

City of Redmond

Personnel Manual

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1.10 Purpose of the Redmond Personnel Manual

Welcome to the City of Redmond! This Personnel Manual is a summary of the City of Redmond's employment practices and policies. The Manual is intended to serve as a guide for supervisors and managers as well as all City employees. The Manual applies to all employees unless preempted by the provisions of a collective bargaining agreement. *This Manual does not constitute an express or implied employment contract of any kind.*

1.20 The Manual's Relation to Other Authorities

In the event of conflict between the Redmond Personnel Manual and any collective bargaining agreement, personal services contract, City ordinance, Civil Service rule, State law, or Federal law, the provisions of this manual yield to that contract, rule, or law. In all other cases this Manual is controlling.

1.30 The Manual's Relation to Department Rules

This Manual does not prevent individual departments from establishing separate policies and rules when necessary to accommodate operational issues unique to those departments.

1.40 Changing the Manual

Provisions of the Manual may be repealed, modified, or amended by Executive Order of the Mayor; provided, that adding or deleting employee benefits must be approved by the City Council.

In the event the City wishes to change any provision of this Manual, the City will provide its labor unions with thirty days' notice of the proposed change. If any or all labor unions wish to bargain the proposed change, the labor unions must provide notice of their intent to do so within the thirty-day period. In the event the proposed change relates to a mandatory subject of bargaining, the City must bargain the proposed change. In the event the proposed change relates to a permissive subject of bargaining, the City reserves discretion as to whether it will bargain the proposed change.

1.50 Severability

If any provision of the Manual or its application to any person or circumstance is held invalid by operation of law or by any tribunal of competent jurisdiction, the remaining provisions shall survive.

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2.10 Non-Discrimination/Equal Employment Opportunity

The City is an equal opportunity employer. The City employs, retains, promotes, terminates, and otherwise treats its employees on the basis of merit, qualifications, and competence, without regard to any individual's race, color, religion, sex, national origin, pregnancy, age (over 40), marital status, sexual orientation, disability, veteran's status, or any other status protected by federal, state, or local law.

The City strives to foster and maintain a harmonious nondiscriminatory working environment. Conduct that is discriminatory will not be tolerated and will be cause for disciplinary action, up to and including termination.

2.20 Harassment

Sexual harassment as well as harassment based on race, color, religion, gender, national origin, pregnancy, age (over 40), marital status, sexual orientation, disability, veteran's status, or any other protected status is absolutely forbidden.

Harassment, in general, can take many forms. The following are examples of harassment and are all prohibited:

- Verbal (e.g., racial, sexual or ethnic jokes, stereotypes, and insults);
- Physical (e.g., sexually suggestive or unwelcome touching or obscene gestures);
- Visual (e.g., exposure to insulting cartoons, sexually suggestive pictures, or lewd pictures or photographs).

Sexual harassment can take many forms and may occur through words or behavior. Examples of sexual harassment may include physical behavior such as pats, squeezes, or repeatedly brushing against someone's body; obscene or rude sexual comments, jokes, or suggestions; use of slang words or labels that others find offensive; talking about or calling attention to another employee's body or sexual characteristics in a negative or embarrassing way; displaying nude or sexual pictures in or on City property; requests for dates that do not stop after a person has said no; and, continuing unwelcome behavior of a sexual nature after a person has objected to that behavior.

Sexual conduct of the type described above is improper, and may be illegal if:

- Submission to the conduct is either an explicit or implicit term or condition of employment;
- Submission to or rejection of the conduct is used as a basis for employment decisions affecting the person involved; or
- The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

If you feel that you have experienced or witnessed harassment, you should take the following action:

1. Identify the offensive behavior to the harasser, if appropriate, and request that it stop;
2. If you are uncomfortable confronting the harasser, or the conduct does not stop, you must discuss your concern with a non-involved supervisor, department director, or the Human Resources Director.
3. Participate in the investigation about the offensive behavior. Although the City cannot assure confidentiality for employees who report incidents of harassment, every effort will be made to protect the rights and feelings of all parties involved.

Additionally, you are free at any time to contact the City's Employee Assistance Program at 800-553-7798 (Wellspring Family Services EAP).

All complaints of harassment will be promptly and thoroughly investigated. After the investigation is finished, the complainant will be notified of the investigation's conclusions. Any employee who is found to have engaged in harassment will be subject to disciplinary action up to and including termination.

No retaliation of any type will result as a consequence of reporting harassment or cooperating in an investigation.

2.30 Reasonable Accommodation of Disabilities

The City complies fully with its duties under applicable federal and state law to provide disabled employees with reasonable accommodation. Any employee who has a physical or mental impairment and who desires some form of reasonable accommodation should provide notice to the Human Resources Department. Upon receiving such notice, the Human Resources Department, on behalf of the City, will begin an interactive process with the employee to ascertain what accommodations, if any, may be appropriate.

2.40 Reasonable Accommodation of Religious Beliefs

The City complies fully with its duty to provide a reasonable accommodation of any employee's sincerely-held religious beliefs. If an employee desires an accommodation

such as, for example, a modified work schedule, particular days off for religious observance, or to dress in a manner that varies from a dress code adopted by the City or its departments, that employee must contact the Human Resources Department to request accommodation. The City will seek to provide reasonable accommodation unless doing so would constitute an undue hardship or would be contrary to the City's commitment to equal opportunity for all employees.

2.50 Workplace Violence

The City is committed to providing, to the extent it reasonably can, a safe workplace. The City will not tolerate acts of workplace violence to either persons or property by or against its employees. Additionally, the City will not tolerate communicated or reasonably perceived threats of harm to persons or property.

All employees are responsible to refrain from participating in violent actions. Additionally, all employees are expected to report to a supervisor or manager any threatening or dangerous situations occurring within the workplace. Any employee who feels an immediate threat and who cannot reach a supervisor or manager should call 911 and leave the area as soon as possible.

Any employee who obtains a court-issued restraining order or anti-harassment order prohibiting another individual from contacting the employee at work should promptly notify his or her supervisor or manager of the court's issuance of the order.

Any act of violence will be treated seriously and will be dealt with promptly utilizing administrative, managerial, legal, and/or disciplinary actions to minimize risk to persons and property.

2.60 Whistleblower Policy

Policy

The City (1) encourages reporting by its employees of improper governmental action taken by City of Redmond officials or employees and (2) protects City employees who report improper governmental actions in accordance with the City's policies and procedures.

Definitions of Improper Governmental Action

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

1. That is undertaken in the performance of the officer's or employee's official duties, whether or not the action is within the scope of the employee's performance; and
2. That is in (a) violation of any federal, state, or local law or rule; (b) an abuse of authority; (c) of substantial and specific danger to the public health or safety; or (d) a gross waste of public funds.

“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 Civil Service rules, alleged violations of labor agreements or reprimands.

Reporting Procedures

1. City employees who become aware of improper governmental actions shall make a written report to their supervisor or department director. The written report shall state in detail the basis for the employee’s belief that an improper governmental action has occurred. If the employee reasonably believes that the improper governmental action involves his or her supervisor, the employee shall make the written report to the department director. If the employee reasonably believes that the improper governmental action involves the department director, the employee shall make the written report directly to the Mayor.
2. In the case of an emergency, where the employee believes in good faith that damage to persons or property may result if action is not taken immediately, the employee may report the improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action.
3. The supervisor, department director, or the Mayor, as the case may be, shall take prompt action to assist the City in properly investigating the report of improper governmental action. City officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law, unless the employee authorizes the disclosure of his or her identity in writing. After the investigation has been completed, the employee reporting the alleged improper government action shall be provided a written summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential to the extent allowable by law.
4. After receiving a summary of the results of the investigation, if the employee reasonably believes that (a) an adequate investigation was not undertaken by the City, (b) insufficient action has been taken by the City to address the improper governmental action, or (c) for other reasons the improper governmental action is likely to reoccur, then the City employee may report information about the improper government action directly to the appropriate governmental agency with responsibility for investigating the improper action. A list of governmental agencies to which the employee may wish to report is provided below.
5. A City employee who fails to make a good faith attempt to follow these procedures in reporting improper governmental action shall not receive the protections provided by the City in these procedures.

List of Agencies

Following is a partial list of government agencies responsible for investigating and/or

enforcing federal, Washington State, and local laws pertaining to various forms of improper governmental action.

King County Prosecuting Attorney
King County Court House
516 Third Avenue, Room W554
Seattle, WA 98104-2362
Main Office: 206-296-9000

Office of the Attorney General
1125 Washington Street SE
Olympia, WA 98504
360-753-6200

State Auditor's Office
Insurance Building
Capitol Campus P.O. Box 40021
302 Sid Snyder Avenue SW
Olympia WA 98504-0021
360-902-0370
866-902-3900

Washington State Department of Transportation
Washington Division Office
310 Maple Park Avenue SE
PO Box 47300
Olympia, WA 98504-7300
360-705-7000

Washington State Department of Labor and Industries
7273 Linderson Way SW
Tumwater, WA 98501-5414
PO Box 44000
Olympia, WA 98504-4000
360-902-5800

Washington State Department of Ecology
3190 160th Avenue SE
Bellevue, WA 98008
425-649-7000

Washington State Department of Health
111 Israel Road SE
Tumwater, WA 98501
360-236-4700
PO Box 47890

Olympia, WA 98504-7890
360-236-4030

U.S. Department of Treasury
Internal Revenue Service (Local Office)
915 2nd Avenue
Seattle, WA 98174
206-220-6015

U.S. Equal Employment Opportunity^{XE} "E Opportunity" } Commission
Federal Office Building
909 1st Avenue, Suite 400
Seattle, WA 98104-1061
800-669-4000

Federal Emergency Management Agency
Federal Regional Center
130 228th Street SW
Bothell, WA 98021-9796
425-487-4600

Protection Against Retaliatory Actions

1. City officials and employees are prohibited from taking retaliatory action against a City employee because he or she has in good faith reported an improper governmental action in accordance with this policy.
2. Employees who believe they have been retaliated against for reporting an improper governmental action are encouraged to follow the reporting procedures outlined above. The City shall take appropriate action to investigate and address complaints of retaliation.
3. In order to obtain protection under state law, the employee must provide a written notice to the City Council within thirty days after the occurrence of the alleged retaliatory action specifying:
 - a. the alleged retaliatory action, and the relief requested.
4. The City Council shall respond to the charge of retaliatory action and request for relief within thirty days.
5. After either (a) the employee receives the response of the City Council, or (b) thirty days have passed since the employee delivered the complaint of retaliation to the City Council and the City Council has not responded, the employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief. An employee seeking a hearing shall deliver the request for hearing to the Mayor or City Council within the earlier of either fifteen (15) days after the City Council delivers its response to the charge of retaliatory action, or forty-five (45) days after the employee delivers the charge of retaliation to the City Council.
6. Within five working days of receipt of the request for hearing, the City shall apply to

the state office of administrative hearings for an adjudicative proceeding before an administrative law judge.

2.70 Dispute Resolution Procedure

The City recognizes that situations may arise in which an employee feels he/she has not been treated in a manner consistent with the provisions of this Manual. For this reason, the City provides its employees with the complaint procedure specified below:

Step 1: Informal Resolution – An employee should first try to resolve any problem with his/her immediate supervisor.

Step 2: Written Complaint – If the problem is not resolved at Step 1, the employee may personally submit a written complaint to his/her immediate supervisor.

- The written complaint must be presented within ten (10) working days after the event giving rise to the complaint.
- The complaint must be presented on a Complaint Form. Submission of a letter, fax, email or any form of communication other than presentation of a completed Complaint Form is inadequate and will not constitute submission of a complaint.
- To be considered valid, a written complaint must include all of the following:
 - The specific provision of the Redmond Personnel Manual the employee contends has been violated;
 - A statement of facts describing the alleged violation;
 - The date of the alleged violation;
 - The requested remedy.
 - The employee's immediate supervisor will respond to the complaint, in writing, within ten (10) working days.

Step 3: Appeal to Department Director – If the complaint is not resolved at step 2 above, the employee may appeal to his/her department director.

- An appeal to a department director must be made within five (5) working days after the employee receives his/her immediate supervisor's step 2 complaint response (or, in the event the supervisor fails to respond to the step 2 complaint, within five days after the supervisor's response was due).
- An appeal to a department director must be made in writing and must include the following:
 - A copy of the written Step 2 complaint;
 - A copy of the immediate supervisor's written response;
 - A written statement as to why the immediate supervisor's step 2 complaint response is not satisfactory.
- The department director (or the department director's designee) may, at his or her discretion, schedule a meeting with the employee to listen to the employee's concerns and/or to discuss the complaint.

The department director (or the department director's designee) will respond to the

appeal, in writing, within ten (10) working days after meeting with the employee, or, if no such meeting is scheduled, within ten (10) working days after the appeal was received.

Step 4: Appeal to the Mayor – If the complaint is not resolved at step 3, the employee may appeal to the Mayor.

- An appeal to the Mayor must be made within five (5) working days after the employee receives the department director's Step 3 complaint response (or, in the event the department director fails to respond to the step 3 complaint, within five days after the department director's response was due).
- An appeal to the Mayor must be made in writing and must include the following:
 - A copy of his/her written Step 2 complaint;
 - A copy of the immediate supervisor's written response (if one was made);
 - A copy of his/her appeal to the department director;
 - A copy of the department director's written response;
 - A written statement as to why the department director's written response is not satisfactory.
- The Mayor (or the Mayor's designee) may, at his or her discretion, schedule a meeting with the employee to listen to the employee's concerns and/or to discuss the complaint.
- The Mayor (or the Mayor's designee) will respond to the appeal, in writing, within thirty (30) working days after meeting with the employee, or, if no such meeting is scheduled, within thirty (30) working days after the appeal was received.
- The decision of the Mayor (or the Mayor's designee) will be final.

Policy Against Multiple Filings

Employees represented by a bargaining unit or who are covered under Civil Service rules should follow the grievance procedure set forth in their respective labor contract or in applicable Civil Service rules where applicable. In all other cases, the complaint procedure described in this chapter is to be used. An employee may file a grievance or a complaint, but not both, on any issue that is addressed in this manual and also in a labor contract or Civil Service rule.

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3.10 Staffing Policy

It is the policy of the City of Redmond, in service to the City's citizens, to staff all positions with the most talented and qualified employees. Department directors wishing to fill vacant positions must be mindful of contractual obligations specified in applicable collective bargaining agreements, the Redmond Civil Service Rules, and applicable state and federal laws.

The City reserves the right to contract out work to private service providers and to utilize personal service contracts of temporary employment firms. However, in the event that work has been historically performed by bargaining unit members, the City will notify the affected union and provide an opportunity for bargaining prior to entering into any such contract.

3.20 Employment of Relatives

In order to promote fair employment practices and to avoid the appearance of unfairness, improper influence, or conflicts of interest, the City prohibits the hiring of family members of current City employees as well as those who share living quarters with current City employees, when:

- One of the individuals would have authority or practical power to supervise, appoint, remove, or discipline the other;
- One of the individuals would be responsible for auditing the work of the other;
- One of the individuals would handle confidential materials which might create the appearance of improper or inappropriate access to the material by the other;
- One of the individuals is a policy level official of the City;

- Hiring of the individual would create an actual or potential conflict with the City's interests.

For the same reasons, the City prohibits hiring family members of current City employees (or individuals sharing living quarters with current City employees) when those individuals are employees of government entities regulating City activities if doing so would create an actual or apparent conflict of interest.

In the event two employees of the City of Redmond marry or establish a relationship in which they share living quarters, and any of the bulleted criteria specified above exist which thereby creates an actual or apparent conflict of interest, the City may transfer or dismiss one of the employees. A decision to reassign or dismiss an employee shall be made by the Mayor when action is recommended by a department director. Before recommending reassignment or dismissal, the department director shall discuss the situation with the employees.

3.30 Methods for Filling Vacant Positions

All vacancies in regular positions are filled by one of the following methods:

- Hiring a new employee;
- Rehiring a former employee;
- Transfer;
- Voluntary demotion;
- Acting appointment;
- Appointment to a traineeship;
- Promotion;
- Recalling a laid-off employee [See [Section 13.20 Layoff](#) of this Manual];
- City of Redmond Civil Services Rules and Procedures (when applicable).

3.40 Hiring Procedure

Notice of Vacancy

The recruitment process begins when the hiring department notifies the Human Resources Department of an opening to be filled. The Human Resources Department confers with the hiring manager to identify the most viable means of soliciting qualified applicants and then initiates the recruiting process.

Position Announcement Published

Position announcements are published by the Human Resources Department to recruit an applicant pool for a position opening.

The position announcement may be posted internally and/or externally. Individuals considered eligible for internal postings include all current employees as well as former

employees (whether regular, limited duration, or supplemental) who left employment in good standing (see [Section 13.10 Resignation](#)) less than two years previously.

A position announcement may include:

- Classification and/or working title;
- Pay range;
- Duties;
- General qualifications;
- Special requirements (e.g. license requirements);
- Application deadline (when applicable).

Applications Gathered

Employment applications are required of all applicants. The application is intended to elicit information needed to determine whether an applicant is qualified for a position. Resumes and cover letters may supplement an official application. An applicant's electronic signature certifies that all information supplied on the application is true to the best of the applicant's knowledge. An employee will not be hired and may be dismissed if it is found that the employee provided false or misleading information in an application or resume. The Human Resources Department may require proof of education, specialized training, job experience, legal status to work in the United States, or other relevant information.

Note Regarding Continuous Applications: Position announcements for some classifications may be kept open for continuous applications without a closing date when doing so is in the best interest of the City. For those classifications, applications are accepted on a continuous basis.

Note Regarding Existing Applicant Pools: On occasion, the City gathers applications for an existing opening and then, a short time later, another opening occurs for a comparable position. On such occasions, the City may use the existing applicant pool to fill the newer vacancy.

Applications Reviewed

Applications are screened by the hiring manager, the Human Resources Department and/or another designated reviewer, assessing each applicant's overall knowledge, skills, abilities and other job-related qualifications.

Desirable education and experience qualifications stated in the position announcement serve as guidelines for screening.

If an applicant's materials fail to demonstrate that the applicant possesses minimum qualifications, or if it appears that the applicant is otherwise unfit for the position, the applicant will be disqualified. Grounds for disqualification include, but are not limited to, the following:

- An applicant does not possess minimum qualifications for the position.
- An applicant has falsified statements, failed to disclose pertinent information or used deception on a job application.
- An applicant has been convicted of a felony crime, the felony is directly related to the position for which the applicant is applying, there is a business necessity for excluding the applicant, and the time elapsed since the conviction is less than 10 years from the time of the application for employment.

Exceptions to the foregoing principles regarding disqualification may be made if, in the opinion of the Human Resources Director, doing so would be in the best interests of the City.

Selection Tools

The Human Resources Department, in consultation with the hiring manager, determines the appropriate selection tools to test the knowledge, skills and abilities of job candidates. Selection tools include, but are not limited to, the following:

- Interviews;
- Written examinations;
- Skills tests;
- Aptitude tests;
- Work samples;
- Physical abilities testing;
- Polygraph examinations (Police and positions in other departments with the power to arrest):
- Employer reference checks;
- Personal reference checks;
- Background checks.

Conditional Examinations

For a limited number of job classifications, the City makes formal job offers that are contingent on successful completion of psychological examinations and/or medical examinations. When the City extends job offers that are conditioned upon successful completion of such examinations, the same standards apply to all applicants for those positions. Additional information is stated below:

Psychological examinations: A candidate who has been given an offer of employment that is conditioned on passing a psychological examination may be disqualified, or an employment offer rescinded, if the candidate is unable to perform the essential duties of the position due to a psychologically disabling condition and the individual's disabling condition cannot be reasonably accommodated without undue hardship, or for refusing to submit to a psychological examination, or for refusing to complete psychological history forms relevant to the position.

