.53	3.78-2.65	1.00	0.53-0.43	0.16	0.13-0.06	3.40	0.34	0.69	25.35-23.76	38.02-35.64	
2025	WSP - Yr 16	9,075-8,353	1,373-1,226	181.1-160.3	587.9-811.5	1.64-1.34	0.81-0.99	6.80-7.21	6.12-5.53	3.87-2.67	1.02	0.53-0.43	0.16	0.13-0.06	3.40	0.34	0.69	25.52-23.84	38.28-35.76	
2026	WSP - Yr 17	9,253-8,520	1,400-1,250	181.1-160.3	587.9-811.5	1.68-1.37	0.82-1.01	6.80-7.21	6.12-5.53	3.95-2.68	1.04	0.53-0.43	0.16	0.14-0.06	3.40	0.34	0.70	25.69-23.93	38.53-35.90	
2027	WSP - Yr 18	9,435-8,690	1,428-1,275	181.1-160.3	587.9-811.5	1.71-1.39	0.84-1.03	6.80-7.21	6.12-5.53	4.04-2.69	1.06	0.53-0.43	0.17	0.14-0.06	3.40	0.34	0.71	25.86-24.02	38.80-36.03	
2028	WSP - Yr 19	9,621-8,864	1,456-1,301	181.1-160.3	587.9-811.5	1.74-1.42	0.86-1.06	6.80-7.21	6.12-5.53	4.13-2.70	1.09	0.53-0.44	0.17	0.15-0.06	3.40	0.34	0.71	26.04-24.13	39.06-36.20	
2029	WSP - Yr 20	9,810-9,041	1,485-1,327	181.1-160.3	587.9-811.5	1.78-1.45	0.87-1.08	6.80-7.21	6.12-5.53	4.23-2.71	1.11	0.53-0.44	0.17	0.15-0.06	3.40	0.34	0.72	26.23-24.22	39.34-36.33	

1. From the demographics tables. Per Anacortes' Utility Billing Department, "residential" is defined as single family residences and churches and "commercial" is defined as multifamily residences and all non-residential retail consumers with the exception of churches and the refineries. **2008-2016 from actual water use data. 2017-2029 uses 2.0% growth rate.**
2. For 2008-2014, the water use factors from the water use factor table are reduced to match the estimated savings from the 2008-2014 conservation program. For the 2015-2029, the water use factors were held constant since conservation savings beyond 2014 have not been identified. **2008-2016 from actual water use data. 2017-2029 is the 2014, 2015, and 2016 average amount per residential or commercial account.**
3. For 2000-2007, this is actual consumption from Anacortes' Utility Billing Department. For 2008 forward, this is the number of residential accounts multiplied by the water use per residential account. **2008-2016 from actual water use data. 2017-2029 is the projected number of residential water account multiplied by the 2014, 2015, and 2016 average amount per residential account.**
4. For 2000-2007, this is actual consumption from Anacortes' Utility Billing Department. For 2008 forward, this is the number of commercial accounts multiplied by the water use per commercial account. **2008-2016 from actual water use data. 2017-2029 is the projected number of commercial water account multiplied by the 2014, 2015, and 2016 average amount per commercial account.**
5. Data for 2000-2008 are actual consumption. For 2009 to 2029, 6.8 mgd was used per guidance from Shell staff. **2008-2016 from actual water use data. 2017-2029 use the average consumption for 2014, 2015, and 2016 per discussion with Shell.**
6. Data for 2000-2008 are actual consumption. For 2009-2029, the quantity stipulated in the 2005-2007 wholesale contract is used, which is 2,235 MG or 6.12 mgd. **2008-2016 from actual water use data. 2017-2029 use last year's ADD plus a 0.06 mgd increase in 2018 and a 0.14 mgd increase in 2021, per discussion with Tesoro.**
7. For 2000-2007, this is actual consumption from Anacortes Utility Billing Department. The remaining years are based on the City of Oak Harbor's 2003 Water System Plan, which includes a demand forecast for the year 2023. The years between 2007 and 2023 were interpolated. Years 2024-2029 were extrapolated based on the growth rate between 2022 and 2023, which was approximately 2%. **2008-2016 from actual water use data. 2017-2029 from Table 2-14 of the City of Oak Harbor 2013 water system plan.**
8. For 2000-2007, this is actual consumption from Anacortes' Utility Billing Department. For 2008-2010, the quantity stipulated in the current wholesale contract was used which is 485 MG or 1.3 mgd. For 2011, used 260 MG or 0.7 mgd since Skagit PUD expects to decrease their purchases to this amount from Anacortes due to changes in their system. For 2012-2029, the new 260 MG or 0.7 mgd contract amount is increased by the system wide demand annual growth rates from Skagit PUD's 2007 Water System Plan, which ranges from 2.2% to 3.1% between 2012 and 2029. **2008-2016 from actual water use data. The Skagit PUD recommended not changing the original projection.**
9. For 2000-2007, this is actual consumption from Anacortes' Utility Billing Department. For 2008-2010, the quantity stipulated in the current wholesale contract is used, which is 162 MG or 0.4 mgd. For 2011-2029, either the current contract amount of the highest 2000-2007 demand is used, — whichever is larger. **2008-2016 from actual water use data. 2017-2029 from Table 2.7 of the City of La Conner 2009 water system plan (per guidance from La Conner PW Director).**
10. For 2000-2007, this is actual consumption from Anacortes' Utility Billing Department. For 2008-2010, the quantity stipulated in the current wholesale contract is used, which is 42 MG or 0.12 mgd. For 2029 used 150% of the 2010 number, based on guidance from Swinomish utility staff. For 2011 to 2028, used a straightline interpolation between 2010 and 2029. **The Swinomish recommended not changing the original projection.**
11. Del Mar has historically used water from their own wells and Anacortes water. They are shifting to using 100% Anacortes water. For 2000-2007, this is actual consumption from Anacortes Utility Billing Department. Used 0.07 mgd for 2009 and 0.15 mgd for 2029, per guidance from City staff. Interpolated years in between. For 2008 interpolated between 2007 actuals and 2009 forecast. **2008-2016 from actual water use data. From 2017, use 0.06 mgd based on discussion with Del Mar. (Del Mar believe they are at or near buildout and anticipate no more growth – in fact they might experience a decrease in demand due to an upcoming significant waterline replacement project.)**
12. This is a placeholder for a potential future large industrial user. This demand was developed using 50% of the 2007 Shell demand.

13. This is a placeholder for potential future agricultural water that might be provided by Anacortes. Since Skagit PUD provides agricultural water within the county, the volume of agricultural water provided by Skagit PUD was deemed an appropriate benchmark for additional agricultural water that might be provided by Anacortes. Therefore, this future agricultural block was developed using 100% of the 2007–2008 average agricultural water provided by Skagit PUD.
14. For 2000–2007, the actual non-revenue amount for each year was used. The wide range in non-revenue water between 2000–2007, including some negative numbers, is due to a meter problem. The problematic meters have recently been replaced. Anacortes' historical non-revenue numbers were not used for the projections. For 2008 forward, two components of non-revenue are estimated. The first component represents non-revenue water in Anacortes' retail service area (flushing, firefighting, distribution system leaks, etc). That component is calculated as the sum of the residential and commercial demands multiplied by 10%, which is typical for non-revenue water as a percent of billed consumption for water utilities. The second component represents transmission system leaks and is calculated as the sum of all other demands (refineries, wholesale customers, and future blocks) multiplied by 2%, which acknowledges some possible transmission system leakage, but does not plan for unrealistically high amount of non-revenue water.
15. The sum of the retail, wholesale, future blocks, and non-revenue water.
16. For 2000–2007, the actual peaking factor for each year is used. For 2008 forward, a peaking factor of 1.5 (the most commonly occurring peaking factor between 1998 and 2007) is applied to the average day demand.



* Discussions are anticipated with the Skagit PUD to explore the possibility of transitioning these areas to City of Anacortes service area.

Figure 2-2 - Service Areas





City Council Agenda Bill

Meeting Date: 12/18/2017

Agenda Item: 7d

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. 2004
	Contract
	Public Hearing
	Staff Report

Summary Statement:

The personnel policies are updated on a regular basis to remain current with changing employment laws.

Updating the personnel policies is a collaborative process. Prior to presenting the proposed changes to staff, the personnel committee reviewed the policies on November 27, 2017. The policies were shared with staff on December 1, 2017 and on December 5, 2017 a question and answer session for employees was held to discuss questions and concerns about proposed policy updates. Following the meeting, some changes were incorporated into the policies. Employees and union representatives may comment on the policies until December 13, 2017.

The Anacortes Police Guild specifically requested to bargain the impacts of the changes to the personnel policies and we are meeting on Thursday December 14, 2017.

Major Policy Update Synopsis:

Policy 702- Absences Modifications Due to State Paid Sick Leave Law Effective 1/1/2018

Effective January 1, 2018, to facilitate compliance with a new state law requiring paid sick leave, the City will maintain two separate sick leave banks for eligible employees: a Washington Paid Sick Leave (WPSL) bank and a City Paid Sick Leave bank. Any existing sick leave accruals as of December 31, 2017 will be placed in an employee's City sick leave bank. All employees will be eligible to accrue WPSL, while only regular full-time and regular part-time employees are eligible for City paid sick leave.

Current accrual rates will not change, but sick leave accruals will be divided into the two banks in a manner that ensures each employee will accrue WPSL at a rate required by law, which is one hour of WPSL per 40 hours worked. The balance of the employee's

monthly accrual (if any) will go into the City sick leave bank. For example, if a regular, full-time employee is currently entitled to accrue paid sick leave at the rate of 8 hours per month under an applicable labor agreement, that employee will continue to accrue a total of 8 hours of month. If that employee worked 160 hours during the month, 4 hours of paid sick leave would go into his/her WPSL bank (160 hours divided by 40 hours = 4 hours WPSL). The remaining 4 hours would go into the City sick leave bank. Where the employee worked 120 hours during a month, 3 hours of paid sick leave would be placed in his/her WPSL bank and 5 hours would be placed in his/her City leave bank.

Policy 808- Drugs, Narcotics and Alcohol Newly-adopted federal regulations resulted in the need to update the City's drug, narcotics, & alcohol policies. The City believes it important to educate employees about their personal choices in off-hours that may affect their on-duty performance. In light of this, the City will also be offering trainings in 2018 for supervisors of employees subject to U.S. DOT testing, as well as those with Drug Free Workplace policies for non-DOT employees. The City will also be providing training to all City staff on the new policy.

CDL Employees who are subject to the DOT/FMCSA regulations will receive a separate CDL Drug and Alcohol policy.

City policy is now updated to reflect the master policy as prepared by the Association of Washington Cities. The policy is easier to read and understand.

Other minor policy changes and formatting cleanup occurs throughout document.

Background:

Budget Impact	
Amount Budgeted	
Budget Account (BARS)	
Proposed Expenditure	
Budget Amendment Required?	No.
Revenue Source	

Previous Council/Committee Action: Adoption of prior personnel policies via Resolution 1966 on August 1, 2016

Competing Viewpoints Considered: N/A

Recommended Motion: I move to adopt Resolution 2004 adopting the City's revised Personnel Policies.

Alternative Actions: N/A

Attachments (listed in order presented): Resolution 2004; policies will be added following the meeting with the Police Guild on 12/14/2017.

RESOLUTION NO. 2004

A RESOLUTION REGARDING PERSONNEL POLICIES AND BENEFITS FOR CITY OF ANACORTES EMPLOYEES AND SUPERSEDING RESOLUTION NO. 1966 IN ITS ENTIRETY, PASSED AND APPROVED ON THE 1ST DAY OF AUGUST 2016.

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 18th day of December 2017.

CITY OF ANACORTES

Laurie M. Gere, Mayor

ATTEST

Steven D. Hoglund, City Clerk-Treasurer



Personnel Policies

RESOLUTION No. 2004

Updated December 18, 2017

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RESOLUTION NO. 2004
A RESOLUTION REGARDING PERSONNEL POLICIES AND BENEFITS FOR CITY OF
ANACORTES EMPLOYEES AND SUPERSEDING RESOLUTION NO. 1966 IN ITS
ENTIRETY, PASSED AND APPROVED ON THE 1st DAY OF AUGUST 2016.

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 18th day of December 2017.

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, status as an honorably discharged veteran, 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, status as an honorably discharged veteran, 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.

- | | |
|---|---|
| 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 Assistance 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 Overview

Explanation of Modifications Due to State Paid Sick Leave Law Effective 1/1/2018

Effective January 1, 2018, to facilitate compliance with a new state law requiring paid sick leave, the City will maintain two separate sick leave banks for eligible employees: a Washington Paid Sick Leave (WPSL) bank and a City Paid Sick Leave bank. Any existing sick leave accruals as of December 31, 2017 will be placed in an employee's City sick leave bank. All employees will be eligible to accrue WPSL, while only regular full-time and regular part-time employees are eligible for City paid sick leave.

Current accrual rates will not change, but sick leave accruals will be divided into the two banks in a manner that ensures each employee will accrue WPSL at a rate required by law, which is one hour of WPSL per 40 hours worked. The balance of the employee's monthly accrual (if any) will go into the City sick leave bank. For example, if a regular, full-time employee is currently entitled to accrue paid sick leave at the rate of 8 hours per month under an applicable labor agreement, that employee will continue to accrue a total of 8 hours per month. If that employee worked 160 hours during the month, 4 hours of paid sick leave would go into his/her WPSL bank (160 hours divided by 40 hours = 4 hours WPSL). The remaining 4 hours would go into the City sick leave bank. Where the employee worked 120 hours during a month, 3 hours of paid sick leave would be placed in his/her WPSL bank and 5 hours would be placed in his/her City leave bank.

2) WPSL

- a) All City employees are eligible to accrue WPSL, whether regular, full-time, part-time, temporary or seasonal. Employees accrue WPSL at the rate of 1 hour for every 40 hours worked. For accrual purposes, hours worked encompasses actual working time, and not paid or unpaid leave. Accrual of WPSL begins on an employee's first day of work, although WPSL may not be used until the individual has been employed for 90 calendar days.
- b) Employees may carry up to a maximum of 40 hours of unused WPSL over from one calendar year to the next. Any accrued WPSL in excess of 40 hours will be transferred over to the employee's City Paid Sick Leave bank (subject to the maximum accrual limit of 1440 hours, as described below); if an employee is not eligible for City Paid Sick Leave, WPSL hours in excess of 40 at year end will be forfeited. Accrued but unused WPSL will not be cashed out upon separation from the City unless employee qualifies for retirement buyback under section 3e below. If an employee separates from the City and is rehired within 12 months any WPSL balance that existed at the time of separation will be reinstated, provided that if the rehire occurs in the following calendar year, reinstatement of the balance will be limited to 40 hours.

- c) Accrued WPSL may be used for:
 - i) The employee's own illness, injury or health condition; to accommodate the need for medical diagnosis, care or treatment of a health condition; or preventive medical care.
 - ii) The employee's care for a family member with illness, injury or health condition; care for family member who needs medical diagnosis, care or treatment; care for family member who needs preventive medical care. Family members include an employee's child (whether biological, adoptive, foster, step-child, or child for whom employee stands in loco parentis, is a legal guardian for, or is a de facto parent and regardless of age or dependency status); parent (whether biological, adoptive, in-law, de facto, step-parent, legal guardian or person who stood in loco parentis to employee when employee was a child); spouse or registered domestic partner; grandparent; grandchild; or sibling.
 - iii) An absence due to closure of the City's offices by order of public official for any health-related reason, or where the employee's child's school or day care is closed for such a reason.
 - iv) Absences covered by the Domestic Violence/Sexual Assault/Stalking leave policy below.
- d) Where the need to use WPSL is foreseeable, employees should submit written notice of the need for leave to their supervisor at least 10 days in advance of the leave date(s); for unforeseeable leave, employees must contact their supervisor as soon as the need for leave becomes known. The City may require documentation regarding the use of leave, provided that for non-exempt employees: (i) documentation may only be required when an employee uses more than three consecutive work days of WPSL; (ii) an employee will have up to 10 calendar days to provide the required documentation; (iii) if requested, documentation need not disclose the nature of the medical condition causing the need for leave; and (iv) if a requirement to provide documentation will result in unreasonable burden or expense to the employee, an employee may advise the City of this concern and the City will evaluate its request in light of the circumstances.
- e) When an employee needs to be absent for a WPSL-covered reason (including any FMLA-eligible absence), any accrued WPSL will first be applied to the absence, subject to the provisions of the Family Care policy below. If the employee's WPSL bank is exhausted, any available City sick leave will be applied to the absence (if is City sick leave qualifying).

3) City Paid Sick Leave

- a) Regular, full-time and regular part-time employees whose full-time equivalency is 50% or more are eligible to accrue City paid sick leave in addition to WPSL. Any sick leave balance existing as of December 31, 2017 will be placed in the employee's City sick leave bank effective January 1, 2018. Full-time employees will accrue City paid sick leave at the rate that ensures their total monthly sick leave accrual (including both WPSL and City leave) equals 8 hours per calendar month of continuous employment or the monthly accrual rate established in the applicable labor agreement. Eligible part-time employees will accrue City paid sick leave on a pro-rata basis.
Example: A full-time employee who is eligible for a total of 8 hours of paid sick leave per months works 160 hours during the month. She would receive 4 hours

of WPSL (1 hour per 40 hours worked). The remaining 4 hours of her monthly entitlement of 8 hours would go into the employee's City sick leave bank.

Example: A part time employee works 80% of a full-time schedule, and is therefore entitled to a total monthly sick leave accrual of 6.4 hours (80% of 8 hours). During a month, the employee works 120 hours and would therefore accrue 3 hours of WPSL. The remaining 3.4 of his monthly sick leave accrual would be placed into the employee's City sick leave bank.

- b) Temporary, seasonal and part-time employees who work less than a 50% equivalency are not eligible for City paid sick leave benefits. Employees do not accrue City sick leave benefits during an absence without pay.
- c) The maximum number of hours of City paid sick leave that an employee can accumulate is one thousand four hundred and forty (1440) hours.
- d) 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 is 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) City paid 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, WPSL or disability-related leave) may lead to disciplinary action up to and including termination..
- e) 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 WPSL and City paid sick leave proportionate to their sick leave balance. City sick leave cash out is prorated for part time employees based on full time equivalency at retirement.

Total 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.

4) 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. Subject to WPSL verification limits where WPSL is used, 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.

5) 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 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 the 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 than 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 WPSL and City paid sick leave for FMLA-qualifying events as part of their 12 weeks of FMLA leave.
 - ii) During all leave designated as FMLA leave, 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. It is intended to allow the limited use of sick leave for bonding time with a new child. Any additional use of sick leave following the birth or placement of the employee's child beyond this 80-hour benefit must be for one of the reasons for which sick leave is specifically authorized.

- 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.

6) 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.

7) 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.

8) 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.

9) 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.

10) 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.

11) Leave Share Program

- a) Eligible employees may donate excess 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 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 vacation leave an employee can donate per request, per calendar year is 40 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.

- 12) 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.

- 13) **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.
- 14) **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.
- 15) **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 (for example, FMLA leave), 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.)
- 16) **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.
- 17) 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.)

NOTE: The table below is a general overview of the various leave entitlements. Employees should refer to the specific leave policies for any details regarding applicable procedures for using these forms of leave

<u>Leave Law</u>	<u>Jurisdiction</u>	<u>Paid Leave</u>	<u>Unpaid Leave</u>	<u>Family Members Covered</u>	<u>Leave Allowed</u>	<u>Employer-Employee Criteria</u>
<u>Family and Medical Leave Act (FMLA)</u>	Federal Law- US Dept of Labor <u>29 CFR 825</u>	X Unpaid unless the employee has paid leave to substitute	X Unpaid unless the employee has paid leave to substitute	Spouse, child, or parent	12 weeks over a rolling 12 month period	Employers with ≥ 50 employees within 75 miles Employee who worked 1,250 hours in previous 12 months
Family Care Act	L&I <u>RCW 49.12.265</u> <u>WAC 296-130</u>	X Only available when employee has accrued leave to use		Child, spouse, registered domestic partner, parent, parent-in-law, grandparent	Use of paid leave for care of a sick family member	No size requirement; Employee must have a paid leave benefit
Family Leave Act <i>Superseded by the FMLA where identical</i>	L&I <u>RCW 49.78</u>		X	Employee with registered domestic partner (RDP) may take leave to care for RDP with serious health condition; Pregnant employee who took pregnancy disability leave	12 weeks annually concurrent with 12 weeks of FMLA Exception: does not run during any pregnancy disability leave under the WA Law Against Disability	Employers with ≥ 50 employees within 75 miles (in WA) Employee who worked 1,250 hours in previous 12 months
Leave for Victims of Domestic Violence, Sexual Assault, and Stalking	L&I <u>RCW 49.76</u>	X Unpaid unless the employee has paid leave to substitute	X Unpaid unless the employee has paid leave to substitute	Child, spouse, parent, parent-in-law, grandparent, or person the employee is dating	Reasonable leave for domestic violence, sexual assault or stalking - for legal, or law enforcement assistance, medical treatment, counseling, victim advocate, safety, or relocation	All employers and employees; No eligibility requirements

Washington Paid Sick Leave	L&I RCW 49.46.210	X		Child, parent, parent-in-law, spouse, registered domestic partner, grandparent, grandchild, sibling	Employees accrue one hour of paid leave for every 40 hours worked, to be used for employee's own health condition or medical care; family member's health condition or medical care; where workplace or child's school is closed due to health reason; or reasons covered by domestic violence leave law	All employers and employees
Leave for Spouses of Military Personnel	L&I <u>RCW 49.77</u>	X	X	Spouse and Registered Domestic Partner of all military personnel	15 days leave per deployment prior to deployment or when spouse on leave from deployment	All employers; Employees who work ≥ 20 hours a week on average
Pregnancy Disability Leave	Washington Human Rights Commission <u>www.hum.wa.gov</u>		X Unpaid unless the employee has paid leave to substitute	Employee	Covers leave during the period of actual disability caused by pregnancy or childbirth. There is no particular length of time set forth in the statute, but it is usually six to eight weeks for a birth without complications, depending on the doctor's recommendations.	Employers with ≥ 8 employees A woman who does not qualify for FMLA or FLA because her employer has fewer than 50 employees or because she has not worked for her employer long enough is still eligible for disability leave for pregnancy and childbirth related conditions under WLAD.

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 City of Anacortes is committed to protecting the health, safety and well being of its employees and all individuals who come into contact with our employees and workplace. In addition, we strive to create and maintain a productive and efficient work environment in which all employees have an opportunity to thrive and be successful.

Recognizing that drug and alcohol use and abuse can pose a serious threat to these goals, the City of Anacortes is committed to providing a drug and alcohol-free workplace for all of its employees. This policy is in accordance with Chapter 296-800 of the State Administrative Code (WAC) and with the federal Drug Free Workplace Act.

This policy applies to all employees of the City. Employees who are required to maintain a commercial driver's license (CDL) are also subject to the City's Drug and Alcohol Policy for DOT Employees.

Comment:

- 1) The City of Anacortes strictly prohibits the following in the workplace, on City property (including in City vehicles) or on work time:
 - a) the use, sale, distribution, dispensation, manufacture or possession of alcohol or drugs (including marijuana and other drugs included in Schedule I or II of the federal Controlled Substances Act) or drug paraphernalia;
 - b) the unauthorized use or distribution of prescription drugs;
 - c) the use of any legally obtained drug (prescriptions or over-the-counter medications) when such use may adversely affect an employee's job performance, their safety or the safety of others, or any combination thereof;
 - d) reporting to work or working while under the influence of alcohol or drugs (including marijuana and other drugs included in Schedule I or II of the federal Controlled Substances Act). An employee will be deemed under the influence of a drug if the employee tests positive following a test conducted in accordance with this policy or when the employee acknowledges impairment.
- 2) **Prescription medication.** The possession and use of medically prescribed or over-the-counter drugs during work hours is permissible, subject to certain conditions. The employee shall have no obligation to inform the City of such use unless, according to a warning notice or the input of a physician or pharmacist, the drug may cause a possible impairment that could prevent the employee from performing his or her job safely or effectively. In such cases, the employee should notify his or her supervisor or Human Resources so that a determination can be made as to whether it is in the best interests of the City and the employee that the employee work, not work or be reassigned during the period medication is used. Medical information will be handled in a confidential manner. Notwithstanding the above, the medical use of marijuana that causes drug or drug metabolites to be present in the body above minimum thresholds established by federal law constitutes prohibited conduct regardless of whether the marijuana was used under the guidance of a medical practitioner and regardless of whether the medical practitioner advised that such use will not adversely affect the employee's ability to safely and effectively perform job duties.

- 3) **Workplace drug related convictions** The Drug Free Workplace Act of 1988 requires employees, as a condition of employment, to report any criminal convictions of drug-related activity in the workplace to the City no later than five (5) days following a conviction. Any such report should be directed to the Human Resource Department. Employees convicted of workplace drug-related crimes may be subject to discipline up to and including termination.
- 4) **Drug and alcohol testing**
- a) The City of Anacortes asserts its right to test employees or applicants for alcohol and/or controlled substances to the extent allowed by law. This includes urine drug testing and evidential breath alcohol testing. Employee or applicant acceptance of testing, when required in accordance with this policy, is a mandatory condition of employment. Refusing to submit to such tests constitutes a violation of City policy and will result in termination of employment or, for an applicant, withdrawal of the job offer. The City of Anacortes reserves the right to test for drugs and/or alcohol as defined below:
 - i) **Pre-employment** – After receiving a conditional offer of employment, an applicant for a safety sensitive position must submit to, and successfully pass, a drug test.
 - ii) **Post-accident** – An employee who is involved in an accident that causes significant property damage while driving a vehicle for City business, or who sustains or causes an injury that requires medical attention, will be required to submit to drug and alcohol testing, unless the circumstances surrounding the accident do not indicate a reasonable possibility that drug or alcohol use was a contributing factor.
 - iii) **Reasonable Suspicion** – Reasonable suspicion is based on specific personal observations that a City of Anacortes management representative can describe and document (using a Reasonable Suspicion Testing and Documentation Form) regarding an employee's appearance, behavior, speech and breath odor.
 - b) The City of Anacortes will follow the collection and drug testing guidelines and standards issued by the U.S. Department of Health and Human Services and the U.S. Department of Transportation (DOT).
 - c) To ensure the accuracy and integrity of the program, the City of Anacortes also will follow these employee protection guidelines:
 - i) For drug analysis, we will use a laboratory that has been certified by the Substance Abuse and Mental Health Services Administration (SAMHSA).
 - ii) A strict chain of custody will be used to ensure specimen integrity; a split specimen will also be collected.
 - iii) The process will ensure privacy and confidentiality of all test results.
 - iv) All positive drug test results will be confirmed by gas chromatography/mass spectrometry before they are reported to the City of Anacortes.
 - v) All confirmed positive, invalid, substituted and adulterated results will receive medical review by a Medical Review Officer (MRO), who will give the employee an opportunity to provide possible medical explanations for the result.
 - vi) All negative test results will be reported to the Administrative Services Director or a Human Resources designee.
 - d) In addition, when the City has a reasonable suspicion that an employee is violating any aspect of this policy, the employee may be asked by the City of Anacortes to submit immediately to a search or inspection at any time (including breaks and the lunch period) while on City premises or in City property. Any refusal to consent to a search constitutes a violation of this policy and is grounds for disciplinary action, up to and including termination of employment.