Medical examinations

A candidate who has been given an offer of employment that is conditioned on passing a medical exam may be disqualified, or an employment offer rescinded, if the candidate is physically unable to perform the essential duties of the position and the individual's disabling condition cannot be reasonably accommodated without undue hardship, or for refusing to submit to a medical examination, or for refusing to complete medical history forms relevant to the position.

Selection

After completion of interviews, tests, background checks, and/or other components of the process identified above, the hiring department determines which applicant is the most highly qualified.

Approval

Department directors have authority to approve appointments to all positions within their respective departments. Only the Mayor has authority to approve appointments of department directors.

Job Offer

After the department director or Mayor approves an appointment, he or she should provide notice of the approval to the Human Resources Department. The Human Resources Department will then send a letter to the chosen candidate making a formal offer of employment and specifying a starting date and salary. If the candidate accepts the offer of employment, the Human Resources Department will verify whether the candidate is legally authorized to work in the United States and will arrange for a new hire orientation. If a candidate fails to respond to an offer of employment, or fails to appear on the designated starting date, the candidate will be presumed to have declined the offer of employment.

3.50 Negotiable Recruiting Incentives for Non-Union Supervisors and Managers

Paid Leave as a Recruiting Incentive

A hiring department, in an effort to secure a highly desirable candidate for a non-union supervisory or managerial position, may find it appropriate to offer front-loaded vacation and/or sick leave. These offers of front-loaded paid leave are in addition to the paid leave normally accrued by employees. Typically, however, the amount of additional leave offered should not exceed 10 days (eighty hours). A department desiring to offer front-loaded paid leave should first obtain approval from the Human Resources Director. An offer of additional paid leave should be intended to make an offer of employment more attractive and to facilitate successful negotiation with a highly desirable candidate.

Approval will be granted only when the hiring department demonstrates that making such an offer is in the best interests of the City.

Payment of Moving Expenses as a Recruiting Incentive

A hiring department, in an effort to secure a highly desirable candidate for a non-union supervisory or managerial position, may find it appropriate to offer moving expenses and/or relocation costs. A department desiring to make such an offer should first obtain approval from the Human Resources Director. With the approval of the Human Resources Director, reasonable moving expenses and/or relocation costs may be included in an employment offer.

Eligibility: Moving expenses may be provided under the following circumstances:

- The distance between Redmond City Hall and the candidate's residence is at least 50 miles.
- The hiring department demonstrates that making an offer to pay moving expenses would be in the best interests of the City. The City's interests may be assessed through an analysis of factors such as the candidate's willingness or ability to relocate without assistance from the City; identification of the unique or special skills of the candidate; evaluation of market factors.

Allowable expenses: Moving and/or relocation costs are ordinarily limited to:

- Packing, moving, and unpacking of routine household items not to exceed 15,000 pounds. Items that are unusually large or requiring special handling are not considered routine household items.
- Payment may be made for moving of no more than two family cars.
- Maximum insurance coverage is \$75,000 per move; any additional insurance will be the responsibility of the prospective employee.
- Storage while in transit at either the origin or destination for up to 30 days total.
- Reasonable travel expenses one-way for relocation of the prospective employee and family members. Expenses considered reasonable may include transportation, lodging, and meals while traveling. If the prospective employee is traveling by car, reimbursement will be made for mileage at the allowance rate established by the Internal Revenue Service. Allowable lodging expenses will be determined on the assumption that the prospective employee will be driving at least 500 miles per day.

Payment:

- The newly hired individual must provide the hiring manager with copies of three written quotes from moving companies. The department director reserves the right to make the final selection of a moving company.

- The newly hired individual must provide receipts for reimbursement of any claimed expenses to the hiring manager.
- The Payroll Division has responsibility for processing payment of authorized moving expenses.
- The newly hired individual is solely responsible for any tax consequences that may result from payments covering moving expenses. If the City determines that any moving expense payment meets IRS guidelines for taxable income, that amount will be included on the employee's year end W-2 form.

Reimbursement Obligation: If the newly hired individual resigns or is terminated for cause, that person will be required to reimburse the City for moving/relocation costs according to the following schedule.

<u>Period of Employment</u>	<u>Required Reimbursement</u>
0-12 months	100%
12-18 months	75%
18-24 months	50%
24-36 months	25%
After 36 months	0%

City Visitation and/or House Hunting Trip as a Recruiting Incentive

A hiring department, in an effort to attract a highly desirable candidate for a non-union supervisory or managerial position, may find it appropriate to pay costs for a trip to the City of Redmond. The purpose of such a visit would typically be either to enable a job candidate to become initially acquainted with the City or to allow a candidate to begin a search for a new home. A department desiring to offer a paid visitation should first obtain approval from the Human Resources Director. If the Human Resources Director approves, the City will pay reasonable visitation expenses such as associated airfare, car rental for three days, hotel accommodations for three days, and meals for three days for both the prospective employee and a spouse or partner. The job candidate is solely responsible for any tax consequences that may result from the visit to the City of Redmond.

Interim Housing Expense as a Recruiting Incentive

Interim housing expenses are offered only to department directors. The Mayor has discretion to offer to cover a new department director's residential rental or lease costs for a maximum of six months following the date of hire. Covered expenses are limited to the specific negotiated amount and may not exceed \$15,000. If the new department director purchases a home, an allowance for interim housing expense may also be used to cover real estate taxes until six months following the date of hire. A director receiving an interim housing expense is not eligible to also receive moving expenses from the City. However, with the approval of the Mayor, a director who is provided an allowance for interim housing expense may use a portion of that allowance to cover moving

expenses. The newly employed director is solely responsible for any tax consequences that may result from payment of an interim housing expense.

3.60 Probation Period

All newly hired employees, and former employees who have been rehired, enter a probation period. During the probation period the employee serves as an at-will employee and may be terminated without cause and without right of appeal.

The duration of the probationary period is normally six months but may be extended, at the discretion of the Human Resources Director, up to an additional six months when necessary to fully evaluate the employee's capabilities and suitability for the position.

3.70 Rehiring Former Employees

Rehiring

A former regular employee who resigned in good standing (see [Section 13.10 Resignation](#)) within the last two years may, at the City's discretion, be reappointed to a vacant position in the same classification or to a vacancy in a comparable or lesser classification without participating in a competitive recruitment process. Department directors have authority to approve rehire appointments. A rehired employee serves the same probation expected of a newly hired employee.

Credit for Past Service

Vacation

An employee rehired within one year of separation receives full credit for prior years of service in determining the rate of vacation accrual.

Sick Leave

See Section 9.30 Sick Leave "Reinstatement Upon Rehire."

3.80 Transfers

Department directors have authority to transfer employees in the same classification within their own department. In the event that an employee desires to transfer to a position in the same classification in a different department, both affected department directors must approve. The transferring employee's pay range and pay anniversary date will remain unchanged.

3.90 Voluntary Demotions

An employee who wishes to voluntarily demote to a lower classification within their current department may do so with the approval of the department director. An employee who wishes to voluntarily demote to a lower classification in a different department may do so only with the approval of both affected department directors. The voluntarily demoting employee will continue to receive pay at his or her current rate so long as the current rate falls within the pay range for the new position. However, if the demoting employee's current pay rate is greater than the maximum pay rate for the new position, the demoting employee's pay will be reduced to the maximum rate in the new pay range. The demoting employee's pay anniversary will remain unchanged.

3.100 Acting Appointments

The Mayor (and his/her designee) and each department director (and each department director's designee) have authority to temporarily appoint an employee to fill a vacancy during an absence pending appointment of a replacement. An acting appointment ends when the position is filled by the regular occupant's return, the hiring of a replacement, or whenever the Mayor (or designee) or department director (or designee) deems it appropriate to end the acting appointment. Acting appointments normally shall not exceed six months, but the duration of an acting appointment may be extended at the discretion of the Mayor (or designee) or department director (or designee). An employee serving in an acting appointment is entitled to return to his or her prior position when the acting appointment expires. An employee serving in an acting appointment shall be paid at a rate consistent with the position's level of responsibility, but shall not be less than the minimum rate for the position being filled. See [Section 7.90 Working Out-of-Class](#) for additional information on applicable pay rates.

3.110 Traineeships

Policy

Traineeships may be created for any position. Traineeships are used to offer in-house employee development opportunities for current regular employees demonstrating high potential for advancement. A department director wishing to provide a regular employee with a traineeship opportunity must submit a written request to the Human Resources Director. The written submission should include a plan to develop the trainee's skills, to measure the trainee's progress, and how the traineeship will be concluded. Upon the approval of the Human Resources Director, the employee may be appointed to the traineeship. An employee may serve as a trainee for up to one year.

Pay

Trainee pay is set by the Human Resources Director in consultation with the department director, but generally it will not be less than 85 percent of the minimum pay for a comparable non-trainee position. A trainee receiving less than 95 percent of non-trainee

pay and making satisfactory progress in training is eligible for a pay increase of up to five percent after six months.

In the event a traineeship is offered to a bargaining unit member, the trainee will be required to maintain membership in the bargaining unit (and continue to pay union dues) throughout the duration of the traineeship. The union will continue to represent the employee during the traineeship in regard to rate of pay and other mandatory subjects of bargaining.

3.120 Promotions

The City encourages current employees to apply for promotions. If the Human Resources Director determines that there are a sufficient number of individuals currently employed by the City qualified to compete for a position, an internal-only recruitment may be held. An employee who is promoted receives a pay increase on the effective date of the promotion in the amount of seven percent (7%) or to the minimum step of the new pay range, whichever is greater. The promoted employee's pay anniversary date will be adjusted to the date of promotion, and the employee will receive a pro-rated evaluation (see [Chapter 10.10 Performance Appraisals](#)).

Competitive vs. Non-Competitive

Promotions may be by a competitive or non-competitive process. A department director wishing to implement a non-competitive promotion must first submit a written request for authorization to the Human Resources Director outlining why a non-competitive promotion is in the best interests of the City. If the Human Resources Director approves the request, the department director may proceed with the non-competitive promotion.

3.130 At-Will Status

Employment Status

At-will employment means that either the employee or the City may terminate the employment relationship at any time, with or without cause. The authority to terminate an at-will employee lies with the Mayor or department director as described in this section.

What City Employees are At-Will?

- Department Directors and Mayor's Staff. Department directors and employees on the Mayor's staff who are not bargaining unit members are at-will employees who serve at the pleasure of the Mayor.
- Newly Hired Employees. Newly hired individuals are at-will employees during their probation period and serve at the pleasure of their department director.

Chapter 4 - LIMITED DURATION EMPLOYMENT

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- [4.60 Policies Governing Limited Duration Employees](#)

4.10 Introduction to Limited Duration Employment

Limited duration employment is an employment type utilized by the City that is distinct from regular employment. Limited duration employees enter into an employment agreement approved by the City Attorney with specified starting and ending dates. Generally, limited duration employment is utilized for specific projects anticipated to exceed six months but not exceeding two years. The term of employment has an anticipated ending date corresponding to anticipated completion of the project. However, the City reserves the right to terminate a limited duration employee at any time, regardless of whether the project has been completed.

If the work to be performed by the limited duration employee is not usual bargaining unit work, the City retains discretion to contract for the employee's services without prior notice to any City union or labor group. However, if the work to be performed by the limited duration employee is work that has been historically performed by a bargaining unit, the City must provide notice and an opportunity to bargain to the affected union of its intent to contract for the employee's services prior to entering into the contract.

4.20 At-Will Status

Limited duration employees remain at-will for their entire period of employment and serve at the pleasure of their department director. Thus, department directors and their designees have the right to terminate a limited duration employee's employment at any time, with or without notice and with or without cause.

4.30 Hiring Procedure

An FTE ("full time equivalent") is needed to hire a limited duration employee. Generally, departments should utilize a competitive process when hiring limited duration employees. Any exceptions must be approved by the Human Resources Director.

4.40 Pay

Limited duration employees generally receive the same pay as regular employees. Upon successful completion of the first six months of employment, a limited duration employee is eligible for an initial pay increase.

4.50 Benefits

Limited duration employees are eligible for benefits on the same basis as regular employees.

4.60 Policies Governing Limited Duration Employees

Limited duration employees must adhere to all policies governing acceptable behavior in the workplace. These policies include, but are not limited to, the prohibitions against discrimination, harassment and workplace violence as well as all policies set forth in [Chapter 11 Employee Responsibilities and Conduct](#) of this Manual.

Chapter 5 - SUPPLEMENTAL EMPLOYMENT

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5.10 Introduction to Supplemental Employment

"Supplemental employee" is the all-encompassing phrase for any type of employment utilized by the City other than regular employment and limited duration employment. The following is a list of reasons why the City may use supplemental employees:

- To meet staffing needs arising from seasonal changes;
- To temporarily fill in for regular employees during absences or vacations;
- Temporarily fill a regular position pending the hire of a regular employee;
- To meet peak workload demands;
- To staff special short-term projects;
- To provide interns with on-the-job experience related to their field of study;
- To meet ongoing workload demands that are less than half time.

Supplemental employment occurs within one of the following two categories:

Seasonal: Seasonal supplemental employment is of a short-term nature in which the employee is hired or re-hired for a position lasting six months or less, at the same time every year, e.g., spring or summer. Seasonal supplemental employees may work either part-time or full-time and there is no limitation on the number of hours they may work on a weekly basis. However, seasonal employment must not exceed six months, and the seasonal supplemental must have a mandatory break in employment of 13 weeks before being rehired.

Variable: Variable supplemental employment is when the average weekly hours cannot be determined at the time of hire. Work hours for a variable supplemental employee may vary from week to week or may eventually stabilize to a regular weekly schedule. At time of hire, a variable supplemental employee cannot be scheduled to work 30 or more hours per week. The average work hours cannot exceed 29 hours per week, although on occasion a variable supplemental employee may work greater than 30 hours per week.

All seasonal and variable supplemental employees cannot work more than 1,040 hours in a calendar year, unless prior authorization is obtained from the Human Resources Director. If the 1,040-hour threshold is reached, the supplemental employee must stop working and cannot start work again until January 1 of the next year, at which time the work hours reset to zero.

Supplemental employees shall not be used to permanently replace bargaining unit members.

5.20 At-Will Status

Supplemental employees remain at-will for their entire period of employment and serve at the pleasure of their department director. Thus, department directors have the right to terminate a supplemental employee's employment, with or without cause, at any time.

5.30 Hiring Procedure

At the hiring manager's discretion, a recruitment process can be conducted or a supplemental employee can be appointed/rehired without a recruitment process.

5.40 Use of Employment Agencies

Supplemental employees may be hired through employment agencies consistent with this chapter.

5.50 Multiple Assignments

Supplemental employees may work in multiple assignments for the same or different divisions or departments provided that the accumulated time worked does not exceed 1,040 hours in any calendar year.

5.60 Prohibited Uses of Supplemental Employees

Departments are prohibited from using multiple supplemental employees to avoid filling a position with a regular employee. Examples of this prohibited practice would include running full-time supplemental employees back-to-back year-round on a six-month rotation or using two 19-hour per week ongoing positions year-round doing essentially the same work.

5.70 Supervisors' Duty to Monitor Compliance

Supervisors are responsible for monitoring the time worked by their subordinate supplemental employees to ensure compliance with the limit of 1,040 hours in any

calendar year, as well as to refrain from use of supplemental employees in a manner prohibited under [Section 5.60 Prohibited Uses of Supplemental Employees](#) above. Supervisors who fail to comply will be subject to disciplinary action.

5.80 Pay

All supplemental employees are paid based on the "S" pay plan. The "S" pay plan is established and maintained by the Human Resources Department. The pay ranges on the "S" plan represent 80% - 110% of the lowest pay for a comparable regular position. When there is no readily identifiable comparable position in the City of Redmond, the Human Resources Department will confer with the hiring department and, after considering available market data, set a pay rate.

Supplemental employees may receive pay increases in two ways:

1. A pay increase based on merit of up to 5% may be awarded once per year. However, the resultant pay amount may not to exceed the maximum of the "S" pay range for the assigned pay grade. In exceptional circumstances, and with the concurrence of the Human Resources Director, a merit raise may be awarded to a supplemental employee more than once in a calendar year.
2. Across-the-board adjustments (such as COLA) may be awarded to all supplemental employees at the discretion of the Human Resources Director.

5.90 Benefits

Supplemental employees are not eligible for benefits except as required by law. Additional detail follows.

Health Insurance

The City does not offer health insurance coverage (medical, dental, and vision) to supplemental employees upon hire. If a variable supplemental employee's hours exceed 30 hours per week on average, as required by law, the employee may be offered medical coverage.

Paid Holidays and Vacation Time

The City does not provide paid holidays or paid vacation time to supplemental employees.

Paid Sick Leave

Accrual – The City provides paid sick leave accruing at the rate of one hour of sick leave for every 40 hours worked as a supplemental employee.

Eligibility – Supplemental employees are eligible to use accrued paid sick leave beginning on the 90th calendar day after the initial start of employment. Supplemental employees who are rehired are eligible to use accrued paid sick leave upon rehire.

Use – (See [Chapter 9.30 Sick Leave](#))

Family Member – (See [Chapter 9.30 Sick Leave](#))

Carryover – Up to 40 hours of sick leave may be carried over from the current year to the new year, effective January 1. Any sick leave not used above the 40-hour cap is forfeited.

Shared Leave – Supplemental employees are not eligible for shared leave.

Sick Leave Notice – (See [Chapter 9.30 Sick Leave](#))

Increments of Use – (See [Chapter 9.30 Sick Leave](#))

Rate of Pay – (See [Chapter 9.30 Sick Leave](#))

Shift Swapping – The City does not require the employee search for or find a replacement worker to cover the hours during which the employee is on sick leave.

Verification – (See [Chapter 9.30 Sick Leave](#))

Unreasonable Burden – (See [Chapter 9.30 Sick Leave](#))

Separation – Unused accrued sick leave is forfeited upon separation.

Reinstatement upon Rehire – When a supplemental employee separates from employment with the City and is rehired as a supplemental or regular status employee within twelve months from separation date, any accrued unused sick leave will be reinstated.

Retaliation – (See [Chapter 9.30 Sick Leave](#))

Retirement

Eligibility for participation in the state retirement system is set forth in rules established by the Washington State Department of Retirement Systems. A determination of eligibility to participate in the state retirement system is made at the time of hire and the supplemental employee will be apprised of his or her status at that time. If the

supplemental employee is not eligible for participation in a state retirement program, the supplemental employees shall enroll in the MEBT II program.

Other Benefits

Supplemental employees receive no benefits other than those described above. However, supplemental employees may, in certain limited circumstances, be eligible for state- or federally-mandated benefits such as military leave, jury leave, family medical leave, pregnancy related disability leave, or other forms of leave. Supplemental employees should consult with the Human Resources Department to learn whether they may be eligible for such leave benefits or other City benefits.

5.100 Policies Governing Supplemental Employees

Supplemental employees must adhere to all policies governing acceptable behavior in the workplace. These policies include, but are not limited to, the prohibitions against discrimination, harassment and workplace violence as well as all policies set forth in [Chapter 11 Employee Responsibilities and Conduct](#) of this Manual.

Chapter 6 - CLASSIFICATIONS

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- [6.20 Classification Descriptions](#)
- [6.30 Classification Titles](#)
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6.10 Introduction to Job Classification

The Human Resources Department administers and maintains classifications for all positions authorized by the City Council.

6.20 Classification Descriptions

The Human Resources Department develops and maintains descriptions for each classification identifying the type of work, distinguishing characteristics, essential functions, knowledge, skills, abilities, working conditions, minimum qualifications and any certifications or licenses required of the position.

No Vested Right

The City reserves the right to review and revise the classification of all positions. An employee filling a position has no vested right to an existing job classification. Modification or abolishment of a classification description is not subject to the dispute resolution procedure described in this Personnel Manual.

Interpreting Classification Descriptions

Classification descriptions cover only the general character and attributes common to the positions being described. They are intended to facilitate human resources administration, help structure departments, and aid in employee selection. Classification descriptions are not intended to be exhaustive. Specific expressions or illustrations describing typical duties and qualifications of a classification do not exclude other duties and qualifications not specifically mentioned. An employee may not refuse assigned work because it is not explicitly included in the classification description for the position.

6.30 Classification Titles

The title assigned to each classification is used in all official papers, personnel actions, budgets, and payroll documents.

6.40 Classification Review Request Process

Requests

A classification review request can be initiated by an employee, supervisor, and/or a department director. The department director authorizes the classification review request and submits to the Human Resources Director. The Human Resources Director will consult with the department director, evaluate each request, and make a recommendation to the Mayor. The Mayor (or designee) approves or denies a classification review and/or reclassification.

Criteria

Reclassification shall be based on the following criteria:

- New Duties – Addition or deletion of the position’s duties and responsibilities.
- Changed Duties – Change in the nature of the position’s duties and responsibilities.
- Changed Qualifications – Change in the qualifications for the position.
- Reorganization – Consolidation, reorganization, reassignment of the duties, or restructuring of position responsibilities.

6.50 Reclassification

- Effective Date: The Human Resources Director establishes the effective date of the reclassification after consulting with the department director.
- Pay Changes:
 - Higher Classification – If a position is reclassified to a classification with a higher pay range, the employee occupying the position shall receive an increase in pay of 7% or to the minimum of the new pay range, whichever is greater. The employee’s pay anniversary date will be adjusted to the date of reclassification, and will receive a pro-rated evaluation (see [Section 10.10 Performance Appraisals](#)).
 - Lower Classification – If a position is reclassified to a classification with a lower pay range, the employee's pay shall continue at his/her prior level, the employee’s pay anniversary date does not change, and the following conditions shall apply:
 - If an employee's pay prior to a reclassification falls within the limits of the pay range of the new classification, then the employee’s pay rate will not change as a result of the reclassification. The employee will be eligible to receive merit increases under the same schedule as other employees in the new classification.
 - If an employee's pay prior to a reclassification is above the limit of the pay range associated with the new classification, then the employee's salary will be frozen at the rate of pay prior to reclassification at the rate of pay prior to reclassification. The

employee will not be eligible for merit pay increases or any annual across-the-board pay adjustments until such time as the pay range for the new classification reaches or exceeds the employee's salary. At that time the employee will be assigned the maximum rate within the classification's pay range.

6.60 Special Assignments

Every employee of the City is subject to special assignment different from the employee's usual work and possibly outside the employee's usual department. Special assignments are made by the Mayor and are for a designated period of time. In the event that a special assignment results in the employee working in a higher paying classification, the employee shall be paid consistent with [Section 7.90 Working Out-of-Class](#) and/or in the relevant collective bargaining agreement.

Chapter 7 - COMPENSATION

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7.10 Pay Ordinance

Official rates of pay for all employees are adopted periodically by the City Council on recommendation of the Mayor. The Mayor may propose amendments or revisions to pay ordinances at any time.

7.20 Rates of Pay

Standard Practice

Employees are paid within the limits of the pay ranges to which their positions are assigned, except as provided for elsewhere in this Manual.

Basis for Calculations

Pay for full-time employees is based on a full-time work year of 2,080 hours. Pay for part-time employees is proportionate to the full-time pay scale. For example, the salary of a part-time employee who is regularly scheduled to work half-time, or 20 hours per week, is based on a work year of 1,040 hours.

7.30 Starting Pay

Initial Pay

New employees are normally appointed at the minimum of the classification

Premium Pay

A new employee may be appointed at a pay rate higher than the minimum (but no

greater than the maximum) of a classification's pay range when the employee's knowledge, skills, abilities, experience, training and/or proven capabilities warrant, or when prevailing market conditions require, a starting rate greater than the minimum. Premium starting pay is awarded at the discretion of the hiring department director.

7.40 Overtime Pay

Employees in positions defined as "non-exempt" under the Fair Labor Standards Act are entitled to overtime pay for hours worked in excess of 40 hours in one week. Overtime pay is one and one-half (1 ½) times an employee's regular hourly rate of pay. Time worked in excess of 40 hours should be reported to the Payroll Office rounded to the nearest ¼ hour. When computing overtime, authorized holidays, sick leave and vacation leave are counted as time worked.

7.50 Compensatory Leave In Lieu of Overtime Pay

Accrual

An employee entitled to overtime pay may request compensatory time in lieu of cash payment at the overtime rate. Supervisors have discretion to approve or disapprove requests for compensatory time on a case-by-case basis. If a supervisor or manager approves an employee's request for compensatory time, the employee shall be credited with leave time at the rate of one and one-half (1 ½) times the number of hours worked as overtime. However, no employee may accumulate compensatory leave in excess of 80 hours at any time.

Use of Compensatory Leave

An employee should generally make requests to take compensatory leave in the same manner as when requesting vacation leave.

7.60 Emergency Callback and Standby Pay

All employees are subject to callback in emergencies. A refusal to respond to a callback is grounds for disciplinary action.

Standby pay may be approved by the Mayor for specific positions when the Mayor deems that the pay is appropriate and the practice of providing such pay is supported by market data.

7.70 Merit Pay Increases

New regular employees, upon successfully completing the probation period, normally receive a merit increase which may include an increase on base and/or a lump sum payment.

Following their initial merit increase, employees are eligible for subsequent raises on

their pay anniversary date (as defined below).

Exceptions to the norm must be approved by the Human Resources Director.

Pay Anniversary Dates

An employee's pay anniversary date is the anniversary of his or her initial pay increase or promotion to a higher grade. An employee's pay anniversary date may be changed by written consent of both the employee and their supervisor. When an employee's pay anniversary date is changed, merit pay may be pro-rated to reflect the change in the pay anniversary date.

Unless otherwise provided by law, pay anniversary dates shall be adjusted for leaves of absence exceeding three consecutive months.

Merit Increases for Non-Union Employees

Employees are eligible for merit pay increases on their pay anniversary date. Merit pay is based on the individual employee's job performance. A performance appraisal is required to support a merit pay increase. During the performance appraisal, the employee will be evaluated on a four-point scale utilizing the City's Employee Performance Appraisal Form. Point splitting is not permitted. That is, the supervisor may not issue scores such as, for example, a 2 ½ or a 2.8. Instead, for each performance criteria, the supervisor must give the employee one of the following scores:

- 1 – Does not meet standards;
- 2 – Meets standards;
- 3 – Exceeds standards; or
- 4 – Distinguished.

After all performance criteria have been scored, the scores are totaled and then divided by the total number of performance criteria to determine the average overall score. The average overall score will be used to determine the employee's merit pay increase as set forth below:

Average Overall Score	Amount of Increase
1.0 – 1.99	No increase
2.0 – 2.59	2% increase
2.6 – 3.19	3% increase
3.2 – 3.69	4% increase
3.7 – 4.0	5% increase

Merit pay increases will be retroactive to the employee's pay anniversary date.

Supervisors shall provide a six-month performance evaluation check-in with employees to advise them where they fall generally in terms of their performance score and to

provide information to the employee on how they may improve their overall performance.

In the event the employee's current base rate of pay is lower than the top of the pay range, any merit pay increase will be added to the employee's base rate of pay. If the employee's merit pay increase is larger than the difference between the employee's current base rate of pay and the top of the pay range, the employee's base rate of pay will be increased to the top of the pay range and the balance of the merit pay award will be issued by the City as a lump sum. Finally, if the employee's current base rate of pay is already at the top of the pay range, the amount of the merit pay award will be issued by the City as a lump sum payment.

In the event an employee receives an average overall score between 1.0-1.99 and therefore receives no merit pay increase, the employee's supervisor is required to develop a written performance improvement plan, provide the written plan to the employee, and forward a copy to the Human Resources Department.

Merit Increases for Union Employees

While administration of merit increases for union employees is generally similar to the administration of merit increases for non-union employees, individual collective bargaining agreements may differ. In the event of conflict between this Personnel Manual and a collective bargaining agreement, the collective bargaining agreement shall govern. Thus, individual employees and their supervisors should be mindful of the provisions of the relevant collective bargaining agreement when administering merit pay increases.

Effective Dates of Merit Increase

Merit pay increases are to be effective on the employee's pay anniversary date. In the event an employee's performance is evaluated after the employee's pay anniversary date, any merit pay increase will be retroactive to the employee's pay anniversary date.

Mayor's Approval of Merit Increases for Non-Union Employees Above Those Outlined in the Merit Matrix

Under exceptional circumstances the Mayor may approve increases above those outlined in the Merit Matrix. Any such exceptional increase shall become effective on the employee's pay anniversary date. Supervisors consult with the Human Resources Director and secure the Mayor's approval of the exceptional increase before informing the affected employee of the exceptional increase.

Pay Range Adjustments

The Mayor may propose, and the Council may grant, adjustments to pay ranges for specific groups or classifications of non-represented employees.

7.80 Longevity Pay

All regular employees who are not covered by a collective bargaining agreement, except those who are exempt from the overtime provisions of the Federal Fair Labor Standards Act (FLSA) based on the "Executive" exemption, receive longevity pay in accordance with the following schedule:

Completed Years of Continuous Service	Added to Monthly Salary
6-1/2 years	\$30.00
10 years	\$45.00
15 years	\$60.00
20 years	\$75.00

These amounts are pro-rated for benefited part-time employees consistent with the following schedule:

Part Time Hours/Week	Longevity Pay Accrual Ratio
20.0 to 22.4	0.50
22.5 to 27.4	0.625
27.5 to 32.4	0.75
32.5 to 37.4	0.875
37.5 to 40.0	1.00

7.90 Working Out-of-Class

Hours/Pay

An employee temporarily assigned to a higher paying classification and who assumes the preponderance of the duties of the higher classification, as determined by the department director (or his/her designee), for a period of forty (40) consecutive hours or more shall be paid at a rate of five percent (5%) over the employee's regular salary, or at the minimum salary rate of the higher classification, whichever is greater, retroactive to the beginning of the temporary assignment. Weekends, holidays, and any sick leave or vacation leave used during the first forty (40) hours in which the employee is assigned to a higher paid classification will not disrupt the continuity of hours.

"Weekends," for purposes of this section, means Saturday and Sunday for employees whose working out-of-class assignment is a Monday through Friday work schedule, and means the three days in which an employee is not scheduled to work if the working out-of-class assignment is a four-day-per-week work schedule.

The out-of-class salary adjustment will be seven percent (7%) over an employee's regular salary, or the minimum of the higher classification, whichever is greater, when a non-exempt employee works out-of-class in an exempt classification for forty (40) or

more consecutive hours. In this situation, the non-exempt employee does not receive overtime pay for extra hours worked; instead, he or she receives four (4) hours of professional leave as provided for in [Section 9.40 Professional Leave for Non-Union Exempt Employees](#), for each thirty (30) calendar days worked in the exempt out-of-class assignment.

Voluntary temporary assignments for training are excluded from any pay increase accruing to out-of-class appointments.

Holidays

Holidays occurring within the period of a temporary assignment shall be included in the calculation of whether the temporary assignment is forty hours or more.

Paid Leave

Paid leave used during a working out-of-class assignment will be paid at the working out-of-class rate.

7.100 Pay Following a Demotion or Bumping

Involuntary Demotion

An employee demoted in a disciplinary action normally receives a reduction in pay. The specific amount of reduction is determined by the department director in consultation with the Human Resources Director. There is no change in a demoted employee's pay anniversary date.

Voluntary Demotions

An employee who voluntarily demotes will continue to receive the same pay if the existing pay rate falls within the pay range of the new position. However, if the former rate of pay prior to the demotion is greater than the maximum for the new position, then the voluntarily demoted employee's pay shall be reduced to the maximum rate in the new pay range. The pay anniversary date does not change.

Bumping

A represented employee bumping into a lower classification as a result of bumping rights under a collective bargaining agreement receives the same rate of pay as in the former position unless the former pay is greater than the maximum allowed for the lower classification. In such an event, the employee's pay shall be reduced to the maximum allowed for the lower classification. There is no change in the employee's pay anniversary date.

7.110 Separation Pay

Upon separating from the City, an employee shall be paid for:

- All hours worked up to and through the date of separation, including overtime; and,
- Any accrued but unused vacation time through the last full month of employment; and,
- Any accrued but unused compensatory time off (non-exempt employees only); and,
- Any accrued but unused holiday time (uniformed police and fire service employees only); and,
- If the floating holiday has not been used, four hours pay if separating prior to July 1, or eight hours pay if separating after June 30; and
- Upon retirement, such sick leave payouts as may apply;
- Such other payments as may be provided for by ordinance, or, in cases of dismissal, by agreement between the employee and the City as approved by the Mayor.

Note: As an alternative to receiving a lump sum payment for accrued but unused vacation and/or floating holiday, the employee may elect to utilize those hours to extend the effective date of separation from City employment.

Severance Pay for At-Will Employees

If an at-will employee is terminated, the Mayor may provide that employee with severance pay. The amount of severance pay may range from a minimum of one month's salary up to a maximum of six months' salary. Severance pay shall not be provided if the termination is for misfeasance, malfeasance, or conviction of a crime involving moral turpitude. Severance pay, if approved, is in addition to other pay upon separation.

HRA VEBA Contributions for Separation and Release Agreements

If, upon separation from the City, an employee enters into a Separation and Release Agreement, the City will contribute to the Employee's HRA VEBA account an amount equal to three months of COBRA premiums based on the Employee's enrollment in the City's medical, dental, and vision plans at the time of separation. This contribution will be made as soon as practicable after the date of the Employee's final paycheck. This language in the Separation and Release Agreement cannot be individually negotiated and the contribution may not be paid as cash or as COBRA premiums.

7.120 Retirement Bonus Pay

Eligibility

The City provides Retirement Bonus Pay when an employee who has obtained retirement eligibility leaves City employment. To be eligible for a retirement bonus, an employee does not have to actually begin drawing a state retirement. Rather, at the

time the employee leaves City employment, the employee need only be eligible to retire under the state retirement system covering his or her position in order to receive a retirement bonus.

PERS I Employees

An employee eligible for retirement under PERS I who leaves City employment receives payment for the following:

- All accrued but unused vacation leave up to a maximum of 240 hours, and
- 25% of all accrued but unused sick leave, less 48 hours. That is after calculating 25% of the employee's sick leave hours, 48 hours are deducted from the result. For Non-Union Employees, the Sick Leave portion of the Retirement Bonus Pay shall be deposited into the retiring employee's Health Reimbursement Arrangement (HRA) Voluntary Employees' Beneficiary Association (VEBA) account.

Additionally, the employee may take paid leave before his or her official retirement date for:

- Any accrued but unused vacation in excess of 240 hours,
- Any accrued but unused floating holiday,
- The first 48 hours of the 25% of accrued but unused sick leave.

EXAMPLE:

Employee Jones is about to retire. He has 300 vacation hours, 800 sick leave hours, and an eight-hour floating holiday on the books. He receives:

Leave Available	Lump Sum	Paid Leave
Vacation (300 hours available)	240	60
Sick Leave (800 hours x 25% = 200 hours available)	152	48
Floating Holiday	0	8
TOTAL	392	116

PERS II, PERS III, PSERS and LEOFF II Employees

An employee eligible for retirement under PERS II, PERS III, PSERS, or LEOFF II who leaves City employment is entitled to receive payment for the following:

- All accrued but unused vacation leave,
- Any accrued but unused floating holiday,
- 25 percent of all accrued but unused sick leave in the Washington State Sick Leave (WASL) and Regular Sick Leave (RSL) banks, up to the maximum accrual of 960 hours. Employees who have not reached the maximum accrual will receive a proration of their frontloaded WASL hours based upon the weeks worked for that year. For example, an employee receives 52 hours of sick leave frontloaded on January 1. If the employee retires July 1 and has not used any WASL hours, 26 hours (52 hours -26 weeks = 26 hours) would be included in the accrued but unused sick leave banks. For Non-Union Employees, the Sick

Leave portion of the Retirement Bonus Pay shall be deposited into the retiring employee's Health Reimbursement Arrangement (HRA) Voluntary Employees' Beneficiary Association (VEBA) account.

Payment to Beneficiary

In event of a retirement eligible employee's death, the retirement bonus shall be paid to the employee's beneficiary. In the event the employee has failed to designate a beneficiary the retirement bonus shall be paid to the employee's estate.

Chapter 8 - BENEFITS

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8.10 Eligibility

The City provides a comprehensive benefits package for its employees and their eligible dependents. Regular status and limited duration employees who work twenty hours per week or more are eligible for City benefits. Benefits for supplemental employees are detailed in [Section 5.90 Benefits](#).

8.20 Introduction to Benefits Offered

The benefit plans offered are:

- Choice of two medical insurance plans
- Prescription drug insurance included with each medical insurance plan
- Dental insurance
- Vision insurance
- Life and accidental death & dismemberment insurance
- Additional voluntary life insurance options
- Short- and long-term disability benefits
- Flexible spending accounts for health and dependent care expenses
- Employee Assistance Program (EAP)
- Wellness program
- Municipal Employees' Benefit Trust
- Deferred compensation
- State administered retirement programs

For specific information regarding any of these benefits, please contact the Human Resources Department or visit the [City of Redmond benefits page](#).

8.30 Administration of Health Insurance

City Administration

The City of Redmond is responsible for implementing and maintaining benefit plans, including the self-insured health benefit plan (RedMed Plan) for its employees. The City also is responsible for determining whether modifications to benefit plans or a change in its administration must be approved by the Mayor and/or City Council and, as required

by [Chapter 41.56 RCW](#), the collective bargaining representatives of affected employees.

Human Resources

The Human Resources Director shall have the following duties:

- Recommend enhancements or modifications to the benefits plans to the City, with the advice and recommendations of the Employee Benefits Advisory Committee (EBAC).
- Monitor the administration of the benefits plans and recommend any changes as to the RedMed Plan administrator or RedMed Plan broker to the City.
- Develop and recommend an annual budget for the RedMed Plan to the City.
- Clarify and interpret benefit plan requirements.
- Respond to employee benefit inquiries.
- Conduct employee education concerning the benefit plans.
- Provide staffing at EBAC meetings.

When the recommendation of the Human Resources Director and the committee differs as to proposed plan modifications, the Human Resources Director will inform the Mayor and Council of the committee's recommendation as well as his or her own.

8.40 Employee Benefits Advisory Committee (EBAC)

Purpose

To provide a forum, through representation of all participating employee groups, to understand, review, study, and develop recommended changes or enhancements to the City's healthcare plans, including the self-insured health benefit plan (RedMed). Recommendations will provide quality and cost-effective health (medical, dental, and vision) insurance and various alternatives for the employees of the City of Redmond.

Specifically, the EBAC is to explore different healthcare plan options, and as appropriate, to make recommendations regarding potential changes to existing healthcare plans. The EBAC is not intended to be an entity that will engage in collective bargaining, and is not a replacement for collective bargaining. Rather, each participant in the EBAC will retain whatever collective bargaining rights that they would otherwise possess pursuant to [RCW 41.56](#). Therefore, any recommendations and/or actions that are taken by the EBAC will not have the effect of waiving any entity's bargaining rights pursuant to [RCW 41.56](#), and the City must still engage in appropriate collective bargaining with each participant in the EBAC before any changes in healthcare plans or benefits will become effective for that participant and its members. Each participant in the EBAC also retains the right to opt out of the EBAC at any time should they choose to do so.

Duties and Responsibilities

The EBAC will function in a voting capacity and will make joint recommendations to Council on the bulleted items below consistent with the Health Insurance Portability and Accountability Act (HIPAA) and other federal privacy laws:

- Review de-identified claims experience reports from the third-party administrator.
- Review financial reports on the status of the self-insured fund.
- Review reports and recommendations of consultants engaged to evaluate the Plan or Plan components.
- Participate in training programs aimed at educating Committee members about medical care utilization and costs.
- Recommend Plan efficiencies, modifications and enhancements to the Human Resources Director that are considered or results in changes to benefits, all other changes that are administrative in nature (language clarification, process steps, carrier changes, etc.) will be made by the Plan Administrator and the committee will be informed prior to implementation.
- Review and recommend an annual budget for the Plan to the Human Resources Director.
- Review other programs related to the health insurance such as employee assistance programs, wellness programs, etc.