5) Procedures for administering tests

a) Drug screen

- i) Upon identifying an event that requires testing (pre-employment, post-accident or reasonable suspicion), the Human Resources department will provide the employee with a non-DOT Custody and Control Form indicating the reason for the test and the specific services to be performed.
- ii) The employee will report to a clinic or authorized collection site with the Custody and Control Form and photo identification within 60 minutes of notification. In the event of a post-accident or reasonable suspicion testing event, the employee will be transported to the collection site by a City of Anacortes management representative.
- iii) Samples will be collected by personnel who have met DOT collector training requirements as specified by U.S. Department of Transportation (DOT) Regulations 49 CFR Part 40. Collectors will follow standard DOT collection procedures and use a non-DOT chain of custody form. A split sample collection is required.
- iv) Shy bladder collections – In the event that an employee is unable to provide an adequate specimen on the first attempt, he or she will be given 40 ounces of water over a 3-hour period. The employee may attempt to provide a sample at any time within the 3-hour period. The employee must remain at the collection site until the collection is completed. If the employee is not able to provide an adequate specimen within 3 hours, the City of Anacortes Human Resources will be notified immediately, and they will then notify the Medical Review Officer (MRO) for an evaluation. In this instance, the employee shall have the option to undergo a medical evaluation for “shy bladder” at their expense. If no medical explanation is found for their inability to produce urine, it shall constitute a refusal to test and be considered a failed test.
- v) Suspected substitution or adulteration collections – If the employee provides a sample and the collection temperature does not register on the collection cup, or the collector suspects that the specimen has been adulterated (for example, it has a blue color or chemical odor that is not consistent with urine, such as bleach or perfume), that collection will be completed, and a second sample will be collected under same-gender direct observation. Both samples will be submitted to the lab for analysis, and both results will require MRO review. If an employee refuses to provide a second sample under observation, the event will be deemed as a refusal to test.
 - (1) The sample will be shipped via courier to a SAMHSA-certified lab.
 - (2) Each sample will undergo a screening test and, if it demonstrates a positive response for any drug, it also will be subject to a confirmation test by gas chromatography/mass spectrometry (GC/MS).
 - (3) All negative results will be reported by an authorized SAMHSA-certified lab directly to the City of Anacortes. All results reported from the laboratory as positive, invalid, substituted or adulterated results will be reported to the MRO for review. The MRO will contact the employee by telephone to give that individual an opportunity to provide a valid medical explanation for the positive result.
 - (4) If the MRO accepts an employee’s explanation and/or documentation as a valid, medically acceptable explanation, the result may be deemed “negative” and reported to Human Resources as such. All results for which the MRO determines that there is no valid, acceptable medical explanation will be deemed a “confirmed positive” and reported to Human Resources as a failed test. The MRO may require a re-collection under direct observation in the event of some invalid results.

6) Breath alcohol

- a) All alcohol tests will be conducted using an evidential breath testing device operated by a trained Breath Alcohol Technician who has met qualification and proficiency requirements.
- b) The Breath Alcohol Technicians will use a non-DOT Alcohol Testing Form to record the test. The employer copy of the Alcohol Testing Form will be sent to the Human Resources department.
- c) A breath alcohol result of ≤ 0.019 grams of alcohol/210 L of breath will be considered negative, and no further testing will be required for that incident.
- d) A breath alcohol result of ≥ 0.020 grams of alcohol/210 L of breath will require a second, confirmatory test conducted no sooner than 15 minutes after the initial test. If the confirmation test result is ≥ 0.020 grams of alcohol/210 L of breath, the result will be considered positive and will be reported immediately to Human Resources.
- e) If the result is positive, the employee will not be allowed to return to work, and arrangements must be made to provide transportation to the employee's home.

7) Confidentiality All information received by the employer through the program is confidential. Access to this information is limited to those who have a legitimate need to know.

8) Consequences An employee's refusal to do any of the following when required is considered non-compliance and may result in disciplinary action, up to and including termination of employment:

- a) Take a drug or alcohol test.
- b) Appear for testing.
- c) Accept the EAP recommendations when required to use the EAP because of a positive drug test or due to violating a City rule pertaining to drugs or alcohol.
- d) Comply with the conditions of a Last Chance Agreement.

9) First verified positive test: An employee may be terminated solely for a first-time confirmed positive drug or breath alcohol test. However, if not terminated, the employee will be given an opportunity for job retention through a Last Chance Agreement. This policy does not prohibit an employee from being terminated for reasons other than a confirmed positive test result. The availability of a Last Chance Agreement in a given situation, as well as the specific terms of that agreement, shall be subject to the City's discretion and approval.

10) Second verified positive test: If an employee has a confirmed positive drug screen or positive breath alcohol test for a second time, the employee will be terminated immediately.

11) Implementation details

- a) **Supervisor training.** The City of Anacortes will provide a supervisor training program to help supervisors recognize an employee with possible alcohol and/or drug problems. This program will train supervisors how to recognize specific performance or behavior criteria related to substance abuse and how to refer employees for assistance.
- b) **Employee education.** The City of Anacortes will provide alcohol and drug awareness information for all employees. This will include the City of Anacortes policy on alcohol and drug abuse; the dangers of alcohol and drug abuse; and treatment and counseling services available through the Employee Assistance Program.
- c) **Employee Assistance Program.** The City of Anacortes recognizes that alcohol and drug addiction can be successfully treated and is willing to help employees who suffer from these problems while holding them responsible for their own recovery. The City of Anacortes maintains an Employee Assistance Program (EAP). Employees may also

have access to professional services through the City's medical health insurance plans to aid them with any alcohol or drug problems. Employees who need help with drug and/or alcohol misuse or abuse are encouraged to use these resources.

12) Employees are strongly encouraged to seek help to address their drug or alcohol problems before such issues affect their performance or result in a positive drug or alcohol test. Seeking assistance after an employee has tested positive or demonstrated performance issues will not allow the employee to avoid the disciplinary consequences of his/her behavior. For employees seeking assistance for alcohol and/or drug problems, the EAP will be administered as follows:

- a)** Employees seeking help on their own, or who are referred to the EAP by their supervisor, will be provided assistance on a confidential basis without jeopardizing their employment status.
- b)** Employees who are offered a Last Chance Agreement in lieu of termination for a violation of this policy may be required to use the EAP and/or successfully complete a treatment program as a condition of continued employment. In such case, the employee may be required to authorize the EAP or treatment provider to disclose to the City information regarding compliance with the treatment program. A Last Chance Agreement may also include requirements for follow-up drug and alcohol testing for a period of two years as a condition of continued employment.

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:
<http://www.sao.wa.gov/investigations/Pages/Whistleblower.aspx>



Personnel Policies

RESOLUTION No. ~~1966~~2004

Updated December ~~1~~18, 2017

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RESOLUTION NO. ~~19662004~~

A RESOLUTION REGARDING PERSONNEL POLICIES AND BENEFITS FOR CITY OF ANACORTES EMPLOYEES AND SUPERSEDING RESOLUTION NO. ~~1897-1966~~ IN ITS ENTIRETY, PASSED AND APPROVED ON THE ~~1st DAY OF AUGUST 2016~~, ~~2nd DAY OF SEPTEMBER 2014~~.

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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~~, 18th day of December 2017.

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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, status as an honorably discharged veteran, 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, status as an honorably discharged veteran, 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:

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- 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 rehired. (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.

- | | |
|---|--|
| 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.

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 Overview

Explanation of Modifications Due to State Paid Sick Leave Law Effective 1/1/2018

Effective January 1, 2018, to facilitate compliance with a new state law requiring paid sick leave, the City will maintain two separate sick leave banks for eligible employees: a Washington Paid Sick Leave (WPSL) bank and a City Paid Sick Leave bank. Any existing sick leave accruals as of December 31, 2017 will be placed in an employee's City sick leave bank. All employees will be eligible to accrue WPSL, while only regular full-time and regular part-time employees are eligible for City paid sick leave.

Current accrual rates will not change, but sick leave accruals will be divided into the two banks in a manner that ensures each employee will accrue WPSL at a rate required by law, which is one hour of WPSL per 40 hours worked. The balance of the employee's monthly accrual (if any) will go into the City sick leave bank. For example, if a regular, full-time employee is currently entitled to accrue paid sick leave at the rate of 8 hours per month under an applicable labor agreement, that employee will continue to accrue a total of 8 hours per month. If that employee worked 160 hours during the month, 4 hours of paid sick leave would go into his/her WPSL bank (160 hours divided by 40 hours = 4 hours WPSL). The remaining 4 hours would go into the City sick leave bank. Where the employee worked 120 hours during a month, 3 hours of paid sick leave would be placed in his/her WPSL bank and 5 hours would be placed in his/her City leave bank.

2) WPSL

- a) All City employees are eligible to accrue WPSL, whether regular, full-time, part-time, temporary or seasonal. Employees accrue WPSL at the rate of 1 hour for every 40 hours worked. For accrual purposes, hours worked encompasses actual working time, and not paid or unpaid leave. Accrual of WPSL begins on an employee's first day of work, although WPSL may not be used until the individual has been employed for 90 calendar days.
- b) Employees may carry up to a maximum of 40 hours of unused WPSL over from one calendar year to the next. Any accrued WPSL in excess of 40 hours will be transferred over to the employee's City Paid Sick Leave bank (subject to the maximum accrual limit of 1440 hours, as described below); if an employee is not eligible for City Paid Sick Leave, WPSL hours in excess of 40 at year end will be forfeited. Accrued but unused WPSL will not be cashed out upon separation from the City unless employee qualifies for retirement buyback under section 3e below. If an employee separates from the City and is rehired within 12 months any WPSL balance that existed at the time of separation will be reinstated, provided that if the rehire occurs in the following calendar year, reinstatement of the balance will be limited to 40 hours.

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c) Accrued WPSL may be used for:

- i) The employee's own illness, injury or health condition; to accommodate the need for medical diagnosis, care or treatment of a health condition; or preventive medical care.
 - ii) The employee's care for a family member with illness, injury or health condition; care for family member who needs medical diagnosis, care or treatment; care for family member who needs preventive medical care. Family members include an employee's child (whether biological, adoptive, foster, step-child, or child for whom employee stands in loco parentis, is a legal guardian for, or is a de facto parent and regardless of age or dependency status); parent (whether biological, adoptive, in-law, de facto, step-parent, legal guardian or person who stood in loco parentis to employee when employee was a child); spouse or registered domestic partner; grandparent; grandchild; or sibling.
 - iii) An absence due to closure of the City's offices by order of public official for any health-related reason, or where the employee's child's school or day care is closed for such a reason.
 - iv) Absences covered by the Domestic Violence/Sexual Assault/Stalking leave policy below.
- d) Where the need to use WPSL is foreseeable, employees should submit written notice of the need for leave to their supervisor at least 10 days in advance of the leave date(s); for unforeseeable leave, employees must contact their supervisor as soon as the need for leave becomes known. The City may require documentation regarding the use of leave, provided that for non-exempt employees: (i) documentation may only be required when an employee uses more than three consecutive work days of WPSL; (ii) an employee will have up to 10 calendar days to provide the required documentation; (iii) if requested, documentation need not disclose the nature of the medical condition causing the need for leave; and (iv) if a requirement to provide documentation will result in unreasonable burden or expense to the employee, an employee may advise the City of this concern and the City will evaluate its request in light of the circumstances.
- e) When an employee needs to be absent for a WPSL-covered reason (including any FMLA-eligible absence), any accrued WPSL will first be applied to the absence, subject to the provisions of the Family Care policy below. If the employee's WPSL bank is exhausted, any available City sick leave will be applied to the absence (if is City sick leave qualifying).

3) City Paid Sick Leave

- a) Regular, full-time and regular part-time employees whose full-time equivalency is 50% or more are eligible to accrue City paid sick leave in addition to WPSL. Any sick leave balance existing as of December 31, 2017 will be placed in the employee's City sick leave bank effective January 1, 2018. Full-time employees will accrue City paid sick leave at the rate that ensures their total monthly sick leave accrual (including both WPSL and City leave) equals 8 hours per calendar month of continuous employment or the monthly accrual rate established in the applicable labor agreement. Eligible part-time employees will accrue City paid sick leave on a pro-rata basis.

Example: A full-time employee who is eligible for a total of 8 hours of paid sick leave per months works 160 hours during the month. She would receive 4 hours of WPSL (1 hour per 40 hours worked). The remaining 4 hours of her monthly entitlement of 8 hours would go into the employee's City sick leave bank.

Example: A part time employee works 80% of a full-time schedule, and is therefore entitled to a total monthly sick leave accrual of 6.4 hours (80% of 8 hours). During a month, the employee works 120 hours and would therefore accrue 3 hours of WPSL. The remaining 3.4 of his monthly sick leave accrual would be placed into the employee's City sick leave bank.

- b) Temporary, seasonal and part-time employees who work less than a 50% equivalency are not eligible for City paid sick leave benefits. Employees do not accrue City sick leave benefits during an absence without pay.
- c) The maximum number of hours of City paid sick leave that an employee can accumulate is one thousand four hundred and forty (1440) hours.
- d) 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 is 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) City paid 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, WPSL or disability-related leave) may lead to disciplinary action up to and including termination..
- e) 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 WPSL and City paid sick leave proportionate to their sick leave balance. City sick leave cash out is prorated for part time employees based on full time equivalency at retirement.

<u>Total Sick Leave Balance at Retirement</u>	<u>Percent Cash out</u>
<u>0-800 hours</u>	<u>0%</u>
<u>801-1251 hours</u>	<u>18% of unused sick leave hours</u>
<u>1251-1440 hours</u>	<u>25% of unused sick leave hours</u>

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

4) 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.

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- 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. Subject to WPSL verification limits where WPSL is used, 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.

5) 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 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 the 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 than 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 WPSL and City paid sick leave for FMLA-qualifying events as part of their 12 weeks of FMLA leave.

ii) During all leave designated as FMLA leave, 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. It is intended to allow the limited use of sick leave for bonding time with a new child. Any additional use of sick leave following the birth or placement of the employee's child beyond this 80-hour benefit must be for one of the reasons for which sick leave is specifically authorized.

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.

6) 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.

7) 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.

8) 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.

9) 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.

10) 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.

11) Leave Share Program

- a) Eligible employees may donate excess 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 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 vacation leave an employee can donate per request, per calendar year is 40 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.

12) 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.

13) 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.

14) 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.

15) **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 (for example, FMLA leave), 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.)

16) **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.

17) 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.)

NOTE: The table below is a general overview of the various leave entitlements. Employees should refer to the specific leave policies for any details regarding applicable procedures for using these forms of leave.

<u>Leave Law</u>	<u>Jurisdiction</u>	<u>Paid Leave</u>	<u>Unpaid Leave</u>	<u>Family Members Covered</u>	<u>Leave Allowed</u>	<u>Employer-Employee Criteria</u>
Family and Medical Leave Act (FMLA)	Federal Law- US Dept of Labor 29 CFR 825	X <u>Unpaid unless the employee has paid leave to substitute</u>	X <u>Unpaid unless the employee has paid leave to substitute</u>	Spouse, child, or parent	<u>12 weeks over a rolling 12 month period</u>	Employers with <u>≥ 50</u> employees within <u>75 miles</u> Employee who <u>worked 1,250 hours in previous 12 months</u>
Family Care Act	L&I RCW 49.12.265 WAC 296-130	X <u>Only available when employee has accrued leave to use</u>		Child, spouse, registered domestic partner, parent, parent-in-law, grandparent	<u>Use of paid leave for care of a sick family member</u>	No size requirement; Employee must have a paid leave benefit
Family Leave Act <i>Superseded by the FMLA where identical</i>	L&I RCW 49.78		X	Employee with registered domestic partner (RDP) may take leave to care for RDP with serious health condition; Pregnant employee who took pregnancy disability leave	<u>12 weeks annually concurrent with 12 weeks of FMLA</u> <u>Exception: does not run during any pregnancy disability leave under the WA Law Against Disability</u>	Employers with <u>≥ 50</u> employees within <u>75 miles (in WA)</u> Employee who <u>worked 1,250 hours in previous 12 months</u>
Leave for Victims of Domestic Violence, Sexual Assault, and Stalking	L&I RCW 49.76	X <u>Unpaid unless the employee has paid leave to substitute</u>	X <u>Unpaid unless the employee has paid leave to substitute</u>	Child, spouse, parent, parent-in-law, grandparent, or person the employee is dating	<u>Reasonable leave for domestic violence, sexual assault or stalking - for legal, or law enforcement assistance, medical treatment, counseling, victim advocate, safety, or relocation</u>	All employers and employees; No eligibility requirements

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Washington Paid Sick Leave	L&I RCW 49.46.210	X		Child, parent, parent-in-law, spouse, registered domestic partner, grandparent, grandchild, sibling	Employees accrue one hour of paid leave for every 40 hours worked, to be used for employee's own health condition or medical care; family member's health condition or medical care; where workplace or child's school is closed due to health reason; or reasons covered by domestic violence leave law	All employers and employees
Leave for Spouses of Military Personnel	L&I RCW 49.77	X	X	Spouse and Registered Domestic Partner of all military personnel	15 days leave per deployment prior to deployment or when spouse on leave from deployment	All employers;* Employees who work ≥ 20 hours a week on average
Pregnancy Disability Leave	Washington Human Rights Commission www.hum.wa.gov		X	Employee Unpaid unless the employee has paid leave to substitute	Covers leave during the period of actual disability caused by pregnancy or childbirth. There is no particular length of time set forth in the statute, but it is usually six to eight weeks for a birth without complications, depending on the doctor's recommendations.	Employers with ≥ 8 employees A woman who does not qualify for FMLA or FLA because her employer has fewer than 50 employees or because she has not worked for her employer long enough, is still eligible for disability leave for pregnancy and childbirth related conditions under WLAD.

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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%
801-1251 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 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 safety 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 504.)

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 City of Anacortes is committed to protecting the health, safety and well being of its employees and all individuals who come into contact with our employees and workplace. In addition, we strive to create and maintain a productive and efficient work environment in which all employees have an opportunity to thrive and be successful.

Recognizing that drug and alcohol use and abuse can pose a serious threat to these goals, the City of Anacortes is committed to providing a drug and alcohol-free workplace for all of its employees. This policy is in accordance with Chapter 296-800 of the State Administrative Code (WAC) and with the federal Drug Free Workplace Act.

This policy applies to all employees of the City. Employees who are required to maintain a commercial driver's license (CDL) are also subject to the City's Drug and Alcohol Policy for DOT Employees.

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) The City of Anacortes strictly prohibits the following in the workplace, on City property (including in City vehicles) or on work time:
 - a) the use, sale, distribution, dispensation, manufacture or possession of alcohol or drugs (including marijuana and other drugs included in Schedule I or II of the federal Controlled Substances Act) or drug paraphernalia;
 - b) the unauthorized use or distribution of prescription drugs;
 - c) the use of any legally obtained drug (prescriptions or over-the-counter medications) when such use may adversely affect an employee's job performance, their safety or the safety of others, or any combination thereof;
 - d) reporting to work or working while under the influence of alcohol or drugs (including marijuana and other drugs included in Schedule I or II of the federal Controlled Substances Act). An employee will be deemed under the influence of a drug if the employee tests positive following a test conducted in accordance with this policy or when the employee acknowledges impairment.
- 2) Prescription medication. The possession and use of medically prescribed or over-the-counter drugs during work hours is permissible, subject to certain conditions. The employee shall have no obligation to inform the City of such use unless, according to a warning notice or the input of a physician or pharmacist, the drug may cause a possible impairment that could prevent the employee from performing his or her job safely or effectively. In such cases, the employee should notify his or her supervisor or Human Resources so that a determination can be made as to whether it is in the best interests of the City and the employee that the employee work, not work or be reassigned during the period medication is used. Medical information will be handled in a confidential manner. Notwithstanding the above, the medical use of marijuana that causes drug or drug metabolites to be present in the body above minimum thresholds established by federal law constitutes prohibited

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conduct regardless of whether the marijuana was used under the guidance of a medical practitioner and regardless of whether the medical practitioner advised that such use will not adversely affect the employee's ability to safely and effectively perform job duties.

3) Workplace drug related convictions The Drug Free Workplace Act of 1988 requires employees, as a condition of employment, to report any criminal convictions of drug-related activity in the workplace to the City no later than five (5) days following a conviction. Any such report should be directed to the Human Resource Department. Employees convicted of workplace drug-related crimes may be subject to discipline up to and including termination.

4) Drug and alcohol testing

a) The City of Anacortes asserts its right to test employees or applicants for alcohol and/or controlled substances to the extent allowed by law. This includes urine drug testing and evidential breath alcohol testing. Employee or applicant acceptance of testing, when required in accordance with this policy, is a mandatory condition of employment. Refusing to submit to such tests constitutes a violation of City policy and will result in termination of employment or, for an applicant, withdrawal of the job offer. The City of Anacortes reserves the right to test for drugs and/or alcohol as defined below:

- i) **Pre-employment** – After receiving a conditional offer of employment, an applicant for a safety sensitive position must submit to, and successfully pass, a drug test.
- ii) **Post-accident** – An employee who is involved in an accident that causes significant property damage while driving a vehicle for City business, or who sustains or causes an injury that requires medical attention, will be required to submit to drug and alcohol testing, unless the circumstances surrounding the accident do not indicate a reasonable possibility that drug or alcohol use was a contributing factor.
- iii) **Reasonable Suspicion** – Reasonable suspicion is based on specific personal observations that a City of Anacortes management representative can describe and document (using a Reasonable Suspicion Testing and Documentation Form) regarding an employee's appearance, behavior, speech and breath odor.

b) The City of Anacortes will follow the collection and drug testing guidelines and standards issued by the U.S. Department of Health and Human Services and the U.S. Department of Transportation (DOT).

c) To ensure the accuracy and integrity of the program, the City of Anacortes also will follow these employee protection guidelines:

- i) For drug analysis, we will use a laboratory that has been certified by the Substance Abuse and Mental Health Services Administration (SAMHSA).
- ii) A strict chain of custody will be used to ensure specimen integrity; a split specimen will also be collected.
- iii) The process will ensure privacy and confidentiality of all test results.
- iv) All positive drug test results will be confirmed by gas chromatography/mass spectrometry before they are reported to the City of Anacortes.
- v) All confirmed positive, invalid, substituted and adulterated results will receive medical review by a Medical Review Officer (MRO), who will give the employee an opportunity to provide possible medical explanations for the result.
- vi) All negative test results will be reported to the Administrative Services Director or a Human Resources designee.

d) In addition, when the City has a reasonable suspicion that an employee is violating any aspect of this policy, the employee may be asked by the City of Anacortes to submit immediately to a search or inspection at any time (including breaks and the lunch period) while on City premises or in City property. Any refusal to consent to a search

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constitutes a violation of this policy and is grounds for disciplinary action, up to and including termination of employment.

5) Procedures for administering tests

a) Drug screen

- i) Upon identifying an event that requires testing (pre-employment, post-accident or reasonable suspicion), the Human Resources department will provide the employee with a non-DOT Custody and Control Form indicating the reason for the test and the specific services to be performed.
- ii) The employee will report to a clinic or authorized collection site with the Custody and Control Form and photo identification within 60 minutes of notification. In the event of a post-accident or reasonable suspicion testing event, the employee will be transported to the collection site by a City of Anacortes management representative.
- iii) Samples will be collected by personnel who have met DOT collector training requirements as specified by U.S. Department of Transportation (DOT) Regulations 49 CFR Part 40. Collectors will follow standard DOT collection procedures and use a non-DOT chain of custody form. A split sample collection is required.
- iv) Shy bladder collections – In the event that an employee is unable to provide an adequate specimen on the first attempt, he or she will be given 40 ounces of water over a 3-hour period. The employee may attempt to provide a sample at any time within the 3-hour period. The employee must remain at the collection site until the collection is completed. If the employee is not able to provide an adequate specimen within 3 hours, the City of Anacortes Human Resources will be notified immediately, and they will then notify the Medical Review Officer (MRO) for an evaluation. In this instance, the employee shall have the option to undergo a medical evaluation for “shy bladder” at their expense. If no medical explanation is found for their inability to produce urine, it shall constitute a refusal to test and be considered a failed test.
- v) Suspected substitution or adulteration collections – If the employee provides a sample and the collection temperature does not register on the collection cup, or the collector suspects that the specimen has been adulterated (for example, it has a blue color or chemical odor that is not consistent with urine, such as bleach or perfume), that collection will be completed, and a second sample will be collected under same-gender direct observation. Both samples will be submitted to the lab for analysis, and both results will require MRO review. If an employee refuses to provide a second sample under observation, the event will be deemed as a refusal to test.
 - (1) The sample will be shipped via courier to a SAMHSA-certified lab.
 - (2) Each sample will undergo a screening test and, if it demonstrates a positive response for any drug, it also will be subject to a confirmation test by gas chromatography/mass spectrometry (GC/MS).
 - (3) All negative results will be reported by an authorized SAMHSA-certified lab directly to the City of Anacortes. All results reported from the laboratory as positive, invalid, substituted or adulterated results will be reported to the MRO for review. The MRO will contact the employee by telephone to give that individual an opportunity to provide a valid medical explanation for the positive result.
 - (4) If the MRO accepts and employee’s explanation and/or documentation as a valid, medically acceptable explanation, the result may be deemed “negative” and reported to Human Resources as such. All results for which the MRO determines that there is no valid, acceptable medical explanation will be deemed a “confirmed positive” and reported to Human Resources as a failed test. The MRO may require a re-collection under direct observation in the event of some invalid

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results.

6) Breath alcohol

- a) All alcohol tests will be conducted using an evidential breath testing device operated by a trained Breath Alcohol Technician who has met qualification and proficiency requirements.
- b) The Breath Alcohol Technicians will use a non-DOT Alcohol Testing Form to record the test. The employer copy of the Alcohol Testing Form will be sent to the Human Resources department.
- c) A breath alcohol result of < 0.019 grams of alcohol/210 L of breath will be considered negative, and no further testing will be required for that incident.
- d) A breath alcohol result of > 0.020 grams of alcohol/210 L of breath will require a second, confirmatory test conducted no sooner than 15 minutes after the initial test. If the confirmation test result is > 0.020 grams of alcohol/210 L of breath, the result will be considered positive and will be reported immediately to Human Resources.
- e) If the result is positive, the employee will not be allowed to return to work, and arrangements must be made to provide transportation to the employee's home.

7) Confidentiality All information received by the employer through the program is confidential. Access to this information is limited to those who have a legitimate need to know.

8) Consequences An employee's refusal to do any of the following when required is considered non-compliance and may result in disciplinary action, up to and including termination of employment;

- a) Take a drug or alcohol test.
- b) Appear for testing.
- c) Accept the EAP recommendations when required to use the EAP because of a positive drug test or due to violating a City rule pertaining to drugs or alcohol.
- d) Comply with the conditions of a Last Chance Agreement.

9) First verified positive test: An employee may be terminated solely for a first-time confirmed positive drug or breath alcohol test. However, if not terminated, the employee will be given an opportunity for job retention through a Last Chance Agreement. This policy does not prohibit an employee from being terminated for reasons other than a confirmed positive test result. The availability of a Last Chance Agreement in a given situation, as well as the specific terms of that agreement, shall be subject to the City's discretion and approval.

10) Second verified positive test: If an employee has a confirmed positive drug screen or positive breath alcohol test for a second time, the employee will be terminated immediately.

11) Implementation details

- a) **Supervisor training.** The City of Anacortes will provide a supervisor training program to help supervisors recognize an employee with possible alcohol and/or drug problems. This program will train supervisors how to recognize specific performance or behavior criteria related to substance abuse and how to refer employees for assistance.
- b) **Employee education.** The City of Anacortes will provide alcohol and drug awareness information for all employees. This will include the City of Anacortes policy on alcohol and drug abuse; the dangers of alcohol and drug abuse; and treatment and counseling services available through the Employee Assistance Program.
- c) **Employee Assistance Program.** The City of Anacortes recognizes that alcohol and drug addiction can be successfully treated and is willing to help employees who suffer from these problems while holding them responsible for their own recovery. The City of Anacortes maintains an Employee Assistance Program (EAP). Employees may also

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have access to professional services through the City's medical health insurance plans to aid them with any alcohol or drug problems. Employees who need help with drug and/or alcohol misuse or abuse are encouraged to use these resources.

12) Employees are strongly encouraged to seek help to address their drug or alcohol problems

before such issues affect their performance or result in a positive drug or alcohol test. Seeking assistance after an employee has tested positive or demonstrated performance issues will not allow the employee to avoid the disciplinary consequences of his/her behavior. For employees seeking assistance for alcohol and/or drug problems, the EAP will be administered as follows:

- a) Employees seeking help on their own, or who are referred to the EAP by their supervisor, will be provided assistance on a confidential basis without jeopardizing their employment status.
- b) Employees who are offered a Last Chance Agreement in lieu of termination for a violation of this policy may be required to use the EAP and/or successfully complete a treatment program as a condition of continued employment. In such case, the employee may be required to authorize the EAP or treatment provider to disclose to the City information regarding compliance with the treatment program. A Last Chance Agreement may also include requirements for follow-up drug and alcohol testing for a period of two years as a condition of continued employment.