EBAC participation by any member of a collective bargaining unit, including the ultimate recommendations of the EBAC, shall not be construed as a waiver by any bargaining unit of its rights under [Chapter 41.56 RCW](#) (required to bargain impact of changes) or any applicable collective bargaining agreement. The RedMed Plan will also operate under the RCW and WAC to include compliance with the employee self-insurance rules of the Washington State Office of Financial Management (OFM). It is the intent of both the City and the EBAC to have healthcare plans that are compliant with all applicable laws. Any updates to the healthcare plans that are legally required will be implemented by the Plan Administrator and the EBAC will be informed of such updates.

Composition of the Committee

The committee shall be comprised of the following:

Voting Members

One representative from each of the employee groups:

AFSCME
IAFF (Fire and Fire Support)
Police (Commissioned and Support)
RCHEA
Teamsters (Police Lieutenants)
Human Resources Designee (EBAC Facilitator)
Risk Manager
Non-union employee

Ex-Officio Members

These are non-voting members:

HR Plan Administrator
Finance Representative
Broker Representative
Wellness Representative

Appointment of Members

Bargaining Unit Member

Bargaining unit leadership will be responsible for designating the individual(s) from their units to serve on the EBAC, and must designate approval/voting authority on behalf of the union.

Non-Union Employees

Will be appointed by the Mayor and will serve a two-year term subject to reappointment.

Alternate Employees

Alternates may be designated and may attend meetings as observers for continuity purposes. Alternates will have no voting authority unless the voting member has previously notified the chairperson(s) of proxy in writing.

EBAC Chairperson Designation

The EBAC shall select a chairperson from among its voting members in January of each year. The chairperson serves in that capacity until his/her successor is selected the following January. The committee may also elect to have co-chairs as long as both labor and management are represented equally.

Duties:

- Review draft meeting agendas provided by Human Resources prior to an EBAC meeting.
- Co-facilitate EBAC meetings with the Human Resources designee.
- Review and edit draft minutes.

Healthcare Plan Changes Workflow

- Recommended changes to the healthcare plans are brought to the EBAC by representatives of the bargaining groups or Human Resources Department.

- The EBAC considers and discusses the proposed changes, which includes input by Human Resources, the City’s third-party administrator, and/or the healthcare vendors.
- The EBAC creates a formal written proposal for the change.
- Each labor union that is a participant in the EBAC will then present the proposed changes and related information to their respective union groups following the EBAC meeting. Each labor union that is an EBAC participant will then make a decision, using their respective internal procedures, as to whether to recommend and accept the proposed change, or whether to reject the proposed change. If a labor union that is an EBAC participant rejects a proposed change, and if the EBAC and/or the City still wish to make the change, then bargaining must occur pursuant to the requirements of [RCW 41.56](#) between the EBAC labor union participant that has rejected the proposed change and the City before any implementation of the change can occur with respect to that EBAC participant and its members. For plan changes that require City Council approval, the Human Resources Director will inform the Mayor and City Council of any proposed plan change the EBAC has voted on to recommend, and will provide his/her own recommendation.
- The Mayor and City Council will be the final decision maker on behalf of the City as to whether or not to accept any changes that are recommended by the EBAC.
- The Human Resources Director is responsible for developing and recommending changes to the annual budget as a result of the benefits changes (if any) to City Administration.
- The EBAC will strive to follow the timeline below with the intent to make changes effective January 1 of each plan year. There will be some exceptions to this timeline for changes that can and are deemed to warrant a mid-year change.

Target Date	Action Item
January 1	Benefit changes are effective
January 2 – July 30	Discussion and research regarding benefit changes initiated by committee members
August 1	Preliminary renewals and benefit recommendations from vendors
August (4 th Tuesday)	First Council touch regarding possible benefit recommendations at FAC Meeting
August 1 – September 15	Negotiated renewals from vendors
September (4 th Tuesday)	Second Council touch regarding possible benefit recommendations at FAC Meeting or Executive Session
September 1 – 30	Union internal processes for communication and voting on proposed changes
October (First Tuesday)	Benefit recommendations will be presented to Council for vote

October (right after Council Meeting)	Decisions regarding benefit changes communicated to vendors
November 1 – 30	Open Enrollment
December 1 – 30	Administrative period for Human Resources

Regularly Scheduled Meetings

Regular meetings of the EBAC will be held each quarter or more frequently if needed. Meetings will generally not exceed two hours, unless advance notice has been provided.

Notification of Impending Vote

Thirty days' advance notice of a vote shall be provided to the EBAC, unless otherwise agreed upon by all voting members. Voting shall be accepted in person or via email.

Quorum

A quorum of four voting members is needed for formal EBAC actions.

Majority Decision

Decisions shall be by majority vote of the voting members present or received by the Chairperson(s) via email prior to the meeting start time.

Attendance

A commitment to the EBAC and attendance at meetings is critical to its success. Any planned absences should be reported as soon as possible. Alternates should be briefed prior to meetings so they will be prepared to participate in discussions when they attend. EBAC meetings are open to all City employees and plan participants.

Meeting Format

EBAC meetings will generally follow Roberts Rules of Order which are designed to provide rules and procedures that allow a deliberative assembly to make its decisions efficiently.

Agendas and Meeting Materials

To the extent possible, meeting agendas and meeting materials will be distributed to EBAC members prior to each meeting. Members are encouraged to review the agendas and materials in advance of the meeting.

Chapter 9 - LEAVES

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9.10 Holidays

Holiday Allotment

Full-time employees receive 12 paid holidays each calendar year. Holidays are prorated for part-time employees as specified in further detail below.

Fixed Holidays

The 11 fixed holidays are:

<u>Holiday</u>	<u>Date Observed</u>
• New Year's Day	First day of January
• Martin Luther King, Jr. Day	Third Monday in January
• President's Day	Third Monday in February
• Memorial Day	Last Monday in May
• Independence Day	July 4
• Labor Day	First Monday in September
• Veterans Day	November 11
• Thanksgiving Day	Fourth Thursday in November
• Day after Thanksgiving	Day after Thanksgiving
• Day before Christmas	December 24
• Christmas Day	December 25

Paid holidays are based on a standard eight-hour workday with excess hours charged against the employee's accrued vacation leave or compensatory leave account. In the event an employee does not have accrued vacation leave against which excess hours may be charged, the time will be treated as leave without pay unless other schedule arrangements have been approved by the employee's supervisor.

Floating Holiday

In addition to the 11 fixed holidays, each employee shall receive one personally selected holiday (Floating Holiday per calendar year. The date for each employee's floating holiday must be approved by the employee's supervisor. Floating holidays may not be carried over from one year to the next. That is, the floating holiday must be used within the calendar year or it will be forfeited.

An employee hired between July 1 and August 31 is eligible for up to four hours as a floating holiday. An employee hired after August 31 is not entitled to a floating holiday that year.

On termination, an employee is entitled to be paid for an unused floating holiday. If terminating between January 1 through June 30, the employee receives up to four hours' pay. If terminating July 1 through December 31, the employee receives up to eight hours' pay.

Part-Time Employees

Part-time employees are paid for holidays on a pro-rated basis according to the schedule below. When a holiday falls during an employee's scheduled time off, the employee usually takes time off with pay on an alternate day during the same pay period. Exceptions to this policy should be approved by the department director and Payroll should be notified.

Part Time Hours/Week	Holiday Pro-Rate Schedule
20.0 to 22.4	50.0%
22.5 to 27.4	62.5%
27.5 to 32.4	75.0%
32.5 to 37.4	87.5%
37.5 to 40.0	100%

Holiday Falls on Saturday

If a holiday falls on a Saturday, the holiday is generally treated as occurring on the preceding Friday. However, a caveat to the general rule is that when New Year's Day occurs on a Saturday the holiday is treated as occurring on the following Monday. The rationale for this rule is to avoid moving the effective date of the holiday to the preceding calendar year.

Holiday Falls on Sunday

If a holiday falls on a Sunday, the holiday is treated as occurring on the following Monday.

Holidays Falls on Day Off

If a holiday falls on an employee's regularly scheduled day off, the employee shall be granted another day off during the work week in which the holiday was observed.

Holiday During Paid Leave

If a holiday falls within a period of paid leave, the holiday shall not be counted in computing the amount of paid leave used.

Alternative Non-Union Schedules

Where holiday schedules contained in collective bargaining agreements differ from the basic schedule, non-union employees in the same work group observe the holiday schedule established by the collective bargaining agreement.

Pay for Holiday Work

Employees who are required to work on a holiday receive two times their regular rate of pay for the hours worked on the holiday, with such pay to be in addition to their regular holiday pay. In effect, the employee is paid triple time for the day.

Religious Holiday

If an employee's religious beliefs require observance of a holiday not included in the basic holiday schedule, the employee may (with supervisor approval) take the day off using vacation, comp time, or exempt employee professional leave. Requests for religious holidays should be made in writing to the employee's immediate supervisor, preferably at least two weeks before the holiday. See also [Section 9.120 Unpaid Holiday for Faith or Conscience Leave](#) of this Manual regarding *Unpaid Holiday for Faith or Conscience Leave*.

9.20 Vacation Leave

Accrual

Full-time employees accrue vacation leave beginning on the first day of hire and is pro-rated for the first pay period, based upon the number of days worked in the pay period. Thereafter, vacation accruals will be added per pay period at the following rate:

Years of Employment	Hours Per Pay Period	Hours Per Month	Days per Year
1 st and 2 nd year	4 hours	8 hours	12 days
3 rd year	4.3333 hours	8.6666 hours	13 days
4 th year	4.66665 hours	9.3333 hours	14 days
5 th year	5.3333 hours	10.6666 hours	16 days
7 th year	5.66665 hours	11.3333 hours	17 days
9 th year	6 hours	12 hours	18 days
11 th year	6.3333 hours	12.6666 hours	19 days
13 th year	6.66665 hours	13.3333 hours	20 days
15 th year	7 hours	14.0000 hours	21 days
17 th year	7.3333 hours	14.6666 hours	22 days
20 th year	7.66665 hours	15.3333 hours	23 days

Vacation accrual rates change on the first pay period following the employee's next year of service. For example, if an employee's hire date is June 20, 2016, the employee starts his/her 3rd year on June 20, 2018, with the accrual increase of 4.3333 hours starting on the first pay period of July 2018.

Part-time employees accrue vacation on a pro-rated basis as set forth in the schedule below.

Part Time Hours/Week	Vacation Accrual Ratio
20.0 to 22.4	0.50
22.5 to 27.4	0.625
27.5 to 32.4	0.75
32.5 to 37.4	0.875
37.5 to 40.0	1.00

Vacation Accrual for Department Directors

In lieu of the above schedule, department directors with less than 15 years' service are credited with 21 vacation days on January 1st of each year. Department directors with service of 15 years or more are credited with vacation days on January 1st of each year according to the above schedule for full time employees.

Eligibility

Employees may use vacation leave as it is earned, regardless of probationary status.

Scheduling of Vacations

Each department is responsible for scheduling its employees' vacations without undue

disruption of department operations. When possible, departments try to comply with employee requests. An employee wishing to schedule vacation leave must receive approval for requested dates from his or her immediate supervisor.

Accrual Limits

Employees may accumulate vacation leave time to a maximum of 360 hours. Any unused vacation time above the maximum is forfeited.

For department directors, calculation and forfeiture of excess vacation is determined at the end of each year. If a department director has more than 360 hours of earned vacation on December 31st, any hours over 360 hours are forfeited.

No Pay In-Lieu of Vacation

Employees are not permitted to cash out accrued vacation as pay rather than taking vacation. The only exception to this policy is when an employee separates from City employment.

Separation from Service

Upon separation from service with the City, employees are paid for all unused vacation leave.

9.30 Sick Leave

Illness on Holidays

Absences by employees scheduled to work on a holiday are not charged against sick leave, but taken as a paid holiday.

Sick Leave Notice

- Employees must report absences promptly to their supervisor, in accordance with their department procedures, and preferably no later than the beginning of the employee's shift.
- In the event the employee is not able to report the absence, a person on the employee's behalf may report the absence.
- The employee must notify supervisor daily or in accordance with their department procedures.
- All leave requests for sick leave usage must be approved by the employee's supervisor.

Increments of Use

Employees may use sick leave in quarter-hour increments.

On-the-Job Injuries

An employee who suffers an on-the-job injury (OJI) may use sick leave to supplement the difference between the Workers' Compensation benefit and their normal pay during their time of absence. If any combination of sick leave and time loss payment exceeds the employee's normal wage, employee shall turn time loss payments over to Payroll and will reimburse the employee's appropriate sick leave bank (WASL or RSL), depending upon which bank was used.

Rate of Pay

Sick leave will be compensated at the employee's regular rate of pay.

Sick Leave on Separation

Sick leave credits expire upon termination of employment and are not compensated except as described in [Section 7.120 Retirement Bonus Pay](#).

Responsibility

Supervisors:

- Ensure sick leave is appropriately recorded on the timesheet and approved.
- Ensure WASL bank is used prior to use of RSL bank.
- Ensure there is no retaliation against an employee for using WASL.

Employees:

- Correctly record all sick leave usage on their timesheet.
- Record and exhaust WASL hours before using RSL hours.
- Request sick leave in advance, when appropriate.
- Provide documentation to substantiate their absences, when required and as appropriate.

Two Sick Leave Banks

Heading	Washington State Paid Sick Leave (WASL)	Regular Sick Leave (RSL)
Eligibility	Non-exempt employees (except shift Firefighters) Available for use from date of hire.	Non-exempt employees Exempt employees Available for use from date of hire.

Heading	Washington State Paid Sick Leave (WASL)	Regular Sick Leave (RSL)												
<p>Accruals</p>	<p>Employees shall accrue one hour of paid sick leave for every 40 hours worked (i.e.: 52 hours annual for a full-time employee, not inclusive of overtime). Instead of accruing leave throughout the year, non-exempt employees will have the WASL frontloaded into their WASL bank effective January 1 of each year.</p> <p>Non-exempt part time employees working 20 hours or more per week will have their frontloaded WASL bank pro-rated based upon their part time FTE % (full time equivalent). For example, an employee who works 28 hours per week has an FTE of .70% (28 hours/40 hours).</p> <p>Employees whose FTE % changes mid-year from full time (100%) to part time or vice versa, will have their frontloaded sick leave recalculated and increased or decreased based upon their new FTE % and effective date.</p> <p>New Hires will have their first-year WASL bank pro-rated based on their hire date.</p>	<p>Exempt Full-Time Employees: Sick leave will accrue beginning on the date of hire, at the rate of four hours per pay period of continuous service.</p> <p>Exempt Part-Time Employees: Sick leave will accrue beginning on the date of hire, on a pro-rated basis according to the schedule set forth below.</p> <table border="1" data-bbox="946 579 1464 823"> <thead> <tr> <th data-bbox="946 579 1206 653">Part Time Hours/Week</th> <th data-bbox="1206 579 1464 653">Per Pay Sick Leave Credits</th> </tr> </thead> <tbody> <tr> <td data-bbox="946 653 1206 684">20.0 to 22.4</td> <td data-bbox="1206 653 1464 684">2.0 hours</td> </tr> <tr> <td data-bbox="946 684 1206 716">22.5 to 27.4</td> <td data-bbox="1206 684 1464 716">2.5 hours</td> </tr> <tr> <td data-bbox="946 716 1206 747">27.5 to 32.4</td> <td data-bbox="1206 716 1464 747">3.0 hours</td> </tr> <tr> <td data-bbox="946 747 1206 779">32.5 to 37.4</td> <td data-bbox="1206 747 1464 779">3.5 hours</td> </tr> <tr> <td data-bbox="946 779 1206 810">37.5 to 40.0</td> <td data-bbox="1206 779 1464 810">4.0 hours</td> </tr> </tbody> </table> <p>Non-Exempt Full-Time Employees: Sick leave will accrue beginning on the date of hire, at the rate of 1.833 hours per pay period of continuous service.</p> <p>Non-Exempt Part-Time Employees: Sick leave will accrue beginning on the date of hire, on a prorated basis for employees working 20 hours or more per week.</p>	Part Time Hours/Week	Per Pay Sick Leave Credits	20.0 to 22.4	2.0 hours	22.5 to 27.4	2.5 hours	27.5 to 32.4	3.0 hours	32.5 to 37.4	3.5 hours	37.5 to 40.0	4.0 hours
Part Time Hours/Week	Per Pay Sick Leave Credits													
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22.5 to 27.4	2.5 hours													
27.5 to 32.4	3.0 hours													
32.5 to 37.4	3.5 hours													
37.5 to 40.0	4.0 hours													

Heading	Washington State Paid Sick Leave (WASL)	Regular Sick Leave (RSL)
Use	<p>Sick leave may be used for the following purposes:</p> <ul style="list-style-type: none"> • Employee or family members' mental or physical illness, injury, or health condition, and/or preventative healthcare appointments and/or treatment. • When the employee's workplace has been closed by a public health official for any health-related reason. • When an employee's child's school or place of care has been closed by a public official for any health-related reason. • Employee absences that qualify for leave under the Domestic Violence Leave Act. (RCW 49.76) <p><u>Family Member</u> – Family members include:</p> <ul style="list-style-type: none"> • Child (Biological, adopted, foster, step, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependent status.) • Parent (Biological, adopted, foster, step, legal guardian, or a person who stood in loco parentis when the employee was a minor child or de facto parent; or parent-in-law or registered domestic partner's parent.) • Spouse • Registered domestic partner • Grandparent • Grandchild • Sibling 	<p>Sick leave may be used for the following purposes:</p> <ul style="list-style-type: none"> • Personal injury or illness; • Bona fide preventative health care; • Forced quarantine of the employee by a physician; • Medical (including vision), dental, psychiatric and/or psychological treatment; • To care for the employee's spouse, domestic partner, child, parent, parent-in-law or grandparent with a serious health condition; • For parenting on the birth of an employee's child; • To care for a newly adopted child; • Any circumstance covered under the Washington Family Care Act. See RCW 49.12.270 as well as WAC 296-130-030. <p>Note: For additional information regarding leave to care for family members, children, and/or newborns, see Sections: 9.80 Family and Medical Leave 9.90 Pregnancy Disability and Care for Newborn Leave</p>