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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, phenylclidine (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 (GC/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 delivery 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>

<http://www.sao.wa.gov/investigations/Pages/Whistleblower.aspx>

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City Council Agenda Bill

Meeting Date: 12/18/2017

Agenda Item: 7e

Subject: 4th Quarter Finance Update

Staff Contact: Steve Hoglund

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

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

Summary Statement: The attached Finance update contains data through November 30, 2017. Sales tax continues to be strong at 10% higher than the same period in 2016 and 5% over budget, led by the marine trades, construction, hospitality, and vehicle sales. The city has received second half property taxes and all revenues and expenditures are meeting expectations with the exception of REET. Real Estate Excise Tax (REET) revenue, which is generated on the sale of existing homes, appears to be slowing. When compared to 2016, in six of the past seven months monthly REET receipts were lower than the same month in 2016.

Background:

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: N/A

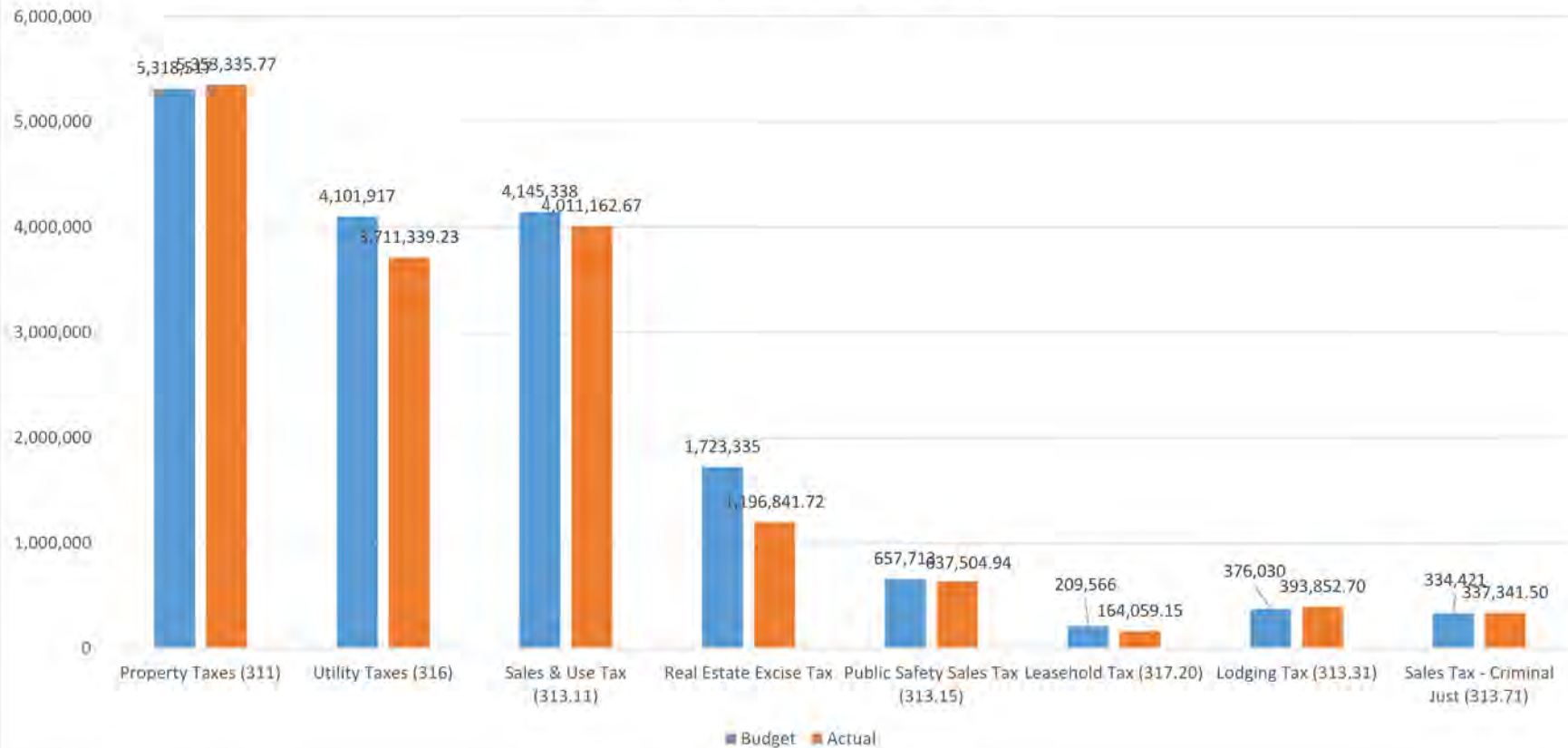
Competing Viewpoints Considered: N/A

Recommended Motion: N/A

Alternative Actions: N/A

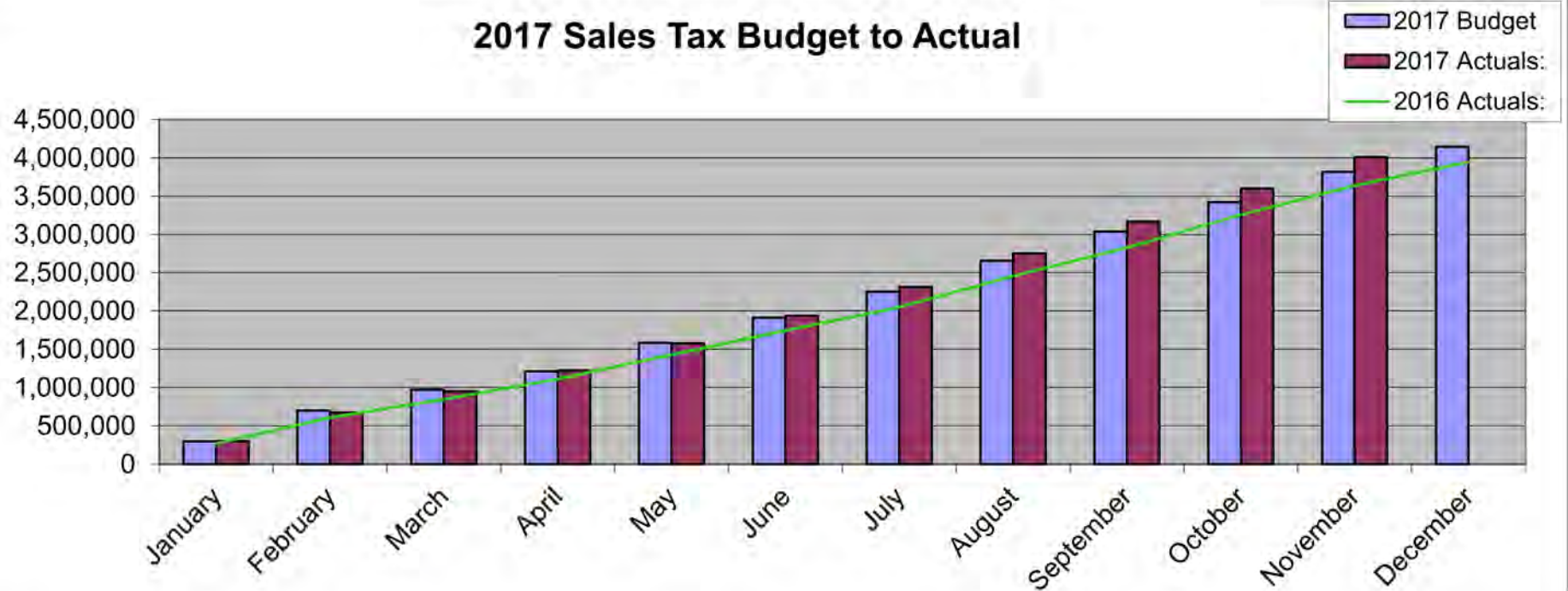
Attachments (listed in order presented): 2017 Tax Revenue Budget to Actual, 2017 Sales Tax Budget to Actual, Real Estate Excise Tax (REET) YTD, Impact Fees 2016-2017, Lodging Tax 2010-2017, Major Fund Revenues and Expenditure YTD, Capital Projects Budget to Actual YTD, Investment Diversification as of 11/30/17

2017 Tax Revenue Budget to Actual



Taxes	Budget	Actual	Jan - Nov 2017
Property Taxes (311)	5,318,517	5,353,335.77	101%
Utility Taxes (316)	4,101,917	3,711,339.23	90%
Sales & Use Tax (313.11)	4,145,338	4,011,162.67	97%
Real Estate Excise Tax	1,723,335	1,196,841.72	69%
Public Safety Sales Tax (313.15)	657,713	637,504.94	97%
Leasehold Tax (317.20)	209,566	164,059.15	78%
Lodging Tax (313.31)	376,030	393,852.70	105%
Sales Tax - Criminal Just (313.71)	334,421	337,341.50	101%
Totals Taxes:	16,866,837	15,805,438	93.7%
Total Governmental budget (2017):	26,533,425		
Taxes as a % of Gov Budget:	64%		

2017 Sales Tax Budget to Actual



	January	February	March	April	May	June	July	August	September	October	November	December
2017 Budget	294,902	699,661	970,833	1,211,363	1,584,485	1,911,086	2,251,159	2,654,507	3,037,077	3,419,990	3,818,673	4,145,338
2017 Actuals:	298,921	672,367	951,182	1,221,516	1,577,702	1,936,598	2,313,035	2,753,644	3,167,739	3,597,403	4,011,163	
2016 Actuals:	270,996	607,357	847,117	1,112,232	1,430,188	1,744,885	2,050,785	2,454,555	2,827,248	3,256,627	3,637,666	3,945,850
Year to prior year:	10.3%	10.7%	12.3%	9.8%	10.3%	11.0%	12.8%	12.2%	12.0%	10.5%	10.3%	-100.0%
Year to budget:	1.4%	-3.9%	-2.0%	0.8%	-0.4%	1.3%	2.7%	3.7%	4.3%	5.2%	5.0%	-100.0%
Actual Receipts:												
2017 Total:	298,921	373,446	278,816	270,333	356,187	358,896	376,437	440,609	414,095	429,664	413,760	
Month % change:	10.3%	11.0%	16.3%	2.0%	12.0%	14.0%	23.1%	9.1%	11.1%	0.1%	8.6%	-100.0%
2016 Total:	270,996	336,361	239,760	265,116	317,956	314,697	305,900	403,770	372,694	429,378	381,040	308,184

Real Estate Excise Tax (REET)

	Total REET Revenues		
	2016	2017	% YTD Change
January	90,785	108,345	19%
February	41,788	83,871	45%
March	52,085	71,546	43%
April	100,310	113,091	24%
May	128,959	105,290	16%
June	132,996	124,195	11%
July	121,693	158,342	14%
August	157,115	119,278	7%
September	111,482	89,402	4%
October	142,738	107,915	0%
November	122,623	100,151	-2%
December	108,345		
To date	1,310,919	1,181,425	
2017 Budget		1,134,666	
% Received		104%	

937,212

	Current	2017	Estimated
	Cash Balance	Budgeted Expense	Ending Cash
REET 1:	1,642,657	621,250	1,264,001
REET 2:	1,955,551	840,809	1,357,336

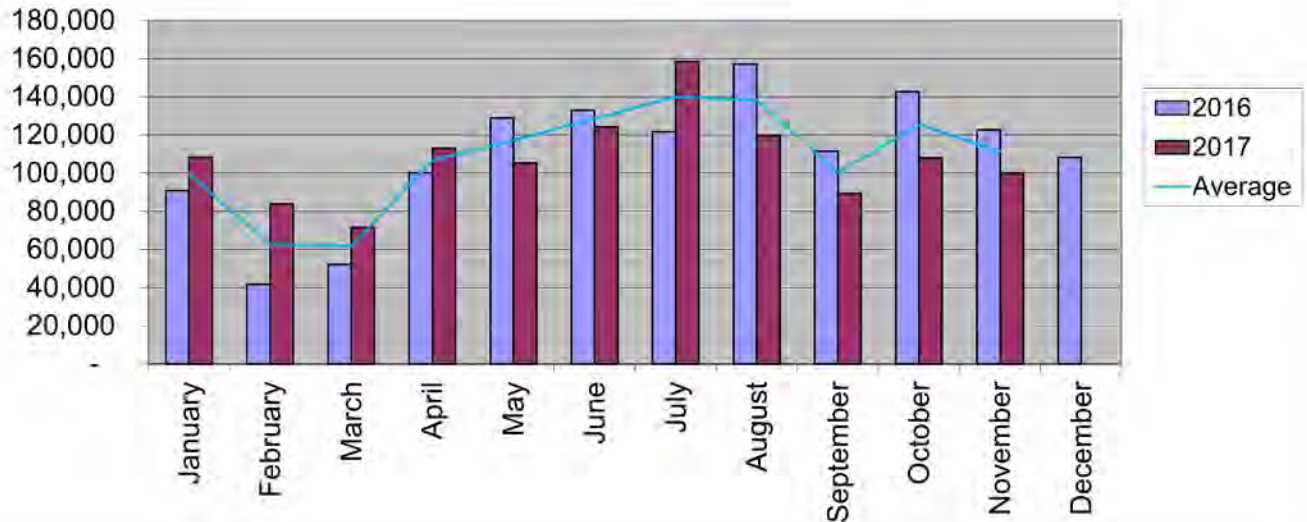
ALLOWABLE USE OF REET

REET 1: RCW 82.46.010: public works projects of a local government for planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation, or improvement of streets; roads; highways; sidewalks; street and road lighting systems; traffic signals; bridges; domestic water systems; storm and sanitary sewer systems; parks; recreational facilities; law enforcement facilities; fire protection facilities; trails; libraries; administrative facilities; judicial facilities

REET 2: RCW 82.46.035: public works projects of a local government for planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation, or improvement of streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, bridges, domestic water systems, storm and sanitary sewer systems, and planning, construction, reconstruction, repair, rehabilitation, or improvement of parks

Primary difference: REET 2 is more restrictive, cannot be used for Parks Acquisition, Trails, Admin, or Public Safety.