Heading	Washington State Paid Sick Leave (WASL)	Regular Sick Leave (RSL)															
<p>Time Reporting</p>	<p>WASL must be exhausted before using RSL.</p>	<p>Exempt Employees Partial Day Absences: When exempt employees take sick leave 50% or greater of their work schedule, they must report 4 hours of sick leave absence on their timesheet. For example, if they are scheduled to work 8 hours that day and they are out 5 hours sick, then they will code on their timesheet 4 hours to "RSL." See additional examples below:</p> <table border="1" data-bbox="946 709 1464 1234"> <thead> <tr> <th data-bbox="946 709 1109 829">Work Schedule</th> <th data-bbox="1109 709 1250 829">No Sick Leave Coding</th> <th data-bbox="1250 709 1464 829">Code to Sick Leave</th> </tr> </thead> <tbody> <tr> <td data-bbox="946 829 1109 924">4 hours</td> <td data-bbox="1109 829 1250 924">1 hour off</td> <td data-bbox="1250 829 1464 924">2 to 3 hours off Code 2 hours to SL</td> </tr> <tr> <td data-bbox="946 924 1109 1045">5 hours</td> <td data-bbox="1109 924 1250 1045">1 to 2 hours off</td> <td data-bbox="1250 924 1464 1045">2.5 to 4 hours off Code 2.5 hours to SL</td> </tr> <tr> <td data-bbox="946 1045 1109 1140">8 hours</td> <td data-bbox="1109 1045 1250 1140">1 to 3 hours off</td> <td data-bbox="1250 1045 1464 1140">4 to 7 hours off Code 4 hours to SL</td> </tr> <tr> <td data-bbox="946 1140 1109 1234">10 hours</td> <td data-bbox="1109 1140 1250 1234">1 to 4 hours off</td> <td data-bbox="1250 1140 1464 1234">5 to 9 hours off Code 5 hours to SL</td> </tr> </tbody> </table> <p>Temporary Ongoing Absence: When exempt employees who work a reduced schedule due to sick leave for greater than one week, they must use sick leave to make their work day whole. For example, they normally work 8 hours per day and need to attend a medical appointment every day for two hours per day for three weeks, then they will code on their timesheets 2 hours to "RSL" for each day out.</p> <p>RSL must be exhausted before using any other paid time off (i.e.: vacation, compensatory time, etc.).</p>	Work Schedule	No Sick Leave Coding	Code to Sick Leave	4 hours	1 hour off	2 to 3 hours off Code 2 hours to SL	5 hours	1 to 2 hours off	2.5 to 4 hours off Code 2.5 hours to SL	8 hours	1 to 3 hours off	4 to 7 hours off Code 4 hours to SL	10 hours	1 to 4 hours off	5 to 9 hours off Code 5 hours to SL
Work Schedule	No Sick Leave Coding	Code to Sick Leave															
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10 hours	1 to 4 hours off	5 to 9 hours off Code 5 hours to SL															

Heading	Washington State Paid Sick Leave (WASL)	Regular Sick Leave (RSL)
Verification	<p>If an employee seeks to use, or has used, sick leave for more than three (3) consecutive scheduled work days, the employee may be required to provide verification that the use of sick leave was for an authorized purpose.</p> <ul style="list-style-type: none"> • <u>Medical Verification</u>: The City may ask for a doctor’s note or a signed statement by a health care provider indicating that the use of sick leave was necessary for the employee or the employee’s family member and was for one of the authorized purposes stated in this policy. The doctor’s note, however, need not explain the nature of the medical condition. • <u>Closure of a Child’s School or Place of Care Verification</u>: If the absence was due to the closure of the employee’s child’s school or place of care by a public official due to health-related reasons, the employee may provide a copy of the notice of closure. <p>Verification should be provided within 10 days following the third day the employee used sick leave.</p>	<p>A doctor’s certificate may be required of an employee requesting sick leave at the discretion of the employee's supervisor, department director, or Human Resources Director.</p>
Abuse	<p>If the City can demonstrate that an employee’s use of sick leave was for a purpose not authorized in the “Use of Sick Leave” section, the City will withhold payment of sick leave for such hours, but will not deduct those hours from the employee’s unused sick leave bank.</p>	<p>An employee found to have abused sick leave by falsification or misrepresentation may be subject to disciplinary action up to and including termination.</p>

Heading	Washington State Paid Sick Leave (WASL)	Regular Sick Leave (RSL)
<p>Unreasonable Burden</p>	<p>The employee has a right to assert that the verification requirement results in an unreasonable burden or expense. If the employee chooses to make this assertion, the employee may provide a written explanation to the Human Resources Director or designee, within five business days following the City's sick leave verification notice, stating the following:</p> <ul style="list-style-type: none"> • (1) The use of paid sick leave was for an authorized purpose, and • (2) How the verification created an unreasonable burden or expense on the employee. <p>The City will respond within 10 business days after receiving the employee's explanation, and will make a reasonable effort to identify and provide alternatives for the employee to meet its verification requirement. If the employee disagrees with the City's verification requirements, the employee is encouraged to consult with or file a complaint with the Department of Labor and Industries and/or file a grievance through their collective bargaining agreement or the City's Personnel Manual, Section 2.70 Dispute Resolution Procedure.</p>	

Heading	Washington State Paid Sick Leave (WASL)	Regular Sick Leave (RSL)
Carry Over	<p>WASL balances up to 40 hours as of December 31 are carried over into the next year. Any WASL above 40 hours is added to the employee's RSL bank and shall accumulate up to the RSL maximum hours.</p> <p>Part time employees carryover at pro-rated amount depending upon their FTE %.</p>	<p>Sick leave accrued but unused shall be carried over, up to the RSL maximum hours.</p> <p>Part time employees carryover at pro-rated amount depending upon their FTE %.</p>
Accrual Limit	<p>Maximum of 92 hours per year, plus any additional sick leave earned due to physically working overtime or physically working additional hours for part time employees. ("Physically working" does not include compensated hours, such as paid leave.)</p>	<p>Maximum of 960 hours per year.</p>

Heading	Washington State Paid Sick Leave (WASL)	Regular Sick Leave (RSL)								
<p>Sick Leave Bonus</p>		<p>Exempt Employees - As a bonus for consistent attendance, exempt employees are entitled to a credit equal to 25% of unused sick leave accrued during the preceding 12 months.</p> <p>Non-Exempt Employees - Non-exempt employees (except shift employees represented by the Redmond Fire Fighters Union in accordance with their union contract) are entitled to a credit of unused RSL sick leave accrued during the same 12-month period plus hours carried over from WASL from the preceding year. Due to the initiation of WASL, the credit percentage will vary each year until 2021, as follows:</p> <table border="1" data-bbox="1008 762 1401 959"> <thead> <tr> <th>Year</th> <th>Credit Percentage</th> </tr> </thead> <tbody> <tr> <td>2019</td> <td>54.55% (based on 44 maximum RSL hours possible*)</td> </tr> <tr> <td>2020</td> <td>29.27% (based on 82 maximum RSL hours possible*)</td> </tr> <tr> <td>2021</td> <td>25.00% (based on 96 maximum RSL hours possible*)</td> </tr> </tbody> </table> <p>Effective 2021 and beyond, credit percentage will be equal to 25% of unused RSL sick leave accrued during the same 12-month period plus hours carried over from WASL from the preceding year.</p> <p><i>*For RSL maximum hours possible calculation, please contact Payroll.</i></p> <p>The following details how the Sick Leave Bonus applies to exempt and non-exempt employees:</p> <ul style="list-style-type: none"> •At the employee's option, the credit may be added to the employee's vacation leave or paid to the employee at their regular rate of pay. •Calculation Period - Sick leave credits are determined on or about November 15 each year for employees continuously on the payroll for at least the preceding six months. •On-the-Job Injuries - In the event sick leave has been taken as a result of an on-the-job injury (through no fault or negligence on the part of the employee) and a Workers' Compensation claim has been approved by the Washington State Department of Labor and Industries, the amount of sick leave taken is not deducted when computing the credit on which a bonus is allowed. 	Year	Credit Percentage	2019	54.55% (based on 44 maximum RSL hours possible*)	2020	29.27% (based on 82 maximum RSL hours possible*)	2021	25.00% (based on 96 maximum RSL hours possible*)
Year	Credit Percentage									
2019	54.55% (based on 44 maximum RSL hours possible*)									
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2021	25.00% (based on 96 maximum RSL hours possible*)									

Heading	Washington State Paid Sick Leave (WASL)	Regular Sick Leave (RSL)
Retaliation	Employees cannot be retaliated against or be disciplined for using sick leave in accordance with this policy. The employer cannot restrain or coerce an employee from using sick leave. If an employee believes he/she is being retaliated against for taking sick leave, contact the Human Resources Director or designee.	
Reinstatement upon Rehire	If an employee is rehired within 12 months upon separation from employment, any WASL balance will be reinstated to the employee's WASL bank.	Sick leave will not be reinstated to the employee's RSL bank. Request to reinstate any portion of the RSL is at the Mayor's discretion and approval.

9.40 Professional Leave for Non-Union Exempt Employees

Eligibility/Annual Leave Limits

In recognition of hours worked by exempt employees beyond the standard workweek, exempt employees not represented by a bargaining unit are granted six days (48 hours) of professional leave each calendar year. Professional leave is pro-rated for exempt part-time employees and for exempt employees who start mid-year.

Use of Professional Leave

- Professional leave is intended to be used for occasional paid days off without reducing an employee's accrued vacation.
- Use of professional leave is approved by an individual's supervisor.
- Professional leave may not be used to substitute for sick leave unless all sick leave has been used.
- Any professional leave not used during the course of a calendar year lapses on December 31st.
- Unused professional leave is not compensated on separation.

9.50 Administrative Leave

Department directors have discretion to place employees on paid administrative leave. Generally, paid administrative leave occurs during the pendency of an investigation or disciplinary action, but department directors have discretion to utilize administrative leave for other reasons. Paid administrative leave is not a disciplinary action. Employees should provide their supervisors with a phone number at which they can be reached during working hours. Employees should also telephone their supervisors at the beginning of each assigned shift to check in. During the period of administrative

leave, employees are generally prohibited from entering City facilities and/or City property unless given permission to do so by the department director or the department director's designee.

9.60 Bereavement Leave for Non-Union Employees

In the event of death or serious illness threatening death in the immediate family, employees may receive up to four days (32 hours off with full pay and benefits). Bereavement leave is pro-rated for part-time employees.

Bereavement leave is granted by the department director. If extenuating circumstances (such as travel time) necessitate a longer period of leave, an extension may be granted by the department director. However, any extension of leave shall be charged against the employee's accrued leave accounts (sick leave, vacation time or compensatory time).

For bereavement leave, "immediate family" is limited to the following relations:

Spouse/Domestic Partner	Parent
Child	Sibling
Grandparent	Mother of Spouse or Domestic Partner
Stepchild	Father of Spouse or Domestic Partner
Foster-child, or legal ward	Step-parent
Child of Domestic Partner	

9.70 Military Leave

Short-Term Military Leave (First 21 Days of Work)

Pursuant to [RCW 38.40.060](#): (*Quotation marks represent RCW language*)

- Every employee "who is a member of the Washington national guard or of the army, navy, air force, coast guard, or marine corps reserve of the United States, or of any organized reserve or armed forces of the United States shall be entitled to and shall be granted military leave of absence from employment...in order that the employee may report for required military duty, training, or drills including those in the national guard under Title 10 U.S.C., Title 32 U.S.C., or state active status."
- The period of time shall not exceed 21 work days "during each year beginning October 1 and ending the following September 30," and "the employee shall be charged military leave only for days that he or she is scheduled to work for the City."
- If an employee is scheduled to work a shift that is within a calendar day, regardless of the number of hours the employee works that day, the employee will be charged military leave for one work day. For example, if the employee's work schedule starts at 7:00 am on August 8 and ends at 4:00 pm on August 8, the employee will be charged one work day of military leave.
- "If an employee is scheduled to work a shift that begins on one calendar day

and ends on the next calendar day, the employee will be charged military leave for only the first calendar day. If the employee is scheduled to work a shift that begins on one calendar day and ends later than the next calendar day, the employee will be charged military leave for each calendar day except the calendar day on which the shift ends.” For example, if the employee’s work schedule starts at 6:00 pm August 8 and ends at 4:00 am August 9, the employee will be charged one work day of military leave.

- “Such military leave of absence shall be in addition to any...leave to which the employee might otherwise be entitled, and shall not involve any loss of efficiency rating, privileges, or pay.”
- “During the period of military leave, the employee shall receive from the City his or her normal pay.”
- Employees shall notify their supervisor as soon as they receive notice of the need to report for military training or active duty, and provide the supervisor with a copy of the military orders, if available, or provide the name of the person giving the notice for duty.

Long-Term Military Leave (After 21 Work Days)

Employees who are called to, or volunteer for, active duty military service in excess of 21 work days as described under Short-Term Military Leave will be placed on an unpaid leave of absence during the time the employee is in an active duty status. The employee may choose to use accrued vacation leave, professional leave, compensatory time, and/or floating holiday prior to moving to an unpaid status. Any unused leave accruals remaining when the unpaid leave begins will be held until the employee returns to active employment with the City. During the unpaid leave, the employee will neither earn additional vacation or sick leave nor be entitled to health insurance benefits except as may be provided for under COBRA or other applicable law. Reinstatement following active duty will be in compliance with state and federal laws at the time employee returns to work.

Military Spousal Leave

Pursuant to [RCW 49.77.030](#), during a period of military conflict, an employee who is the spouse of a member of the armed forces of the United States, national guard, or reserves who has been notified of an impending call or order to active duty or has been deployed is entitled to a total of 15 days of unpaid leave per deployment.

The employee must give notice of intention to take leave within 5 days of the military member spouse receiving official notice of the order to active duty or official notice of leave from active duty, and provide supervisor with a copy of the spouse’s official military orders.

See [9.80 Family and Medical Leave \(“Military Caregiver Leave” and “Qualifying Exigency Leave”\)](#).

9.80 Family and Medical Leave

Policy

The City provides Family and Medical Leave (FMLA leave) so that employees may take time off for health reasons or to care for the health of their family members.

Eligibility

To be eligible for family and medical leave, an employee must have been employed by the City for at least 12 months and must have worked at least 1,250 hours during the preceding 12 months. Paid leave hours are not included in the 1,250-hour calculation. An eligible employee may request up to 12 workweeks of FMLA leave per “leave year.” The City defines “leave year” as a rolling twelve-month period measured backward from the date an employee uses any FMLA leave.

Leave Entitlement

An eligible employee may request leave for one or more of the following reasons:

- To care for the employee's child upon birth, or to care for a child upon the child's placement with the employee for adoption or foster care;
- To care for the employee's spouse, domestic partner, son, daughter, or parent who has a serious health condition;
- To care for himself or herself, if the employee has a “serious health condition” that makes the employee unable to perform the essential functions of his or her job (including incapacity due to pregnancy, prenatal medical care or childbirth).

If either spouses or domestic partners are employees of the City of Redmond, the City reserves the right to restrict FMLA leave to a total of 12 workweeks of unpaid leave in a 12-month period for the birth or adoption of a child or to care for a parent with a serious medical condition. FMLA leave taken to care for a newborn or newly adopted child must be completed within 12 months of the child's birth or placement for adoption.

Each spouse or domestic partner is eligible for the full 12 weeks of leave in the 12-month period to care for a child, spouse, or domestic partner with a serious health condition, or for either employee's serious health condition.

Intermittent or Reduced Work Schedule

In certain circumstances, an employee may take FMLA leave on an intermittent basis (a few days or a few hours at a time) or on a reduced work schedule, as set forth below:

- Leave to care for a child after birth or for placement for adoption or foster care may be taken intermittently or on a reduced work schedule only if the City agrees to do so. Note, however, the bullet below if either the mother or child has a serious medical condition.
- Leave to care for the employee's own serious health condition or a family member's serious health condition may be taken intermittently or on a reduced work schedule if medically necessary. The City may request certification from the health care provider regarding the medical necessity of an intermittent leave schedule and its expected duration. Employees are required to schedule

intermittent leave in advance, to the extent the need for leave is foreseeable, so as to not unduly disrupt the City's operations. If mutually agreed to, the City may temporarily assign employees on intermittent FMLA leave to alternative positions with equivalent pay and benefits that better accommodate recurring periods of intermittent leave.

Notice and Certification

Notice: An employee who desires to take FMLA leave should notify the Human Resources Department at least 30 days prior to the leave date if the need to take leave is foreseeable. If 30 days' advance notice is not possible, notice must be provided as soon as practicable – which generally means the same day or next business day after the need for leave becomes known. When leave is requested for a planned medical treatment, the employee should make a reasonable effort to schedule the treatment at a time that would minimize disruption to the City's operations. The employee should provide sufficient information for the City to determine whether the requested leave is FMLA-qualifying. The employee should also provide information regarding the anticipated timing and duration of the leave.

Certification: An employee desiring to take FMLA leave must provide the Human Resources Department with medical certification from a health care provider documenting the serious health condition. When the need for leave is foreseeable, the employee should provide the certification to the Human Resources Department before the leave begins. When this is not possible, the employee must provide the medical certification within 15 calendar days after the City requests certification, unless it is not practicable under the particular circumstances to do so despite the employee's diligent good faith efforts.

- The City may delay leave to an employee who does not provide proper advance notice of a foreseeable need for leave.
- The City may delay or deny leave if the employee does not submit proper certification establishing medical necessity.
- The City may, at its discretion, require additional medical opinions regarding medical necessity. Should the City do so, it will pay the costs associated with obtaining the additional medical opinions.
- The City may, as treatment progresses, request additional subsequent certifications.

Continuation of Pay and Benefits

Pay: An employee on FMLA leave is required to use available accrued paid leave. The employee first uses sick leave. After accrued sick leave is exhausted, the employee uses accrued exempt employee professional leave, compensatory time, and vacation leave. Once all available paid leave is used, the remainder of the leave will be unpaid. Note, however, that an employee may leave up to 40 hours of vacation leave unused. An employee desiring to maintain a bank of 40 hours of vacation leave should make a written request to Payroll. If the employee does not make a written request to Payroll, all

available paid leave must be used.

Health Insurance: During FMLA leave, the City will continue to pay the City's share of the employee's health insurance premium, provided that the employee continues to pay his/her share of the insurance premium. The employee must contact Payroll to make payments for any employee paid portion of the benefits. Failure of the employee to pay his/her portion of the health insurance 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 required to pay back the City for the City's share of health insurance premiums. In the event an employee exhausts his or her FMLA leave entitlement but remains on an approved unpaid leave, the employee may choose to pay for continuing health benefits under federal COBRA requirements.

Paid Leave: Paid leaves, such as vacation, continue to accrue while an employee is on paid leave, but not during unpaid leave.

MEBT: An unpaid absence of 15 calendar days or less in a month does not affect employee vesting. Absences of greater duration will result in the employee not receiving vesting credit for that month.

Seniority: An employee's seniority shall not be affected by absence due to FMLA leave.

Job Restoration Upon Return from Leave

Upon return from family and medical leave, an employee will be returned to the same or an equivalent position with equivalent pay, benefits, and other terms and conditions of employment. If the employee chooses not to return to work for any reason, the employee should notify the City as soon as possible. A qualified healthcare provider's certification of fitness for duty is required if the FMLA leave was due to a serious health condition of the employee, including pregnancy.

Military Caregiver Leave

An eligible employee who is a spouse, domestic partner, son, daughter, parent, or next of kin of a "covered service member" with a serious illness or injury may take up to 26 weeks of unpaid leave during a single 12-month period to care for the service member. A "covered service member" is a current member of the Armed Forces, including the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. A "covered service member" also includes a veteran who was a member of the Armed Forces at any time during the 5 years preceding the date on which he or she undergoes medical treatment, recuperation, or therapy for a serious injury or illness.

A serious injury or illness is one that was incurred by a service member in the line of duty on active duty, or that existed before the beginning of the service member's active duty and was aggravated by service in the line of duty on active duty, that may render the service member unfit to perform the duties of his or her office, grade, rank or rating. For a veteran, a serious injury is a qualifying injury or illness (as defined by regulation) that was incurred in the line of duty on active duty (or that existed before the beginning

of active duty and was aggravated by service in the line of duty on active duty) and that manifested itself before or after the service member became a veteran.

The “single 12-month period” for leave to care for a covered service member with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12-month period established by the City of Redmond for other types of FMLA leave. An eligible employee is limited to a combined total of 26 workweeks for any FMLA-qualifying reason during the “single 12-month period.” Only 12 of the 26 weeks total may be for a FMLA-qualifying reason other than to care for a covered service member. Medical Caregiver Leave may be taken intermittently whenever necessary to care for a covered service member with a serious injury or illness.

Qualifying Exigency Leave

An employee may take up to a total of 12 workweeks of unpaid leave during the normal 12-month period established by the City of Redmond for FMLA leave for “qualifying exigencies” arising out of the fact that the employee’s spouse, son, daughter, or parent is on active duty status, or has been notified of an impending call or order to active duty status in support of a contingency operation. For purposes of this leave, covered active duty for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country. Covered active duty for members of the reserve components of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined by Section 101(a)(13)(B) of Title 10, United States Code. Specific qualifying exigencies are defined by regulation and may be found at 29 C.F.R. 825.126, but include, generally, short notice deployments, military events and related activities, childcare related activities, financial and legal arrangements, counseling, rest and recuperation, and post-deployment activities. Please consult with Human Resources if you have questions about the scope of leave authorized under this section. FMLA leave may be taken intermittently for a qualifying exigency.