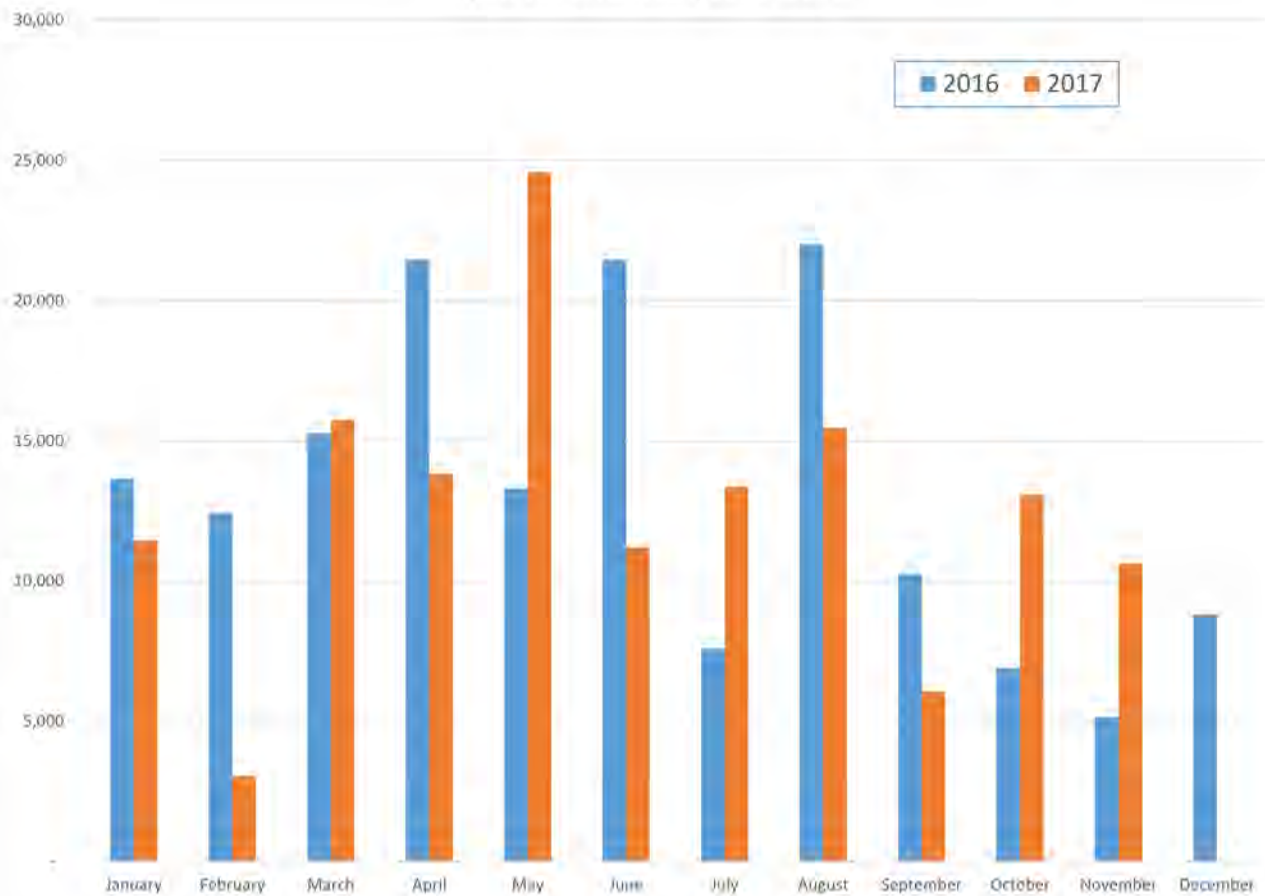
Cumulative REET



IMPACT FEES

	2016 Impact Fees		2017	YTD	Change
	By month	2016			
January	13,635	13,635	11,430	11,430	-16.2%
February	12,420	26,055	3,030	14,460	-44.5%
March	15,255	41,310	15,735	30,195	-26.9%
April	21,450	62,760	13,806	44,001	-29.9%
May	13,290	76,050	24,568	68,569	-9.8%
June	21,450	97,500	11,190	79,759	-18.2%
July	7,575	105,075	13,350	93,109	-11.4%
August	22,000	127,075	15,450	108,559	-14.6%
September	10,232	137,307	6,060	114,619	-16.5%
October	6,885	144,192	13,062	127,681	-11.5%
November	5,130	149,322	10,605	138,286	-7.4%
December	8,805	158,127			

Impact Fees Collection, 2016 - 2017



	Current Cash Balance	2017 Budgeted Expense	Estimated Ending Cash
Street	620,631	75,000	556,041
Parks	303,791	100,000	214,201

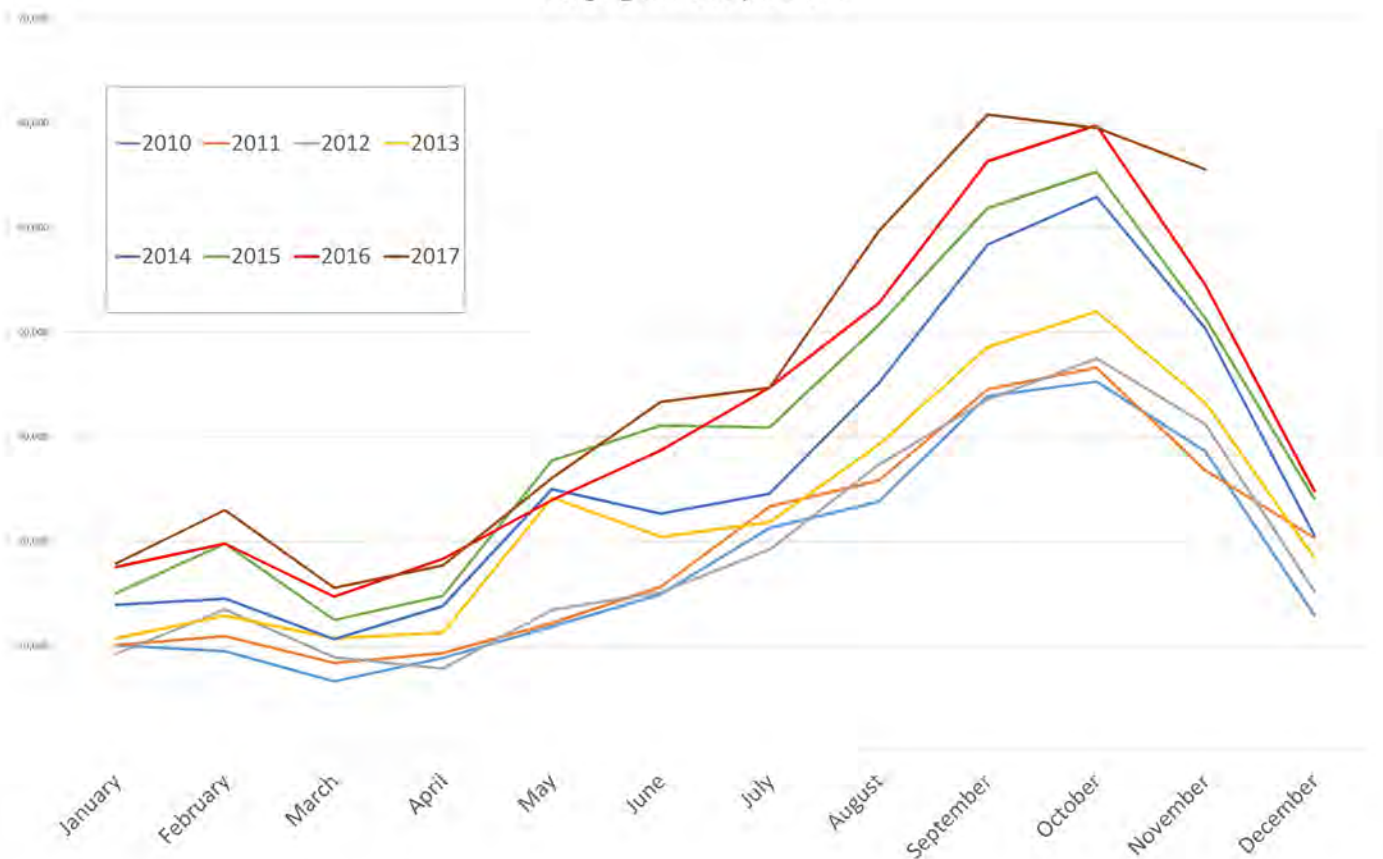
Lodging Tax Receipts by Month

	2010	2011	2012	2013	2014	2015	2016	2017
January	10,052	10,073	9,212	10,730	13,922	14,995	17,536	17,886
February	9,498	10,927	13,467	12,891	14,518	19,790	19,794	23,002
March	6,594	8,369	8,906	10,721	10,652	12,480	14,723	15,558
April	8,862	9,308	7,827	11,287	13,814	14,789	18,327	17,694
May	11,842	12,203	13,447	24,170	24,978	27,734	23,959	26,059
June	14,958	15,657	15,115	20,429	22,646	31,090	28,702	33,354
July	21,283	23,322	19,185	21,847	24,560	30,894	34,718	34,696
August	23,799	25,797	27,335	29,252	35,074	40,691	42,774	49,671
September	33,883	34,528	33,542	38,564	48,375	51,865	56,371	60,826
October	35,287	36,609	37,498	41,990	52,933	55,347	59,795	59,541
November	28,585	26,777	31,208	33,268	40,350	41,323	44,510	55,567
December	12,922	20,344	15,223	18,431	20,553	24,079	24,792	
Total:	217,565	233,914	231,966	273,580	322,375	365,078	386,002	393,853

Revenues left to collect:	24,792
Expenditures left to spend:	87,571
Projected Year end excess/(deficit):	118,808
Current Cash Balance:	825,188
Projected Year end cash balance:	762,409

NOTE: Lodging tax revenues are recieved 2 months after the room is paid for by the customer. E.g. the City will recieve tax revenues in August from a hotel room that was paid for in June.

Lodging tax receipts trend



CITY OF ANACORTES
ALL FUNDS
Revenues/Expenditures
January - November 2017

		2017 Adj Budget	Year to date Actuals	% of Total Budget	
001	GENERAL FUND				
	Revenue	14,932,983.78	13,672,718.90	92%	
	Expenditure	14,932,982.74	12,791,011.98	86%	
	Difference	1	881,707		
101	PARK & RECREATION				
	Revenue	1,669,199	1,707,104.13	102%	
	Expenditure	1,669,199	1,477,170.66	88%	
	Difference	0	229,933		
102	CEMETERY				
	Revenue	221,125	231,278.07	105%	
	Expenditure	221,125	210,771.35	95%	
	Difference	0	20,507		
103	LIBRARY				
	Revenue	1,397,138	1,394,581.91	100%	
	Expenditure	1,397,138	1,274,842.85	91%	
	Difference	0	119,739		
104	STREET MAINTENANCE				Transfers at year end will make up the revenue deficit for the overlay program.
	Revenue	2,269,012.55	1,400,234.78	62%	
	Expenditure	2,269,012.55	2,357,981.07	104%	
	Difference	0	-957,746		
105	ARTERIAL STREET				
	Revenue	1,215,796.93	669,367.07	55%	
	Expenditure	1,215,795.93	446,499.46	37%	
	Difference	1	222,868		
106	Trans Bene Dist				The TBD expenses will be year end transfer to road overlay program.
	Revenue	334,056.15	309,513.39	93%	
	Expenditure	334,056.15	46.55		
	Difference	0	309,467		
107	WASHINGTON PARK				
	Revenue	262,603	275,840.02	105%	
	Expenditure	262,603	268,843.55	102%	
	Difference	0	6,996		
108	PARKS CAPITAL				
	Revenue	486,000.00	397,424.88	82%	
	Expenditure	486,000.00	303,673.92		
	Difference	0	93,751		
110	AMBULANCE FUND				
	Revenue	3,226,474	2,831,540.10	88%	
	Expenditure	3,226,474	2,862,412.87	89%	
	Difference	0	-30,873		
112	DEVELOPMENT FEES				
	Revenue	187,000	142,854.20		
	Expenditure	187,000	125,000.00		
	Difference	0	17,854		
113	ACFL MANAGEMENT FUND				
	Revenue	197,565.73	97,144.42	49%	
	Expenditure	197,565.78	162,150.48	82%	
	Difference	0	-65,006		

CITY OF ANACORTES
ALL FUNDS
Revenues/Expenditures
January - November 2017

		2017 Adj Budget	Year to date Actuals	% of Total Budget	
135	TOURISM				
	Revenue	299,837	399,215.95	133%	
	Expenditure	299,837	212,266.94	71%	
	Difference	0	186,949		
200	2000 GO BOND DEBT SERVICE				
	Revenue	502,990	471,473.46	94%	
	Expenditure	502,990	532,056.25	106%	
	Difference	0	-60,583		
209	2009 PUBLIC SAFETY REFUNDING				
	Revenue	259,800	262,016.88	101%	
	Expenditure	259,800	9,900.00	4%	
	Difference	0	252,117		
335	GROWTH MANAGEMENT CAPITAL IMPROVEMENT				
	Revenue	1,723,335.00	1,196,841.72	69%	
	Expenditure	1,723,335.00	17,500.00	1%	
	Difference	0	1,179,342		
401	WATER				
	Revenue	19,188,026.34	18,746,547.75	98%	Chgs budg 8,672,596.45
	Expenditure	16,624,320.03	11,764,411.47	71%	Actuals: 9,507,801.65
	Difference	2,563,706	6,982,136		% collected: 110%
					Cap Budg: 9,145,766.37
					Actuals: 8,195,178.89
					% collected: 90%
440	SEWER				
	Revenue	8,399,035	5,502,678.55	66%	Chgs budg 5,219,884.42
	Expenditure	8,399,035	6,543,079.77	78%	Actuals: 4,333,643.82
	Difference	0	-1,040,401		% collected: 83%
445	STORM DRAIN				
	Revenue	1,627,765	826,577.66	51%	Chgs budg 914,494.00
	Expenditure	1,627,765	1,091,514.45	67%	Actuals: 686,817.01
	Difference	0	-264,937		% collected: 75%
450	SANITATION				
	Revenue	3,432,267	3,343,058.59	97%	
	Expenditure	3,432,267	3,175,856.93	93%	
	Difference	0	167,202		
501	EQUIPMENT RENTAL FUND				
	Revenue	1,859,819.48	2,422,076.46	130%	
	Expenditure	1,859,819.48	1,770,595.18	95%	
	Difference	0	651,481		
611	FIREMEN'S PENSION FUND				
	Revenue	34,000	27,851.90	82%	
	Expenditure	34,000	30,154.44	89%	
	Difference	0	-2,303		