For Guidance

Employees are encouraged to contact Human Resources with any questions about how leave entitlements are coordinated in a particular situation. If you need more information about FMLA leave, or if you think you may need to take Family and Medical Leave, contact the Human Resources Department.

9.90 Pregnancy Disability and Care for Newborn Leave

Policy

The City of Redmond provides leave to its female employees in connection with pregnancy-related disabilities as well as providing leave to both its male and female employees to care for newly born, adopted, or foster children.

Leave for Pregnancy Disability

A female employee who needs to take pregnancy disability leave should notify the Human Resources Department at the earliest possible date. The employee must provide a certification from her health care provider stating why leave is medically necessary and estimating the duration of the leave. The leave request will be evaluated in light of applicable state and federal law. Assuming the requested leave is granted, and if the employee's need for pregnancy disability leave extends beyond the date originally estimated by the health care provider, the employee must submit a request for an extension supported by an additional certification from her health care provider explaining the medical necessity for the extension and its expected duration.

To be eligible for continuing City-paid health benefits during pregnancy disability leave, a female employee must have worked at least 12 months for the City of Redmond, and for at least 1,250 hours during the preceding 12 months. Pregnancy disability leave is unpaid. However, accrued paid leave may be used. The employee may continue insurance coverage at her own expense.

Leave to Care for a Newborn

To be eligible for leave to care for a newly born, adopted, or foster child, a male or female employee must have worked at least 12 months for the City of Redmond, and for at least 1,250 hours during the preceding 12 months. Leave to care for a newly born, adopted, or foster child is unpaid. However, accrued paid leave may be used. If the employee chooses to take unpaid leave, the employee may continue insurance coverage at his or her own expense. When a female employee has taken leave for a pregnancy related disability, the disability leave and leave to care for the new child do not run concurrently. Therefore, after any disability related leave is finished, a female employee remains entitled to 12 weeks of additional unpaid leave for bonding with and caring for her baby. Leave to care for a new child must be taken within 12 months of the child's birth, adoption, or placement as a foster child.

9.100 Jury Duty/Court Appearance Leave

An employee who is called for jury duty or who is subpoenaed to testify as a witness in a legal proceeding (i.e., court appearances, depositions, or administrative hearings) shall be granted a leave of absence as provided below.

Jury Duty

When called for jury duty, the employee must supply a copy of the summons to his or her immediate supervisor as soon as possible. The summoned employee continues to receive his or her normal pay for time spent in court. Employees must reimburse the City for any jury fees received from the Court but may retain any travel expense reimbursement. Employees are expected to return to work during extended recesses.

Testimony Related to Former Employment

If an employee is subpoenaed to testify regarding work performed for a previous employer the employee receives normal pay without reduction of vacation or other leave credits. Employees must reimburse the City for any witness fees received but may retain any travel expense reimbursement. As a courtesy to his or her supervisor, the employee is expected to supply a copy of the subpoena as soon as possible.

Testimony Related to City Business

If an employee is subpoenaed to testify in a matter related to his or her employment with the City or otherwise related to City business, the employee receives normal pay for all time spent at the hearing or deposition without reduction of vacation or other leave credits. Employees must reimburse the City for any witness fees received but may retain any travel expense reimbursement. As a courtesy to his or her supervisor, the employee is expected to supply a copy of the subpoena as soon as possible.

Testimony Unrelated to Either Former Employment or City Business

If an employee is subpoenaed to testify on a personal matter or a matter unrelated to either former employment or City business, the employee will not be compensated. The employee, however, may use accrued paid leave or comp time. The employee is entitled to retain any court pay, witness fee, or travel expense reimbursement received. As a courtesy to his or her supervisor, the employee is expected to supply a copy of the subpoena as soon as possible.

9.110 Domestic Violence Victim Leave

An employee (regular, limited duration, or supplemental) or family member who is a victim of domestic violence, sexual assault, or stalking may take sick leave, use other paid leave, or take unpaid leave. If paid leave is exhausted, the employee's health care coverage will be maintained for the duration of the leave at the level and under the conditions coverage would have been provided if the employee had not taken leave.

Usage

When an employee or an employee's family member is a victim of domestic violence, sexual assault, or stalking, authorized uses of sick leave include:

- Seeking legal or law enforcement assistance or remedies to ensure the health and safety of employees and their family members including, but not limited to, preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault or stalking.
- Seeking treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking.
- Attending health care treatment for a victim who is the employee's family member.
- Obtaining, or assisting the employee's family member(s) in obtaining services from a domestic violence shelter, a rape crisis center, or a social services program for relief from domestic violence, sexual assault or stalking.

- To obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault or stalking in which the employee or the employee's family member was a victim of domestic violence, sexual assault or stalking.
- Participating, for the employee or for the employee's family member(s), in: safety planning; or temporary or permanent relocation; or other actions to increase safety from future incidents of domestic violence, sexual assault, or stalking.

Family Member

For purposes of domestic violence leave, family member includes:

- Child (biological, adopted, foster, step, a legal ward, or a child of a person standing in loco parentis who is under 18-year-old or 18 years or older and incapable of self-care because of a mental or physical disability)
- Spouse or individuals in state registered domestic partnerships
- Parent (biological or adoptive parent of an employee or an individual who stood in loco parentis to an employee when the employee was a child)
- Parent-in-law
- Grandparent

Verification

The City reserves the right to require the employee to provide verification that the employee or his/her family member is a victim of domestic violence, sexual assault or stalking. The employee may submit a choice of any of the following documents for verification:

- A police report indicating the employee or family member was a victim of domestic violence, sexual assault, or stalking; or
- A court order protecting or separating the employee or employee's family member from the perpetrator of the act of domestic violence, sexual assault, or stalking; or
- Other evidence from the court or the prosecuting attorney showing that the employee or employee's family member appeared, or is scheduled to appear, in court in connection with an incident of domestic violence, sexual assault, or stalking;
- Documentation from an attorney, clergy member, medical provider, or other professional from whom assistance was sought; or
- The employee's own written statement that he or she or a family member is a victim and needs the leave to seek assistance.

9.120 Unpaid Holiday for Faith or Conscience Leave

Employees are entitled to two unpaid holiday days 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. The employee may select the days on which he or she desires to take unpaid holidays after consultation with his or her

supervisor. The City will allow the employee to take the chosen days off unless the employee's absence would impose an undue hardship or the employee's presence is necessary to maintain public safety.

9.130 Leave Without Pay

Policy

Leave Without Pay may be granted to employees for periods up to 26 weeks. To apply, the employee must submit a request in writing to the department director stating the requested duration and reasons for the absence. The department director has discretion as to whether the request will be granted. If the department director grants the request, he or she should complete a Personnel Action Notice (PAN) and forward it to the Human Resources Department.

Generally, leave without pay may not begin until all vacation and compensatory time off has been exhausted. However, in the event the employee takes leave for health reasons or to care for the health of family members under the Family and Medical Leave policy, the employee may leave up to 40 hours of vacation leave unused. See [Section 9.80 Family and Medical Leave](#) ("Continuation of Pay and Benefits" for further detail.

Health Benefits

The City will not continue payment of health insurance premiums while an employee is on leave without pay. Employees on unpaid leave may elect to continue their health insurance at their own expense as provided for under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

Other Benefits Cease

No vacation, sick leave, or any other benefits accrue while an employee is on leave without pay.

Seniority

An employee's seniority and pay anniversary date shall be adjusted by the length of leave granted if the period of leave without pay exceeds 90 calendar days. There shall be no loss of seniority or adjustment to the pay anniversary date for leave without pay totaling 90 calendar days or less.

Exempt Employees

Exempt employees are only eligible for leave without pay for periods of time equaling or exceeding 40 hours per week.

Return from Leave

When the period of approved leave without pay expires, the employee shall be reinstated in the same or a similar position held at the time leave was granted. An employee who fails to promptly report for work at the conclusion of the approved period of leave without pay shall be presumed to have resigned and will be separated from employment.

9.140 Shared Leave

Policy

Employees may request donations of paid leave from other City employees when the employee suffers from an illness, injury, or physical or mental condition which is of an extraordinary or catastrophic nature. The condition must be likely to cause the employee to take leave without pay or terminate employment. Requests must be based on a condition that is unrelated to an active worker's compensation claim. Requests for donations and sharing of paid leave will be considered in accordance with this policy and any applicable union collective bargaining agreement. The granting of shared leave to any individual employee is subject to approval by the department director and the availability of shared leave from other employees.

Donation Restrictions for Non-Union Employees

Non-represented employees, i.e., those who are not members of a bargaining unit, may donate vacation and floating holiday leave, and compensatory time. However, the donation must not cause the donating employee's vacation leave balance to fall below 40 hours.

Donation Restrictions for Union Employees

Restrictions on donations of union employees are specified in collective bargaining agreements. Therefore, bargaining unit members should review their collective bargaining agreement prior to donating.

Eligibility

In order to be eligible, an employee who desires to receive shared leave must meet the following requirements:

- The employee must submit a statement from a licensed physician or health care practitioner verifying the extraordinary or catastrophic nature of the condition and the condition's expected duration.
- The employee must exhaust all accrued paid leave prior to applying for shared leave, provided that the employee may reserve up to forty (40) hours of sick leave.
- The employee must not be eligible for time-loss compensation under RCW Chapter 51.32. If the City approves shared leave and the employee later

has a time-loss case, all leave received by the employee shall be returned to the donors and the employee must return any overpayment to the City.

- The employee must not be receiving disability payments through either the short-term disability benefit or the long-term disability insurance plan.
- The employee has complied with City policies and applicable union contract requirements regarding the use of sick leave.
- No employee is permitted to receive more than two-thousand eighty-eight (2,088) hours of shared leave during their lifetime of employment with the City.

The City reserves the right to determine whether any particular employee meets all necessary criteria specified above to receive shared leave.

Status of Employee on Shared Leave

While an employee is on shared leave, he or she shall continue to be classified as a City employee and shall receive the same salary, wages, and employee benefits as the employee would normally receive if the employee had been using accrued vacation or sick leave.

Return of Unused Leave

Shared leave not used by the recipient shall be returned to the donor(s). Returned leave shall be:

- Divided among the donors on a pro-rated basis, computed on the original donated value;
- Returned at its original donor value; and
- Reinstated to each donor's leave balance.

Calculation of Shared Leave

The receiving employee shall be paid at his or her regular rate of pay. Therefore, one hour of donated leave may be worth more or less than one hour of recipient's salary. The dollar value of donated leave shall be converted from the donor to the recipient. The leave received shall be coded as shared leave and be maintained separately from all other leave balances.

Participation is Voluntary

Participation in the Shared Leave Program is voluntary. No employee shall be coerced, threatened, intimidated, or financially induced into donating leave. Further, no employee who declines to donate leave shall be retaliated against.

9.150 Unpaid Sabbatical Leave

Description

Sabbaticals are periods of unpaid personal leave during which an employee continues to receive City-paid health benefits. Unpaid sabbaticals may be granted when an employee's absence will result in a net material financial gain to the department and will not unduly disrupt services. The authority to grant unpaid employee sabbaticals resides with the department director.

During unpaid sabbaticals an employee's seniority is not disrupted and accrued but unused vacation is left intact.

Purpose

The aim of unpaid sabbatical leave is to reduce City expenditures in a manner that responds to employee interests for additional time off.

Eligibility

All regular, non-probationary employees.

Duration

Unpaid sabbatical leave shall be for a minimum of one workday or shift up to a maximum of three months.

Process

An employee desiring to take an unpaid sabbatical must submit a written request to his or her supervisor identifying:

- The dates of the requested sabbatical; and
- Recommendations on how his/her normal work responsibilities should be handled during the sabbatical.

A sabbatical may not begin until the department director has issued a written decision responding to the employee's request.

In considering a request for an unpaid sabbatical, the department director should consider whether an employee absence would unduly disrupt services as well as whether the City will enjoy a net material financial gain based on the following factors:

- Salary and benefit savings;
- Costs of continuing health benefits;
- Costs of hiring temporary help or incurring increased overtime due to the

employee's absence.

Notification to Human Resources Department

For sabbatical leaves of two weeks or less: A copy of the employee's sabbatical request and the department director's written approval should be forwarded to Human Resources. No PAN is necessary.

For sabbatical leaves of more than two weeks: The department director should provide a PAN to the Human Resources Department. As an attachment to the PAN, the department director must provide a copy of the employee's sabbatical request and the department director's written approval.

Benefits During Sabbatical

Health: Health benefits continue unchanged with the same premium cost sharing between the City and employee as before the sabbatical.

Vacation/Comp Time: Employees may leave their vacation and comp time banks intact during unpaid sabbaticals. However, employees do not accrue additional vacation leave while on unpaid sabbaticals.

Holidays: Holidays occurring during a sabbatical are unpaid.

Sick Leave: Employee may leave their sick leave bank intact during sabbaticals. However, employees do not accrue additional sick leave while on sabbatical.

Life Insurance: The City will continue to pay its portion of life insurance premiums due as if the employee were actively working. The employee is responsible to pay his or her portion of a voluntary life insurance premium.

Retirement: In accordance with Washington State Department of Retirement System's regulations, and depending on the duration of the unpaid sabbatical, an employee may receive full retirement service credits, partial retirement service credits, or no retirement service credits. An employee desiring guidance on how a decision to take sabbatical may impact accrual of retirement service credits should contact the Washington State Department of Retirement Systems.

MEBT: An unpaid absence of 15 calendar days or less in a month does not affect employee vesting. Absences of longer than 15 calendar days will result in the employee not receiving vesting credit for that month.

Seniority: There will be no loss of seniority as a consequence of taking sabbatical.

Chapter 10 - EMPLOYEE DEVELOPMENT

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10.10 Performance Appraisals

Purpose

The City aspires to train, promote, and retain the best qualified individuals for every position. In support of this aspiration, in addition to ongoing informal monitoring and feedback regarding each employee's performance, each supervisor is expected to formally evaluate individual performance at least once each year.

The goals of formal performance appraisals are:

- To provide an opportunity for supervisors and employees to discuss the employee's performance relative to job requirements and to set objectives for future performance;
- To promote professional growth and development of employees and identify training needs; and
- To provide documentation for personnel decisions, such as discretionary wage adjustments and the completion of probation.

Guidelines

Basic Requirements: A formal performance appraisal includes completion and signing of an approved performance evaluation by the supervisor, an interview in which the supervisor provides the employee with the written evaluation and answers questions, and an opportunity for the employee to respond in writing to the evaluation.

Frequency: Employees are evaluated by their supervisors prior to completion of probation and at least once every 12 months thereafter within 30 calendar days of the employee's pay anniversary date.

Employee's Responsibilities: Employees shall document their accomplishments for the period in review. Employees may also document progress toward accomplishment of goals and/or set written goals for the upcoming review period to be discussed with their supervisor. Employees are entitled to a reasonable period of time to prepare for their evaluation.

Supervisor's Responsibilities: The employee's immediate supervisor completes the

performance appraisal form and conducts the appraisal interview on a timely basis. If an employee has worked under more than one supervisor during the evaluation period, then the employee's current supervisor consults with previous supervisors before completing the performance appraisal

Processing of PAN: Within a reasonable period after completion of the performance evaluation, the employing Department shall forward a PAN to the Human Resources Department.

Pro-Rated Appraisals Following Promotion or Reclassification

When an employee is promoted or reclassified, the following occurs with the employee's performance appraisal:

- The supervisor will conduct an appraisal for the time period from the previous pay anniversary date to the day before the effective date of promotion or reclassification. Any merit or lump sum will be pro-rated for that time period and based upon the salary prior to the promotion or reclassification.
- If the promotion or reclassification occurs less than one month from the last appraisal, no pro-rated appraisal will be conducted. (For example, the pay anniversary date was completed on June 20 and the promotion was effective July 10. No appraisal for the period June 21 to July 9 will be conducted.)
- The employee's pay anniversary date is adjusted to the date of the promotion or reclassification and the employee's appraisal period will be conducted annually thereafter.

10.20 Employee Recognition

All Star Awards

The City administers an "All Star" program through which it recognizes employees who have exemplified the City's values of:

- Commitment to service: We are dedicated to seeking solutions for our community;
- Integrity: We demonstrate sound, honest, truthful and consistent actions; and
- Accountability: We take ownership of our actions and responsibilities.

The City recognizes three types of All Stars:

1. Individual All Stars: These awards are provided annually to employees who have consistently provided an exceptionally high level of service over a number of years or who have made outstanding contributions to the success of the City during a given year. An Individual All Star is one who exerts a positive influence on others, whether fellow employees or members of the public, consistent with the City's values listed above. Individual All Stars are selected by a vote of the

regular and limited duration employees within their department's division or workgroup.

2. Team All Stars: These awards are provided annually to workgroups of two or more employees that have distinguished themselves by exceptional performance, either on a single project having a significant effect on departmental or divisional operations or consistently high group performance over an extended period of time. Team All Stars are selected by a vote of regular and limited duration employees throughout the City.
3. Supplemental All Stars: These awards are provided annually to supplemental employees who have distinguished themselves either on a single project having a significant effect on departmental or divisional operations or consistently high performance over an extended period of time. Supplemental All Stars are selected by a vote of the regular and limited duration employees throughout the City.

Every recipient of an All Star award shall receive one day off with pay. At management's discretion, award recipients may also be provided other forms of recognition.

Service Awards

The City also recognizes employees who have achieved significant milestones of longevity.

10.30 Employee Training Policy

The City seeks, within the limits of available resources, to offer various forms of training that serve to: develop its employees', knowledge, skills, and abilities; obtain or maintain required licenses and certifications; and develop staff resources. Training opportunities may include, but are not limited to: on-the-job training, in-house workshops, seminars, or courses offered by other agencies or educational institutions, and programmed learning courses.

Training Plan

A general training program is provided through the Human Resources Department for training courses that are generally applicable to all City employees. Individual departments may develop training programs specific to the vocations and professions within that department. Employees should consult with their supervisors for job training requirements applicable to their particular position.

Non-Exempt Employee Compensation for Training Time

Training during regular working hours: Attendance at training programs conducted during a non-exempt employee's regular working hours constitutes work and will be compensated. If the training is held away from the City, the employee may also be eligible for reimbursement of travel, meals, and lodging expenses under the City's per

diem policies.

Training outside regular working hours: Training attended by an employee after hours or outside the employee's regular working hours *may* be compensable. The "default" is that attendance at approved training is compensable work time. In general, attendance at any training program intended to increase the employee's efficiency or that is required by one's supervisor is compensable. On the other hand, if an employee voluntarily attends school or other training outside regular working hours and the training is not directly related to the employee's current job, the time will not be compensated. Training will not be compensated only if all of the following criteria are met:

- Attendance is outside normal working hours;
- Attendance is voluntary;
- The training is not job related;
- No other work is concurrently performed.

Employees who are in attendance at a police or fire academy or other training requiring an overnight stay are not considered to be on duty during those times when they are not in class or at a training session if they are free to use such time for personal pursuits. Such free time is not compensable.

Questions concerning whether training time is compensable in any given instance should be directed to the Human Resources Department. If the training is held away from the City, the employee may also be eligible for reimbursement of travel, meals, and lodging expenses under the City's per diem policies.

10.40 Employee Education Assistance Program

Purpose

The Employee Education Assistance Program (EEAP) benefits City of Redmond employees by assisting them in obtaining a college level education. The City gains by the professional development of its workforce and improved City services. The aims of the EEAP include:

- Enhancing current job skills;
- Supporting professional growth of employees for career opportunities within the City organization; and
- Improving the quality of City services.

Eligibility

Regular employees who have completed their initial new-hire probationary period are eligible to apply for admission to the EEAP.

Covered Expenses

Employees whose coursework has been approved under this program will be reimbursed for 100% of tuition expenses up to the annual maximum per academic year for job-related associate, bachelor, and master degree programs, subject to limitations set forth in this policy.

The following guidelines affect the amount of reimbursement received by an EEAP participant:

- The annual maximum reimbursement is not to exceed the dollar equivalent of 20 undergraduate credits at the University of Washington in a calendar year. This amount is pro-rated for part-time employees.
 - The 20-credit dollar restriction is meant to limit the City's expenses. Employees have the option of taking as many credits as they choose.
- The amount of tuition reimbursed is limited to the tuition actually paid, not to exceed the equivalent of:
 - Washington State Community college rates for the first 90 credits toward an A.A. or B.A. degree, and
 - University of Washington in-state tuition levels for credits beyond the first 90 credits toward a B.A. degree, and for all graduate level classes toward a master degree.
- Reimbursement is made only for courses that earn the employee credit toward their approved degree objective.
- Employees must receive qualifying grades to be reimbursed. A grade of "C" or better is required for associate and bachelor degree courses; "B" or better is required for graduate level courses.
- Colleges must be accredited.
- Degrees must be pursued on the employee's own time.
- Participants are encouraged to seek any scholarships in the form of financial aid that may be available. Reimbursement will be based on the difference between the scholarship and total tuition. Limited scholarship information is available through the Human Resources Department.

Expenses Not Covered

The following expenses are not eligible for reimbursement:

- Tuition for professional school programs in law and medicine
- Non-credit classes;
- Non- job-related degree programs;
- Tuition for classes not completed during employment with the City;
- Books;
- Video or audiotapes, except for approved correspondence courses;
- Parking fees;
- Lab or other class fees;

- School supplies; and
- Any other expenses included in tuition.

EEAP will also not pay for workshops, seminars, conferences, and professional certifications or for individual college level courses not taken as part of a degree program, although these may be paid from departmental training budgets subject to the department director's approval.

Application Procedures

Employees must apply for admission to the EEAP by July 30 for courses to be taken during the following academic year, regardless of whether they have participated in the program during previous years. When applying, applicants are required to:

- Complete an EEAP form.
- Describe how their degree will benefit the City in the short-term and long-term by:
 - Enhancing current job skills by contributing to the development of employee capabilities in the applicant's present position;
 - Supporting professional growth towards career opportunities for another position(s) within the City organization;
 - Fulfilling a requirement of a current position; and/or
 - Improving the quality of City services.
- Obtain their supervisor's approval confirming the job relatedness of their college degree objectives consistent with EEAP standard specified in the previous bullet; and,
- Estimate their course load and tuition expenses for the coming academic year.

Administration

The Human Resources Department has primary responsibility for administering the EEAP. The Human Resources Director has final approval authority for admittance to the EEAP.

Reimbursement Procedures

At the completion of each course, quarter, or semester, participants must submit:

- A copy of final grade report;
- An itemized invoice from the institution; and
- Documentation showing the amount paid (for example, a cancelled check).

Employee Education Panel

The Employee Education Panel is a four-person committee that meets quarterly or as needed to advise the Human Resources Department on administration of the program and consider employee appeals of administrative decisions.

The Panel is appointed by the Mayor and includes a manager who is not a member of the Human Resources Department, a current or recent program participant, a member of the Financial Planning Division of the Finance Department and a representative of a City bargaining unit. (If the program participant representative to the Panel is a member of one bargaining unit, then the bargaining unit delegate will be selected from a different union or association.

Resolving Problems

Employees with concerns regarding specific administrative decisions of the EEAP should first endeavor to resolve those concerns with their supervisor or department director. Employees unable to satisfactorily resolve their concerns by consulting with their supervisor and department director may appeal to the Human Resources Director. The decision of the Human Resources Director will be final.

Chapter 11 - EMPLOYEE RESPONSIBILITIES AND CONDUCT

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11.10 Employee Conduct Policy

Continued employment depends on each employee's on-going job performance, professional conduct and behavior. Among the City's expectations are:

- Exemplifying the City's values of commitment to service, integrity and accountability;
- Adherence to City policies, safety rules and safe work practices;
- Compliance with direction from supervisors;
- Basic tact and courtesy toward the public and fellow employees; and
- Preserving and protecting the City's equipment, grounds, facilities and resources.

This Redmond Personnel Manual is not intended to be an all-inclusive statement of employee responsibilities. Employees are expected to use discretion and common sense. Supervisors and managers are expected to use good judgment regarding standards to which employees must adhere.

11.20 Attendance

Regular attendance is a requirement for all City of Redmond positions. Employees are responsible for complying with rules regarding hours of work, holidays, and leaves of absence.

Hourly (Non-Exempt) Employee Absences

Hourly employees unable to work or unable to report on time shall notify their supervisor or supervisor's designee as soon as possible, ordinarily before the workday begins or within 30 minutes of the employee's usual starting time. If an absence continues, the employee is responsible for reporting in each day.

Failure to Notify

An employee who is absent without notification is subject to disciplinary action, up to and including termination. An employee who is absent without notification for three consecutive days will be considered to have abandoned his or her position and may be terminated.

Exempt Employee Partial Day Absences

To assure public accountability, an exempt employee who is unable to perform his or her work duties on any given day must use paid leave if the amount of work time missed exceeds one-half of that day's regularly scheduled work time. If the exempt employee has exhausted all paid leave, the exempt employee must take leave without pay.

Extreme Weather Conditions

All employees are expected to be at their jobs regardless of weather conditions. However, during extreme weather conditions non-uniformed employees who are unavoidably absent and who are not assigned to snow and ice control duty may charge absences as compensatory time, vacation, administrative/professional leave, or as leave without pay if approved by the employee's supervisor.

During extreme weather conditions an employee may find it unavoidably necessary to arrive late or leave early. An employee who is unable to work a full regular day, but who does work at least five hours of a standard workday may be paid for the entire day. Employees scheduled for other than an eight-hour work day may be paid for their full scheduled time if they work at least five/eighths of their scheduled workdays. Working a partial day is approved by the employee's supervisor.

Employees who work less than five hours (or equivalent proportion) are paid for the actual hours worked and the remainder of the day is charged against accrued compensatory time, vacation time, or administrative/professional leave, or may be taken as leave without pay. As an alternative, employees may make up time lost due to

extreme weather conditions during the same workweek if approved by the supervisor.

11.30 Telecommuting

Policy

Telecommuting means working away from the office, either at home or at an alternative worksite. The City of Redmond encourages and promotes telecommuting as a viable employee work option. The City recognizes the potential business, societal, and personal benefits available through a carefully planned and managed telecommuting program. Telecommuting is a voluntary work alternative that may be appropriate for some employees and some jobs. It is not an entitlement and it is not a City-wide benefit. Teleworking in no way changes the terms and conditions of employment with the City.

Program Description

Telecommuting is voluntary and is a mutually agreed upon work alternative between the telecommuter and supervisor. Either an employee or a supervisor can suggest telecommuting as a possible work arrangement. The telecommuter or the supervisor may end the telecommuting arrangement at any time. All teleworking arrangements are made on a case-by-case basis, focusing on the business need of the City. Telecommuters may work away from the office for an agreed upon period of time. Writing, reading, telephoning, data analysis, computer programming, word processing and data entry are some of the tasks amenable to telecommuting. Work must be specific, measurable, and have attainable performance expectations.

Characteristics of the Telecommuter

- A demonstrated conscientiousness about work time and productivity evidenced by satisfactory or better performance reviews;
- Self-motivated;
- Ability to work well alone for long periods of time;
- Limited need for feedback but able to ask for it if necessary.

Requirements

Employees and supervisors contemplating telecommuting as a work option must comply with the following requirements:

- The employee must complete a telecommute application, available on the Human Resource Department's intranet page or in hard copy from the Human Resources Department;
- The employee must have been employed by the City for a minimum of 12 months;
- The employee must establish and maintain a work area that facilitates productivity;

- The employee must agree that City-owned equipment will be well cared for and secure;
- The supervisor must be satisfied that the telecommuting employee will be able to carry out work tasks in an acceptable manner;
- The employee and supervisor, with the assistance of the Human Resources Department, will evaluate the suitability of the proposed telecommuting arrangement. If the employee, supervisor, and Human Resources Department concur, all parties will sign the telecommuting agreement and a 3-month trial period will commence.
- After three months, the employee and supervisor must address whether the telecommuting arrangement is working and whether the work needs of the City are being satisfactorily addressed. If the 3-month trial period is successfully completed, the supervisor and employee may mutually agree to extend the telecommuting arrangement;
- Teleworkers agree to be responsible for their own compliance with tax laws. The City is not responsible for substantiating an employee's claim for tax deductions for operating a home office. If a telecommuting employee has questions concerning whether home office expenses are tax deductible, that employee should seek advice from their tax consultant.

11.40 Outside Employment

City employees are prohibited from engaging in outside employment that may, in the opinion of the department director, create a conflict of interest or interfere with the employee's regular work schedule or job performance.

11.50 Conflicts of Interest

Policy

Employees at all levels should avoid both real conflicts of interest and the appearance of conflicting interests in the exercise of their City duties.

Conflicts Prohibited by Federal Contracting Law

City employees who are engaged in the selection, award, and administration of contracts cannot:

- Have a substantial financial interest in a firm considered for a contract;
- Receive a tangible personal benefit from a firm considered for a contract;
- Solicit gratuities, favors, or anything of monetary value from contractors or parties to subcontracts; or
- Accept gratuities, favors, or anything that has more than nominal value (i.e., more than \$5) from contractors or parties to subcontracts.

These prohibitions also apply to the employee's immediate family members,

partners, and any organization which employs or is about to employ the City employee, the employee's immediate family member, or the employee's partner.

In the event these standards are violated, disciplinary action will be taken.

Conflicts Prohibited by the State Code of Ethics

City employees cannot:

- Have a beneficial interest in any contract made by the employee or the employee's subordinates;
- Accept any compensation, gratuity, or reward in connection with a contract the employee or the employee's subordinates either drafted or signed;
- Use their position to secure special privileges or exemptions for themselves or others;
- Accept any compensation, gift, reward, or gratuity from a source other than the City for performing his or her job duties;
- Accept employment or engage in business or professional activity that the employee might reasonably expect would require or induce the employee to disclose confidential information acquired through their position with the City;
- Disclose confidential information acquired because of their position with the City;
- Use confidential information acquired because of their position with the City for their own personal gain or benefit.

Exceptions to the limitations on contracting described above are set forth in [RCW 42.23.030](#) and [040](#).

Other Conflicts of Interest

Employees may also be subject to other conflict of interest requirements that are not listed above, such as:

- Departmental requirements (e.g., Police Department Manual of Standards); or
- Conflict of interest standards imposed by an agency regulating the practice of engineering or law.

Reporting

If any employee becomes aware of a real or apparent conflict of interest in which the employee's actions on behalf of the City might personally benefit the employee or any member of the employee's family, it is the employee's responsibility to bring the potential conflict of interest to the attention of the supervisor and department director.

Investigation

The potential conflict of interest shall be investigated for a determination as to whether

the employee may continue in his/her position or assignment without compromising the interests of the City and/or the public.

If No Conflict Found

If the investigation concludes that there is no conflict, the department director shall report this finding to the employee and forward the finding, in writing, to the Human Resources Department for inclusion in the employee's central personnel file. The department director's written statement must describe the potential conflict, the investigation, and the finding that the employee may continue in the position or assignment.

If A Conflict Is Found

If the investigation concludes that there is a conflict, the department director may reschedule hours, change an employee's assignment, reassign the employee to a different position, or take other needed steps to correct the situation. A description of the investigation and findings shall be placed in the employee's central personnel file.

11.60 Political Activities

Policy

Employees, in their individual capacities, have the same right to campaign in support of, or in opposition to, a candidate or a ballot proposition as any other citizen. However, employees are not permitted to use or authorize the use of City facilities, property, or assets in support of, or in opposition to, a candidate or ballot proposition except as authorized under [RCW 42.17A.555](#).

Examples of Prohibited Activities

- Using City stationery, postage or copying equipment to make campaign literature;
- Compiling a mailing list from a list of business licenses or utility customers;
- Publishing a statement supporting a candidate in the City newsletter or including such a statement on or with utility billings;
- Campaigning by City employees on City time;
- Using City telephones, at any time, to make calls in support of a candidate;
- Using City vehicles, including assigned vehicles, to attend rallies, to drop off mailers at a printer or to distribute campaign materials;
- Wearing a City uniform while campaigning.

Examples of Permitted Activities

- Stating an opinion regarding any political issue in ordinary conversation during working hours, providing that such a conversation does not interfere

- with the employee's assigned job duties;
- Stating an opinion regarding a political issue while on breaks or lunch time in non-public areas of City facilities;
- Campaigning by individual employees of the City so long as it is not done on City time and no City funds are used to subsidize the campaigning;
- Endorsements by employees so long as the employee clearly indicates the opinion is an individual one and that it is not expressed or implied that the City itself is supporting the measure;
- Wearing a pin or button promoting or opposing a cause or candidate while on duty, provided the employee does not have direct citizen contact;
- Making individual campaign contributions.

Federally Funded Programs

Political activities of employees whose positions are funded with federal money are governed by rules established by the United States Civil Service Commission and the Office of Personnel Management. Additionally, City employees who administer federal funds may also have their political activities limited under federal contract or rules.

Legislative Advocacy Permitted

The Mayor may authorize employees to attend meetings or hearings to present the City's position regarding legislative issues under consideration.

11.70 Duties in Adversarial Litigation

Notification Required

An employee who is asked or required to testify in person or by deposition in any trial or hearing to which the City is a party or that involves the employee's work for the City should immediately notify his or her department director. An exception would be if the employee is involved in an arbitration process through the Police or Fire collective bargaining agreement.

Expert Witness for Adversary

No employee may voluntarily serve as an expert witness on behalf of the City's adversary party.

11.80 Driver's License Requirements

Scope

As part of the requirements for certain specific City positions, an employee may be required to hold a valid Washington State driver's license. Additionally, while other positions may not require the employee to have a driver's license, it may still be the case that the employee drives on organizational business. Any employee who operates a motor vehicle while conducting City business is required to hold a valid driver's

license. This requirement applies whether the vehicle being used is a City vehicle, a personal vehicle, or a rental car.

Loss of License

In the event a driver's license is revoked, suspended, lost or in any other way not current, valid and in possession of the employee, the employee should promptly notify his/her supervisor and department director. The employee will be immediately suspended from driving duties and may not resume driving until proof of a valid, current license.

Discipline

Depending on the duration of license suspension, revocation or other inability to drive, an employee may be subject to disciplinary action including termination.

City Right to Check Status

The City reserves the right to check whether an employee has a valid driver's license.

11.90 Use of Vehicles on City Business

Use of City Vehicles

City vehicles are available for employees to use while conducting City business. Except for incidental personal business which may be accomplished along the route (such as for example stopping at a bank, City vehicles are to be used only for City business. Any employee driving a City vehicle must have a current and valid driver's license.

Employees must observe all traffic laws while driving City vehicles. Employees are responsible for any driving infractions and resultant fines or penalties occurring as a result of their driving.

Use of Personal Vehicles

Employees may opt to use their personal vehicles on City business. An employee doing so may seek reimbursement of expenses as provided for and limited by the City's mileage reimbursement policy. Any employee using their own vehicle on City business must have a valid driver's license as well as insurance providing coverage for any accident that may occur. If an employee using a personal vehicle is involved in an accident or any damage is incurred to the vehicle, claims should be made to the employee's personal automobile insurance carrier.

11.100 Use of City Resources in the Event of an Employee Death

Policy

The death of an employee, whether on-duty or off-duty, results in feelings of grief within the workplace. In the interests of healing and productivity, camaraderie, and mutual support, limited use of City resources may be used to express sympathy and recognize and honor the contributions to the community of the deceased employee.

Off-duty Employee Death

When the death of an employee occurs off-duty, limited use of City resources are permitted for the following purposes:

- Notify employees of memorials for the employee.
- Notify employees as to where to send condolences and memorial funds to the employee's survivors.
- Use of City facilities and light refreshments for meetings of employees to facilitate the healing process. Such use, scheduling, and de minimis expense should be approved by the department director in consultation with the Human Resources Department.
- Participation of employees in group meetings to facilitate the healing process, provided there is adequate coverage of ongoing City business functions, with the approval of the supervisor and department director.
- Liaison services of the City's Benefits Administrator to explain and resolve beneficiary questions and concerns.

On-duty Employee Death

When the death of an employee occurs on-duty, limited use of City resources is permitted to the same extent as for an off-duty employee death. Additionally, each of the following are permitted:

- Liaison assistance to the immediate survivors of the employee by a City representative designated by the department director.
- Limited use of City vehicles as part of a public demonstration of support, such as participation in a funeral procession or other memorial event.

Non-permissible Use of City Resources

Public funds may not be used to purchase gifts or flowers or to make donations to the family or loved ones of the deceased employee. Further, employees are prohibited from attending an off-site memorial or funeral service while on paid time unless expressly permitted to do so by a department director or the Mayor.

11.110 Employees Serving as City Volunteers

Employees may volunteer hours to the City provided such services are different from those normally performed by the employee in their regular job. In other words, an individual will not be considered a volunteer if the individual is employed by the City to perform the same type of services as those for which the individual proposes to volunteer. As an example, a Police Officer may volunteer as a basketball coach. Nominal reimbursement to employees who volunteer does not affect their volunteer status.

11.120 Medical Examinations

Employees may be required to submit to medical examinations for such purposes as evaluating fitness for duty, prognosis for recovery from an injury or illness, or evaluation of medical limitations in the context of reasonable accommodation of a disability to the extent permitted by applicable state and/or federal law. When required by the City, the cost of any such examinations shall be paid by the City.

11.130 Contact with News Media

Only the Mayor, representatives designated by the Mayor and the department directors are authorized to communicate with the media in an official capacity on behalf of the City. If an individual City employee is contacted by a representative of the media, the employee should refer the media representative to the above designated individuals for a response. The Mayor and department directors reserve discretion to authorize specific individuals to make statements on behalf of the City regarding particular subjects.

11.140 Smoke Free Workplace

As required by [Chapter 70.160 RCW](#) and King County's Smoking in Public Places Regulations (King County Board of Health Code, Title 19, smoking and the use of electronic smoking devices, commonly known as e-cigarettes, are prohibited in all City workplaces, facilities and within twenty-five feet of entrances, exits, windows that open, and ventilation intakes of City facilities.

11.150 Substance Abuse and Drug and Alcohol Testing

Policy Statement

The City is committed to providing a safe and healthy work environment, free from drugs or alcohol that may cause employees to present a danger to themselves or others, and/or that adversely impact job performance.

In the event that drug or alcohol use impairs an employee's job performance, the City encourages the employee to seek help through counseling, the Employee Assistance

Program (EAP), or through their Health Care Provider. Employees who report a dependency will not be subject to retaliation or discrimination. Employees who voluntarily seek treatment may use sick leave to attend a bona fide treatment or counseling program. As part of a disciplinary action, the City may condition continued employment on successful completion of treatment or counseling program and future avoidance of drugs and alcohol.

Prohibited Substances

On-duty employees are prohibited from being under the influence, or in possession of:

- Any illegal controlled substance.
- Any prescription drug not approved for the employee's use by a physician.

Prohibited Conduct

The following conduct is prohibited:

- Use of or impairment by any illegal drug; use of or impairment by illegally obtained prescription drugs; use of prescription or non-prescription drugs that hinder the employee's ability to do the job effectively and/or that jeopardizes the safety of the employee or others.
- The manufacture, possession (except as necessary for law enforcement officers to perform their duties), distribution, or use of alcohol and prohibited substances in the workplace, at any City worksite, in a City vehicle, or while on duty.
Note: This policy does not prohibit an employee from possessing a gift of unopened alcohol (e.g., giving or receiving a bottle of wine as a holiday gift) at work, nor does it prevent employees with take-home cars from transporting unopened alcohol beverages in their assigned vehicle during off duty hours.
- Coming to work or being on duty while under the influence of marijuana, alcohol (including medication containing alcohol), or controlled substances.
- Refusal to take a drug or alcohol test.
- Attempting to falsify drug or alcohol test results.