CAPITAL PROJECTS BUDGET TO ACTUALS THROUGH NOVEMBER

2017										
Line	BARS	Account	Budget Request	Budget Detail	Actual YTD	Project Under (Over) Budget	BARS Under (Over) Budget	Job Cost/ Project No.	Description	Line
	001.220.594.18.64	Machinery & Equipment	0		4,727	-4,727	-4,727	16-070-IDS	VOIP	543
543	001.310.594.21.64	Machinery & Equipment - POLICE	20,000	0	0	0	-978		One additional patrol vehicle	543
				20,000	20,978	-978	0	err020a, err023	Police Aux Patrol Vehicle (Tesoro Grant)	
						0				
617	001.320.594.25.64	Capital Equipment - FIRE	530,500			0	66,905			617
618				511,000	460,619	50,381		scba2016	SCBA Program (unfunded Grant)	618
619				12,000	2,976	9,024		17-115-FIR	Turnout Gear Washer	619
620				7,500	0	7,500			Fire Hose (70 Lengths)	620
621				0	0	0			Annual Radio Replacement Program	621
622				0	0	0			Annual Vehicle Extrication Program	622
623					0	0				623
733	001.320.594.22.62	Buildings & Structures - FIRE	20,000			0	20,000			733
734				0	0	0			Design March Point Fire Station	734
735				20,000	0	20,000			Live Fire Training Water Retention	735
850	001.713.594.53.62	BUILDINGS & STRUCTURES - FACILITIES	195,000		0	0	37,871			850
					0	0			City Hall	
				0	8,122	-8,122		17-086-FAC	EV Charging Station	
					0	0				
					0	0				
851					0	0			Public Safety Building	851
852				40,000	17,676	22,324		17-079-POL	Public Safety Security Cameras	852
853				20,000	8,774	11,226		17-038-FAC	Public Safety Flooring	853
854				0	10,253	-10,253		17-133-FAC	Drinking fountains (2 APD, 1 Library)	854
855					0	0				855
856					0	0				856
857					0	0				857
858					0	0			Washington Park	858
859				0	0	0			Washington Park Bathroom Upgrade	859
860					0	0			Water Treatment Plant	860
				0	0	0			Water Treatment Camera Installation	
860					0	0			Library	860
861				0	0	0			Spikes for Library Roof	861
862				0	5,517	-5,517		17-109-FAC	Library Meeting Room	862
863				50,000	0	50,000			Library Carpet Replacement	863
864					0	0			Fire Stations	864
865				25,000	17,854	7,146		17-095-FAC	Interior Painting Fire Station 1 & 2	865
866				0	3,106	-3,106		17-088-FAC	Flooring Fire Station 1 & 2	866
867				0	0	0			HVAC upgrade Fire Station 1	867
868					0	0			Operations Shop	868
869				35,000	67,752	-32,752		16-085-IDS	Bathroom Expansion	869
869.5				25,000	18,076	6,924		17-069-FAC	Overhead Garage Doors	869.5
						0				
	101.410.594.76.64	Machinery & Equipment - PARKS	11,000	11,000	0	11,000	11,000		Tractor (partial)	
1020	102.430.594.36.63	Other Improvements - CEMETERY	5,000	5,000	0	5,000	5,000		Design	1020
	104.720.594.42.64	Machinery & Equipment - ROAD MAINTENANCE	0			0	0			733

CAPITAL PROJECTS BUDGET TO ACTUALS THROUGH NOVEMBER

2017										
Line	BARS	Account	Budget Request	Budget Detail	Actual YTD	Project Under (Over) Budget	BARS Under (Over) Budget	Job Cost/ Project No.	Description	Line
				0	0	0		err859	Paving machine	734
				0	0	0		err862	Trailer for paving machine	735
1310	108.410.594.76.60	Capital Outlays - PARKS CAPITAL	486,000			0	182,326			1310
1311				0	0	0			South Commercial Ave Pocket Park	1311
1312				55,000	0	55,000			Cemetery Improvements/Expansion	1312
1313				25,000	0	25,000			Depot Improvements	1313
				0	3,572	-3,572		airportmit	Port airport mitigation	
1314				76,000	57,583	18,417		17-049-PRK, 17-061-PRK	Park Improvements	1314
1315				25,000	1,306	23,694		trailmaint, 17-019-IDS, 17-120-prk	Trail Improvements	1315
1315.1				55,000	63,179	-8,179		15-028-IDS	WA Park Improvements	1315.1
				250,000	178,034	71,966		14-014-IDS	Storvik Park Spray Pad	
						0				
1375	110.320.594.22.51	Intergovernmental Services - EMS	0		0	0	0			1375
1376	110.320.594.22.64	Machinery & Equipment - EMS	0		20,401	-20,401	-20,401	17-022-FIR	Extrication Equipment (unfunded Grant)	1376
	113.410.594.76.61	Land & Land Improvements - ACFL	0		60,419	-60,419	-60,419		Van Buren/Bell Property Purchase	1375
	113.410.594.76.64	Machinery & Equipment - ACFL	14,000	14,000	0	14,000	14,000		Tractor (partial)	
1559	356.440.594.72.62	Buildings & Structures - LIBRARY	68,250			0	68,250			1559
1560				43,250	0	43,250			meeting room modernization project (based on Dimensional bid from 2015 + inflation, however unsure if prevailing wage was included)	1560
1561	401 - WATER			25,000	0	25,000			needs assessment/charette	1561
1613	401.000.594.34.10	SALARIES & WAGES	0		0	0	0			1613
1614	401.000.594.34.20	PERSONNEL BENEFITS	0		0	0	0			1614
1615	401.000.594.34.60	Capital Outlays	0		0	0	0			1615
1616	401.000.594.34.61	Land & Land Improvements	0		0	0	0			1616
1617	401.000.594.34.62	Buildings & Structures (Acquisition, Con	0		0	0	0			1617
1618	401.000.594.34.63	Other Improvements	5,224,000			0	1,656,138			1618
1619				500,000	0	500,000			Retired WTP Decommissioning	1619
1620				1,125,000	853,629	271,371		16-018-WTR, 17-001-WTR, 17-003-TRN	Pipeline Replacements	1620
1621				2,500,000	1,871,930	628,070		16-039-WTR	3MG Reservoir Restoration	1621
1622				100,000	173,364	-73,364		16-016-WTR, 15-010-IDS	Telemetry Upgrades	1622
1623				90,000	0	90,000			Water Treatment Camera Installation	1623
1623				33,000	800	32,200		17-097-WTR	Cathodic Protect/Anode Replace	1623
1624				100,000	0	100,000			Pass Lake 10-inch Waterline	1624
1625				176,000	0	176,000			Sharpes Corner Project	1625
1626				0	0	0			Intake Pump Replacement	1626
1627				100,000	10,314	89,686		17-007-WTR	Reline 36-inch Transmission Line	1627

CAPITAL PROJECTS BUDGET TO ACTUALS THROUGH NOVEMBER

2017										
Line	BARS	Account	Budget Request	Budget Detail	Actual YTD	Project Under (Over) Budget	BARS Under (Over) Budget	Job Cost/ Project No.	Description	Line
1628				500,000	575,278	-75,278		14-056-IDS	Fiber Telemetry	1628
1629.1				0	82,547	-82,547		err860	Ditch Witch Directional Driller	1629.1
1630.1					0	0				1630.1
						0				
1878.1	401.740.594.34.63	Other Improvements	10,000	10,000	0	10,000	-8,345		Cathodic protection	1878.1
					18,345	-18,345		wtr594	capital parts	
	440 - WASTE WATER					0				
1918.1	440.000.594.35.20	PERSONNEL BENEFITS	0		0	0	0			1918.1
1919.1	440.000.594.35.62	Buildings & Structures (Acquisition, Con	0		0	0	0			1919.1
1920.1	440.000.594.35.63	Other Improvements	2,918,000			0	516,787			1920.1
1921.1				990,000	376,295	613,705		14-009-IDS, 14-056-IDS	Fiber Telemetry	1921.1
1922.1				628,000	602,485	25,515		16-001-SEW, 16-074-SEW, 17-015-SEW, 17-018-SEW, 17-045-SEW, 17-094-sew, 17-113-SEW, 17-117-SEW, 17-131-sew	Collection System Rehab/Inflow and Infiltration Reduction	1922.1
1923.1				300,000	40,788	259,212		14-002-SEW	WWTP Admin Building Upgrade	1923.1
1924.1				1,000,000	1,379,716	-379,716		13-020-SEW	Outfall Maintenance and Rehabilitation	1924.1
					1,929	-1,929		14-035-SEW	Pump Station Upgrades	
1925.1					0	0				1925.1
						0				
1926.1	440.000.594.35.64	Machinery & Equipment	1,350,000			0	901,265			1926.1
1927.1				260,000	3,013	256,987		15-013-SEW	Pump Station Upgrades	1927.1
1921.1					96,551	-96,551		14-009-IDS, 14-056-IDS	Fiber Telemetry	1921.1
1928.1				40,000	0	40,000			PS 13 Odor Control	1928.1
1929.1				650,000	349,171	300,829		15-032-SEW, 17-008-SEW	Incinerator Offgas Scrubbing System	1929.1
1930.1				100,000	0	100,000		17-143-SEW	Dechlorination/Disinfection Upgrade	1930.1
1931.1				300,000	0	300,000			Outlet Duct and Crossover Duct Rehabilitation	1931.1
						0				
2123.1	445.770.594.31.60	Capital Outlays	470,000			0	323,064			2123.1
2124.1					0	0				2124.1
2125.1				150,000	8,046	141,954		17-021-STM	Storm Sewer Upgrade	2125.1
2126.1				20,000	0	20,000			Trash Racks	2126.1
2127.1				300,000	138,890	161,110		16-041-STM, 17-005-STM	Storm Pond/Vault Restoration	2127.1
	450 - SOLID WASTE					0				
2202.1	450.780.594.37.60	Capital Outlays	63,000			0	10,696			2202.1
2203.1				35,000	32,453	2,547		err174	Pickup Truck	2203.1
2204.1				28,000	19,851	8,149		17-014-IDS	Dumpster & Roll-Off replacements	2204.1
	501 - ERR					0				

2017/2018 Budget

CAPITAL PROJECTS BUDGET TO ACTUALS THROUGH NOVEMBER

			2017							
Line	BARS	Account	Budget Request	Budget Detail	Actual YTD	Project Under (Over) Budget	BARS Under (Over) Budget	Job Cost/ Project No.	Description	Line
2298.1	501.790.594.18.62	BUILDINGS & STRUCTURES (ACQUISITION,	0		0	0	0			2298.1
2299.1	501.790.594.48.60	Capital Outlays	705,000			0	-123,541			2299.1
2300.1				92,000	110,296	-18,296		err387, err426, err861, err713	Parks/Depot	2300.1
2301.1				65,000	37,414	27,586		err2910a, 17-057-err	Fire	2301.1
2302.1				34,000	112,030	-78,030		err177,err858, err859, err862	Street	2302.1
2303.1				80,000	94,783	-14,783		err175, err176	Water Maint	2303.1
2304.1				28,000	0	28,000			Solid Waste	2304.1
2305.1				180,000	0	180,000			Police	2305.1
					59,588	-59,588		err033	pursuit vehicle	
					59,501	-59,501		err034	pursuit vehicle	
					59,058	-59,058		err035	pursuit vehicle	
2306.1				155,000	185,665	-30,665		err179, err180, err425	WWTP	2306.1
2307.1				65,000	70,144	-5,144		err052, err424	Fleet	2307.1
2308.1				0	0	0			IT	2308.1
2309.1				6,000	40,062	-34,062		err15909, err178	ACFL	2309.1
2310.1					0	0			WTP	2310.1
	105 ROAD CONTSTRUCTION									
1219	105.712.595.64.63	Other Improvements	0		0	0	0			1219
1220	105.712.595.90.10	Salaries & Wages	65,358	65,358	27,778	37,580	37,580			1220
						0		99001pwp	Development Review	
						0			Other	
1221	105.712.595.90.12	Overtime	2,679	2,679	5,761	-3,082	-3,082			1221
						0		99001pwp	Development Review	
						0			Other	
1222	105.712.595.90.20	Personnel Benefits	30,890	30,890	21,881	9,009	9,009			1222
						0		99001pwp	Development Review	
						0			Other	
1223	105.712.595.90.43	Travel & Training	1,000	1,000	0	1,000	1,000		5 employees	1223
1224					0	0				1224
1225	105.720.595.30.63	Other Improvements - Roadway	484,619			0	334,176			1225
1226				71,619	41,428	30,191		16-004-TRN	32nd and D roundabout (partial grant funding)	1226
1227				215,000	108,022	106,978		16-005-TRN, 16-025-TRN	Oakes/San Juan Harbor Roundabout Design (partial grant funding)	1227
1227.1				198,000	101	197,899		15-006-TRN	S. March Point Rd Shoulder Widening	1227.1
1228				0	455	-455		13-030-TRN	Safe Routes to School	1228
1228				0	128	-128		16-012-TRN	Flashing Beacons	1228
				0	308	-308		15-052-TRN	South Commercial	
						0				

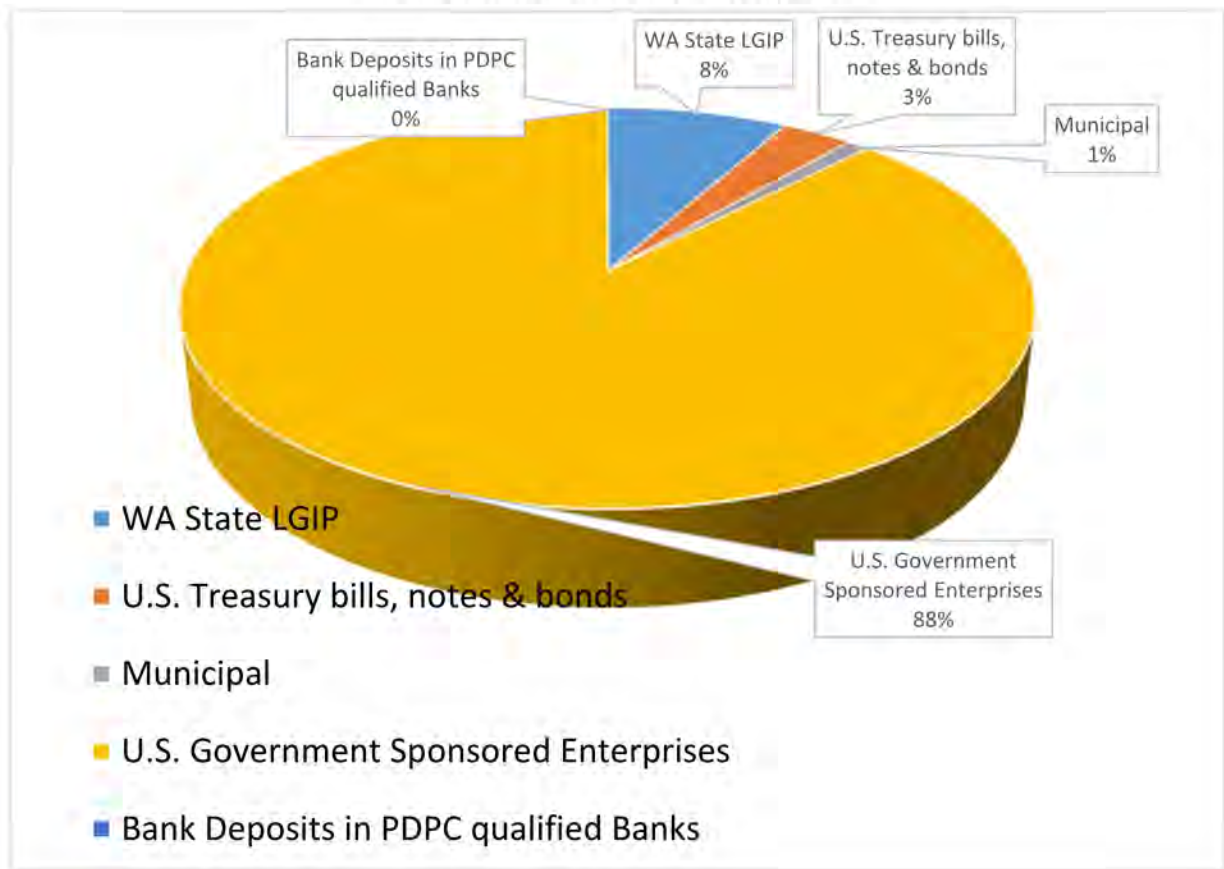
CAPITAL PROJECTS BUDGET TO ACTUALS THROUGH NOVEMBER

			2017							
Line	BARS	Account	Budget Request	Budget Detail	Actual YTD	Project Under (Over) Budget	BARS Under (Over) Budget	Job Cost/ Project No.	Description	Line
1229	105.720.595.61.63	Other Improvements - Sidewalks	550,000			0	398,837			1229
1230				100,000	751	99,249		16-078-TRN	ADA Ramps	1230
1231				450,000	150,412	299,588		17-028-TRN, 17-033-TRN	Sidewalks, Trip Hazards Repair/Tree	1231
1232					0	0				1232
						0				
1233	105.720.595.62.63	Other Improvements - Special Purpose Paths	81,250			0	-8,559			1233
				81,250	61,322	19,928		14-023-TRN, 14-028-TRN, 13-016-TRN	Guemes Channel Trail	
1227.1				0	28,441	-28,441		15-006-TRN	S. March Point Rd Shoulder Widening	1227.1
1228				0	46	-46		16-012-TRN	Flashing Beacons	1228
	105.720.595.90.44	Taxes & Operating Assessments	0		-382	382	382			1219
104 ROAD MAINTENANCE, OVERLAY PROGRAM										
1142	104.720.542.30.41	Professional Services - Engineering	1,115,000		1,209,379	-94,379	-94,379			1142

City of Anacortes
Investment Diversification
11/30/2017

		Percentage	Maximum	Test
WA State LGIP	\$ 4,048,121	8%	100%	OK
U.S. Treasury bills, notes & bonds	\$ 1,570,025	3%	100%	OK
Municipal Securities	\$ 507,150	1%	30%	OK
U.S. Government Sponsored Enterprises				
FFCB	\$ -	0%	50%	OK
FHLB	\$ 11,465,836	23%	50%	OK
FHLMC	\$ 244,224	0%	50%	OK
FNMA	\$ 18,362,919	37%	50%	OK
Other GSE's	\$ 13,631,203	27%	30%	OK
Total U.S. Government Sponsored Enterprises	\$ 43,704,183	88%	90%	OK
Bank Deposits in PDPC qualified Banks				
Skagit State Bank	\$ 10,000			
Washington Federal	\$ -			
Total Bank Deposits in PDPC qualified Banks	\$ 10,000	0%	20%	OK
Total Portfolio	\$ 49,839,478			

Portfolio Diversification





City Council Agenda Bill

Meeting Date: 12/18/2017

Agenda Item: 7f

Subject: 4th quarter 2017 budget amendment

Staff Contact: Steve Hoglund

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

Action Type	
x	Ordinance No. 3016
	Code Revision? NO
	Resolution No.
	Contract
	Public Hearing

Summary Statement: There are a number of budgetary items that need to be adjusted to close out the 2017 budget year.

Background: Most of these items will be familiar to Council. We will talk in detail about each one during the meeting. Many of the changes are cost neutral.

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

Previous Council/Committee Action: Budget Ordinance 2993, first quarter 2017 budget amendment Ordinance 3003, second quarter budget amendment Ordinance 3009, third quarter budget amendment Ordinance 3012

Competing Viewpoints Considered: Budget should not be amended.

Recommended Motion: I move to adopt Ordinance 3016 amending the 2017/2018 biennial budget.

Alternative Actions: Do not adopt budget amendment.

Attachments (listed in order presented): Ordinance 3016 amending budget

ORDINANCE 3016

AN ORDINANCE AMENDING ORDINANCE NO. 2993 ADOPTED ON NOVEMBER 28, 2016, ENTITLED "AN ORDINANCE ADOPTING THE BUDGET FOR ALL MUNICIPAL PURPOSES AND USES FOR THE 2017/2018 BIENNIUM"

WHEREAS, The additional cost of the A-Town publication was not fully recognized at the time of budget development, and

WHEREAS, The Spray Park opening and a drier than average year caused an unanticipated increase in water use and utility cost for the Parks and Recreation department, and

WHEREAS, The Cemetery fund experienced more activity than anticipated at the time of budget development incurring more staff and supply costs, and a drier than average year increased water use and utility costs, and

WHEREAS, The Road Maintenance fund accomplished more than originally anticipated during budget development incurring more costs for road overlays, and

WHEREAS, The Road fund accomplished more work on the Guemes Channel Trail than anticipated at the time of budget development, a portion of which is being paid for by a donation from the Parks Foundation, and

WHEREAS, The Washington Park fund experienced more activity than anticipated during budget development, which was offset by higher consumption revenues, and

WHEREAS, The EMS fund received a donation to purchase extrication equipment, and experienced a higher than average amount of activity generating higher overtime costs than anticipated, and

WHEREAS, The final payment of the Van Buren property was not properly included during budget development, and

WHEREAS, The Solid Waste fund experienced a higher level of consumption than anticipated during budget development, which was offset by higher consumption revenues, and

WHEREAS, The ERR fund purchased a paver and trailer to support the road maintenance overlay program that was not anticipated at the time of budget development, and

WHEREAS, The transfers out from the utilities to support the conservation program were not included in the original budget but were anticipated as a funding source, and

WHEREAS, The transfers into and out of the General fund included planned fund balance use for equipment purchases, and transfers out to represent potential payroll costs,

these illustrations were in order to show full magnitude of all resources and uses, however the accounting for the transfers now needs to be cleaned up in order for transfers in and out to balance,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Anacortes, Washington, as follows:

Section 1. Ordinance No. 2993 dated November 28, 2016 adopting the Budget for the 2017/2018 biennium is hereby amended to reflect the following revisions to expenditures and revenues in the following funds:

BARS Number	Description	2017	
		DR	CR
	General Fund		
001.110.511.30.41	Professional Services	40,000	
001.000.308.90.00	Fund balance		40,000
001.310.521.70.35	Small Tools & Minor Equipment	25,000	
001.310.367.00.00	Donations		25,000
	Parks and Rec Fund		
101.410.576.80.47	Utility Services	30,000	
101.410.308.90.00	Fund balance		30,000
	Cemetery Fund		
102.430.536.00.10	Salaries & Wages	9,000	
102.430.536.00.12	Overtime	2,000	
102.430.536.00.31	Office & Operating Supplies	3,000	
102.430.536.00.47	Utility Services	1,000	
102.430.308.90.00	Fund balance		15,000
	Road Maintenance Fund		
104.712.542.10.10	Salaries & Wages	59,000	
104.712.542.10.12	Overtime	3,000	
104.720.542.30.10	Salaries & Wages	98,000	
104.720.542.30.41	Professional Services	10,000	
104.720.542.61.10	Salaries & Wages	5,000	
104.720.542.63.47	Utility Services	23,000	
104.720.542.66.10	Salaries & Wages	6,000	
104.720.542.66.31	Office & Operating Supplies	6,000	
104.720.542.70.10	Salaries & Wages	13,000	
104.720.397.00.00	Transfers In		223,000
335.711.597.00.00	Transfer out REET 1	223,000	
335.240.308.10.00	Fund Balance - REET 1		223,000

	Road Fund		
105.720.595.62.63	Guemes Channel Trail	30,000	
105.720.397.00.00	Parks Foundation Donation		25,000
105.720.397.00.00	Transfers in REET 1		5,000
335.711.597.00.00	Transfer out REET 1	5,000	
335.240.308.10.00	Fund Balance REET 1		5,000
	Washington Park Fund		
107.410.576.30.10	Salaries & Wages	27,000	
107.410.576.30.34	Firewood	4,500	
107.410.341.71.10	Firewood sales		4,500
107.410.362.31.10	Parking Fees		10,000
107.410.362.41.10	Camping Fees		17,000
	EMS Fund		
110.320.594.22.64	Extrication equipment	41,000	
110.320.367.00.00	Tesoro donation		37,000
110.320.522.70.51	911 Radio equipment loan	10,500	
110.320.522.70.12	Overtime	25,000	
110.320.308.90.00	Fund balance		39,500
	ACFL Fund		
113.410.594.76.61	Land & Land Improvements	60,500	
113.410.308.90.00	Fund balance		60,500
	Solid Waste Fund		
450.780.537.20.47	Utility Services	320,000	
450.780.343.70.00	Solid Waste Services		320,000
	ERR Fund		
501.790.594.48.60	Capital Outlays	100,000	
501.790.308.80.00	Fund balance		100,000
	Utilities to support Conservation Position		
401.000.597.00	Transfer out (Conservation)	46,631	
401.000.308.10.00	Fund Balance		46,631
440.000.597.00	Transfer out (Conservation)	46,631	
440.000.308.10.00	Fund Balance		46,631
450.000.597.00	Transfer out (Conservation)	46,631	
450.000.308.10.00	Fund Balance		46,631
	General Fund		
001.210.597.00.00	Transfers out		160,000
001.000.397.00.00	Transfers in	83,763	
001.000.308.90.00	Fund balance	76,238	

Section 2. Effective date. This Ordinance shall take effect from and after five (5) days after its passage and publication, as required by law.

PASSED AND APPROVED THIS 18th day of December, 2017

CITY OF ANACORTES, WASHINGTON

BY: _____
Laurie Gere, Mayor

ATTEST:

(Corporate Seal)

Steven D. Hoglund, City Clerk

APPROVED AS TO FORM

Darcy Swetnam
City Attorney

RESOLUTION NO. 2005

**A RESOLUTION NAMING A POCKET PARK BETWEEN 21ST AND 22ND STREETS
OFF OF COMMERCIAL AVENUE AS “PICKETT PARK”**

WHEREAS, Erica Pickett has served on the City of Anacortes Planning Commission and City Council for untold years, and

WHEREAS, Erica Pickett has been a long-time supporter of commercial business district pedestrian related improvements, and

WHEREAS, Erica Pickett has also supported the Parks and Forestlands throughout the years, and

WHEREAS, the City of Anacortes is developing a pocket park between 21st and 22nd Streets off of Commercial Avenue that does not have a name,

NOW, THEREFORE BE IT RESOLVED by the Anacortes City Council that the park between 21st and 22nd Streets off of Commercial Avenue be named “Pickett Park”.

PASSED AND APPROVED this 18th day of December 2017.

CITY OF ANACORTES:

By: _____
Laurie Gere, Mayor

ATTEST:

Steve Hoglund, City Clerk Treasurer

APPROVED AS TO FORM:

Darcy Swetnam
City Attorney



Anacortes City Council

Proposed Agenda Items for the Next Eight Weeks Beginning December 26, 2017

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.

December 26, 2017 - CANCELLED

January 2, 2018

January 8, 2018

- Interlocal Agreement 256: Reciprocal Lending Agreement of Fire Equipment
- Interlocal Agreement 260: Basic Life Support Transport Services
- Closed Record Decision Hearing: Allen Family Investments Triplex Conditional Use Permit; 1211 & 1213 "H" Avenue, CUP-2017-0003 (Action)

January 16, 2018

January 22, 2018

February 5, 2018

February 12, 2018

February 20, 2018

Upcoming City Council Committee Meetings

The public is welcome to attend City Council Committee Meetings.

- Public Works, Monday, Dec 18, 2017, 5:00 PM, Public Works Director's Office, City Hall
- Planning, Tuesday, Dec 26, 2017, 5:00 PM, Main Conference Room, City Hall
- Finance, Wednesday, Dec 27, 2017, 5:00 PM, Main Conference Room, City Hall
- Public Works, Tuesday, Jan 2, 2018, 5:00 PM, Public Works Director's Office, City Hall
- Port/City Liaison, Tuesday, Jan 2, 2018, 8:30 PM, Port of Anacortes
- Housing Affordability & Community Services, Thursday, Jan 4, 2018, 1:30 PM, City Hall
- Planning, Monday, Jan 8, 2018, 5:00 PM, Main Conference Room, City Hall