Prescription or Over-the-Counter Medications

An employee who is taking a drug, whether prescribed or over-the-counter, and who has reasonable notice that the drug's usage may adversely impact the ability to perform work in a safe and productive manner is required to report the drug usage to their supervisor and/or to Human Resources. Once an employee has made such a report, a determination will be made as to whether the employee should be reassigned, temporarily relieved of duty, or whether some other action should be taken. Records relating to legal drug usage will be treated as confidential health care information and maintained in separate medical files in the City's Human Resources Department. The Human Resources Department will provide information regarding the drug usage only to supervisors who need to know limitations on the employee's work activity and, if

necessary, to emergency or first aid personnel.

Drug and Alcohol Testing

Types of Testing:

- **Pre-Employment (Safety Sensitive Positions):** The City may require pre-employment drug and alcohol testing when hiring for safety-sensitive positions. Offers of employment for such positions will be conditioned on the applicant submitting to and passing a drug and alcohol test. Testing may also be required when an employee transfers to a safety-sensitive position.
- **Reasonable Suspicion (All Positions):** Employees who are reasonably suspected of being under the influence of drugs or alcohol shall be suspended from their job duties with pay pending an investigation and verification of condition. All employees are subject to a drug or alcohol test when there is a reason to suspect impairment immediately prior to, during, or immediately after performing job duties. A referral for testing will be made on the basis of documented objective behavior, speech, appearance, or other facts and circumstances. While the method of drug testing typically requires a urine sample, the employee has discretion to choose a blood test rather than a urine sample as the testing methodology. The City will pay any cost associated with the administration of either a urine test or a blood test.
- **Other:** Individual employees may be subject to testing as a result of a last chance agreement, a return to work agreement, or when continuing employment has been conditioned upon remaining drug or alcohol free.

Compliance with Testing: Any employee who refuses to comply with a request for testing, who provides false information in connection with a test, or who attempts to falsify test results shall be immediately removed from duty with pay. Following investigation, if substantiated, any refusal to be tested or falsification of a test will be treated as misconduct and will constitute grounds for disciplinary action up to and including termination.

11.160 Solicitation

Employees are permitted to collect money for their fellow co-workers for reasons such as birthdays, weddings, child birth, retirement or anniversary celebrations, or for charities and related activities so long as the solicitation does not cause a nuisance or otherwise interfere with the work of other employees. Other solicitations, collections, or distributions of literature by employees of the City are prohibited without prior approval of the department director or the Mayor.

11.170 Charitable Giving

Guiding Principles

As an employer, the City values and supports the willingness of its employees to make charitable contributions. At the same time, the City recognizes that its employees should feel welcome to participate in charitable causes without feeling obligated. Therefore, opportunities to give will be coordinated and limited.

Application

A variety of sponsored charitable giving opportunities, including the City's annual pledge campaign, will occur each year but will not exceed one per month. Employees who wish to do so may participate in City-sponsored charitable giving events during their work day as their workload allows. Participation in any charitable giving activity is voluntary. Employees may volunteer to assist with charity related event planning with prior supervisor approval. Organizations eligible to receive City-sponsored contributions will be vetted by the Charitable Giving Advisory Committee.

11.180 Access to Secure Areas

All areas fitted with locks (including file cabinets, desks, offices and lockers) are City property and must be accessible to fellow employees and supervisors for business reasons, such as retrieving files or other documents. Supervisors or a designated department representative should maintain duplicate keys to all areas with locks.

Searches of locked areas must be for cause and necessary for work related purposes and not unduly intrusive in light of the reason for the search.

11.190 Social Media

Policy Statement

The City of Redmond, with the many high technology companies located in our community, is at the center of societal changes brought by widespread use of the internet. As such, the City understands that social media can be a rewarding way to participate in interactive discussions and share information. However, the use of social media also presents risks to the City, including unauthorized disclosure of confidential information, exposure to discrimination and harassment claims, and activity detrimental to the City's mission and values. To assist employees in making responsible decisions about the use of social media, the City has established these guidelines. This policy applies to all City employees.

Compliance with City Policy

Employees are required to use good judgment with regard to use of social media.

Employees should recognize that there is interplay between the use of social media and other City policies that might be relevant in a particular fact scenario. For example, inappropriate use of social media, even while off duty, may constitute sexual harassment against a coworker, discrimination against a coworker based on membership in a protected class such as race or religion, or comments may be perceived as threats of violence against a coworker.

Social Media Rules

Social media use that adversely impacts an employee's job performance, the performance of other City employees, or that otherwise adversely impacts the City's mission and functions may result in disciplinary action. At the same time, the City recognizes that each employee has First Amendment rights to freedom of speech and freedom of association, and no discipline will be sustained that violates an employee's constitutional rights.

The following rules apply to employees' use of social media:

- Social media should not be used to unlawfully harass, discriminate against, or retaliate against another employee.
- Social media should not be used to communicate threats of violence in violation of the City's Workplace Violence policy.
- Social media content that relates to City business may be a public record subject to retention and disclosure under state law. For that reason, except when assigned to do so as part of their official duties, employees are prohibited from using social media to conduct City business.
- Although employees may identify themselves in personal social media accounts, blogs, or websites as employees of the City, employees shall not identify themselves in a manner that suggests or implies they are speaking as a representative of the City. If any confusion is reasonably likely, the employee shall expressly state with a disclaimer that he/she is speaking in a personal individual capacity and not for or on behalf of the City.

The following additional rules apply to employees' use of social media on City devices:

- Employees shall not post, upload, or create any social media content that is known to be false, misleading, or fraudulent, or that involves pornographic, sexually explicit, or obscene materials (except by law enforcement as part of their official duties).
- Employees shall not use social media for political purposes, including partisan campaigning.

No Expectation of Privacy

The City prefers that employees use their personal cell phones or tablets to access social media sites while on breaks during the workday. However, to the extent that an

employee chooses to use the City's computer system to access the internet and/or social media sites, any such use must be brief in both duration and frequency and must comply with all requirements of the City's Information Technology Usage Policy. See [Section 11.200 Information Technology Usage](#). Further, the employee must remain mindful of the fact that all electronically stored communication in City computers is City property and employees have no expectation of privacy whatsoever in any message, file, data, document, social media post, or other kind of communication received, stored, or recorded in any manner on the City's computers. Finally, electronically stored information on City computers is subject to public inspection and disclosure.

Retaliation Prohibited

The City prohibits retaliation against any employee who reports violations of this policy or who cooperates with an investigation into alleged violation of this policy.

11.200 Information Technology Usage

Purpose

The intent of the Information Technology Usage Policy is to define the appropriate and acceptable use of technology at the City of Redmond and to ensure that the City complies with all legally mandated requirements. It outlines the responsibilities of those who work for and on behalf of the City in contributing to the maintenance and protection of its information resources in a secure, stable and cost-effective manner.

Policy Scope

The City of Redmond's Information Technology Usage Policy defines the oversight, use and protection of the City of Redmond's computing equipment, network, voice, electronic communications and data repositories. This includes the acquisition, access and use of all software, hardware and shared resources, whether connected to the network, configured off the network, or while in transit (mobile).

It applies to all those who work on behalf of the City of Redmond including, but not limited to, employees, contractors, consultants, temporaries, supplemental employees, volunteers and other workers including all personnel affiliated with third parties, hereafter referred to as the user. This policy also applies to all equipment that is owned or leased by the City regardless of project and program funding sources.

Acquisition of Technology Resources

No technology resources including, but not limited to, software, hardware, cloud services, portable devices, removable devices and related maintenance and support contracts, may be purchased or used in connection with City business without first obtaining authorization from the Technology and Information Services Department

(TIS). An employee desiring to obtain a technological resource should first contact the Service Desk.

Access to Technology Resources

- Passwords: Users are responsible to establish and maintain passwords consistent with the City's standards. A user who forgets his or her password should contact the Service Desk from an internal City telephone for assistance, use the password reset tool available on the City's Intranet or the password reset tool available online. User accounts and passwords represent your identity and should not be shared with anyone. This prohibition on sharing of passwords applies even in emergent situations. In the event access to a user account is necessary while an employee is away or otherwise unavailable, the Service Desk should be contacted.
- Logging off: Users should lock their computer by pressing the Windows  and L key simultaneously or log off their computer whenever they leave their work station to prevent unauthorized activity. All users should log off of their computer and leave it powered on at the end of their shift to enable off-shift maintenance and security updates.
- Responsibility for access: All activity resulting from device, network or software application access is the responsibility of the person assigned the user account.
- Personal hardware and devices: Personal hardware and devices should not be connected to the City's computers by any employee.
- Personal software: Personal software should not be installed on the City's computers by any employee.

Security of Technology Resources

Effective security requires the participation and support of every user in the organization. It is the responsibility of every user of City technology to remain vigilant in their awareness and protection of the City's technology resources. Specific due diligence requirements are outlined below:

- Intruding or attempting to intrude into any gap in system or network security is prohibited. Sharing of information with others that may facilitate their unauthorized access to the City's data, network or devices, or their exploitation of a security gap, is also prohibited.
- User accounts and passwords may not be shared.
- It is the responsibility of each user to prevent unauthorized access to personal, sensitive or confidential information that could present a risk of identity theft, thus jeopardizing a person's privacy, financial security or other interests.
- In general, it is not permissible to download personal, sensitive or confidential information to any removable/portable device, including laptop computers, USB devices or thumb drives unless access to that information is within the scope of your job, and the data or device is encrypted. Transmitting personal,

sensitive or confidential data in part or full via e-mail or other unencrypted medium is prohibited. Personal, sensitive or confidential data should be stored in a file folder or SharePoint site that is accessible only to those who need to view it.

- Prior to accessing a removable device such as a USB or thumb drive, other mobile devices, cameras, etc., the user should scan for viruses and malware to avoid infecting the City's systems.
- Leaving personal, sensitive or confidential information exposed to view while unattended, either on paper or on screen, is prohibited.
- Whenever possible, laptop and desktop hard drives and removable devices should only contain *copies* of source files, not the original file. Original source files should be stored on the City's network or within SharePoint sites to ensure they are backed up to prevent loss.
- Lost or stolen computers, laptops, mobile devices, etc. must be reported immediately to the local Police Department. A report should also be made to a supervisor, manager or director and to the TIS Service Desk at 425-556-2929 at the first available opportunity.
- Lost or stolen devices (including portable media such as thumb drives, CDs, DVDs) or hardcopy reports that contain personal, sensitive or confidential information and/or information that is subject to Payment Card Industry Data Security Standards (pertaining to processing of credit card payments), the Health Insurance Portability and Accountability Act (see [Chapter 16 HIPAA Privacy and Security Policy](#) of this Manual), Criminal Justice Information Services Security Policy, or other legal mandate should be reported immediately to the TIS Service Desk at 425-556-2929 to determine any action that must be taken under those regulations.

Use of Technology Resources

The City's technology resources are City property and are intended to be used for the conduct of City business.

Use of City technology resources is not permitted when the use is related to the conduct of an outside business; is for the purpose of supporting, promoting, or soliciting for any non-City sponsored outside organization or group; religious, campaign or political use; commercial use; to conduct illegal activities; any entertainment use; use which results in the City being placed on electronic mailing lists related to prohibited uses; downloading personal email to the City's system or attaching a personal email box.

Limited personal use is permitted as long as the use does not result in a cost to the City, does not interfere with the user's responsibilities and fulfillment of job duties, is brief in duration and frequency, does not distract from the conduct of City business, and does not compromise the security or integrity of City information or software. It is strongly advised that personal devices should be used to access the Internet or personal email while on breaks.

When using City technology it is a good idea to ask yourself this question: Can I directly support a work purpose for this use? If the answer is yes, there should be no problem. If the answer is no, you probably shouldn't do it unless you are confident that the use is permitted as a limited personal use described above. If you have questions about the appropriateness of using City technology resources for any particular purpose, contact the Technology and Information Services (TIS) Director or designee for guidance.

There is no right to privacy when using the City's technology resources, whether for City business or incidental personal use. The City owns all data stored on its network and peripheral devices and reserves the right to inspect and monitor any use at any time (examples include e-mail, voice-mail, internet logs, computers, laptops, mobile devices, etc.).

Internet and Intranet Usage

- Content and images posted on the City's intranet and Internet sites should conform to the same professional standards as with written business correspondence. A professional tone should prevail.
- All information that is posted, copied or shared, either on the City's Intranet, servers and desktops, the City's website or social media sites, should conform to laws that govern copyrighted materials including, but not limited to, photographs, magazines, books, music or the installation of any software for which the City does not have an active license.
- The installation of pirated software is prohibited.
- Web usage that significantly impacts network bandwidth may be restricted. Individuals should utilize only the City's tools (such as the City-standard browser) and recommended best practices to manage their connections when viewing, downloading, sharing and printing information to ensure that these shared resources are not negatively impacted.
- Any attempt to misrepresent one's identity on the Internet (via newsgroups, chat rooms, blogs, etc.) is prohibited.

Examples of Permissible Internet and Intranet Use

The following are examples of Internet/intranet use that will be allowed, so long as the previously stated permissible use requirements are met:

- Use of the Internet to view job announcements.
- Viewing the City intranet page to learn about City Wellness Programs.
- Use of the Internet to investigate issues surrounding an employee's commute. This could include viewing pages at Metro to learn about transit schedules or WSDOT to look at freeway traffic conditions.
- Use of the Internet to check the weather for the upcoming weekend.
- Use of a City computer to do some comparative shopping during your break.

Examples of Impermissible Internet and Intranet Use

- Use of the Internet to access nude or sexually explicit materials (text, photographs, graphics, etc.) that are not related to the user's job duties.
- Supporting, promoting, or soliciting for any non-City sponsored outside organization or group.
- Conducting illegal activities.
- Engaging in activity that would violate the City's ethics and/or conflict of interest policies.

E-mail Use

- E-mail communications should conform to the same professional standards as with written business correspondence. A professional tone should prevail.
- Minimal personal use of the City's email system is permitted. However, personal e-mail must conform to limited use standards and may not be related to activities listed as prohibited uses.
- Use of e-mail systems other than the City's email system to conduct City business is not advised due to records retention and public disclosure laws.
- E-mail is considered a public record and is subject to disclosure under Washington State law. Managing individual e-mail storage and retention is the responsibility of each individual, consistent with the City's document and records-retention guidelines. Users should avoid unnecessary e-mail traffic and are encouraged to minimize the size of attachment files and use network drives or SharePoint sites to share file attachments-
- The City-wide (!_City) e-mail distribution list should be used for critical and time-sensitive City business information only.
- Any attempt to misrepresent one's identity when using City e-mail is prohibited.

Examples of Permissible E-mail Use

The following are examples of e-mail use that will be allowed, so long as the previously stated permissible use requirements are met.

- Sending an e-mail communication home to make sure one's children have arrived safely from school.
- Receiving an e-mail from a son or daughter, who is away at college, solely for the purpose of telling the parent he or she is coming home for the weekend.
- When the user had planned to fly to visit relatives but flight plans have changed, and the user sends an e-mail solely for the purpose of informing the relative of the new arrival time.
- Use of City e-mail to solicit for a charity or fundraiser must be approved by the Mayor for City-wide distribution or department director for departmental distribution.

Examples of Impermissible E-mail Use

- Use of City e-mail to conduct illegal activities.
- Use of City e-mail to conduct an outside business.
- Engaging in activity that would violate the City's ethics and/or conflict of interest policies.
- Use of City email to campaign in support of or in opposition to a political candidate or ballot issue.

Text and Instant Message Use

- Text and instant messages should conform to the same professional standards as with written business correspondence. A professional tone should prevail.
- The use of Text Messaging and Instant Messaging to conduct City business from personal cell phones is prohibited. This prohibition applies even if the employee receives a stipend from the City to use the personal cell phone. The rationale behind this prohibition is that text messaging and instant messaging on personal cell phones are not backed up on the City's server but, nevertheless, are government records subject to records retention laws and the [Public Records Act, RCW 42.56](#).
- Text and Instant Messaging for conducting City business is permitted only on City equipment.
- Text and instant messaging should be used for transitory communication only.
- Any attempt to misrepresent one's identity when using City text or instant messaging is prohibited.

Examples of Permissible Text and Instant Message Use - City-Owned Devices Only

- "I'll be late to the meeting."
- "I'll meet you at 9:00."
- "Are you available for a quick chat?"

Examples of Impermissible Text and Instant Message Use

- "I authorize you to spend the \$300,000 for that project."
- "City Council should authorize the ordinance pertaining to homelessness."
- Sending content (photo) that is subject to records retention laws instead of using email.

Reporting and Administration

Anyone who observes or suspects a violation of these policies and requirements, or a potential gap in security or protection of the City's assets or data, should immediately make a report to their department supervisor, a manager or director, or the Human Resource Department. Failure to do so may result in disciplinary action up to and including termination of employment.

Exceptions to this Information Technology Use Policy

Requests for exceptions to any provision of this Technology Usage Policy must be submitted in writing by a department director to the TIS Director. Exceptions require the approval of both the requesting department's director and the TIS Director. Approvals must be documented in writing and limited in duration to provide for periodic re-evaluation.

11.210 Security Communication Procedures

Reporting an Emergency

In the event an employee becomes aware of an emergency event that threatens employee(s) and/or life safety, the employee should call 911 as soon as making the call can be safely accomplished. The employee is encouraged to be prepared to provide any details the 911 dispatcher may ask for such as a description of the incident, a description of the persons or vehicles involved, and the location of the incident.

Reporting a Non-Emergency

In the event an employee becomes aware of a non-emergency situation in which there is no safety risk to employee(s) and/or people, employees can report the situation to his/her supervisor.

Reporting a Lost or Stolen Key Card

If an employee's key card is lost or stolen, the employee should timely report the missing card to the Service Desk at extension 2929. Service Desk staff will deactivate the card in order to prevent unauthorized access to City facilities.

Chapter 12 - DISCIPLINE

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12.10 Cause for Discipline

The primary mission of every City employee is to provide courteous, orderly, efficient, and economic delivery of services to the citizens of the City. All employees are expected to exercise good judgment, loyalty, common sense, dedication, courtesy, and professionalism in the performance of their duties. Generally, cause for discipline includes either poor performance or misconduct. Specific grounds for discipline may include, but are not limited to:

- Fraud or dishonesty in securing employment;
- Incompetence, inefficiency, negligence or dereliction of duty;
- Insubordination (unwillingness to submit to authority) or willful disobedience;
- Dishonesty;
- Being under the influence of or consuming any alcoholic beverage while on duty (except for authorized undercover police officers);
- Unlawfully possessing, selling, or using any illegal drug or being under the influence of any drug, except as authorized by a physician;
- Unauthorized leave of absence, continued tardiness, or abuse of sickleave or other leaves;
- Conviction for any felony, or a misdemeanor involving moral turpitude;
- Discourteous treatment of the public or other employees;
- Use of City resources or time for political activity;
- Misuse or abuse of City property or waste of public funds;
- Failure to hold and maintain required licenses, certifications or endorsements;
- With the exception of commissioned law enforcement personnel, City employees are prohibited from carrying firearms and/or explosives into City workplaces (even if the workplace is not owned or leased by the City) and/or in City vehicles;
- Solicitation or acceptance of gifts or gratuities having more than de minimis value;
- Violation of any provision of the Redmond Personnel Manual.

12.20 Progressive Discipline and Types of Discipline

The City endorses the practice of progressive discipline in which the supervisor, manager, or department director attempts to provide employees with notice of deficiencies and an opportunity to improve their performance or behavior. However, the City's endorsement of the general principle of progressive discipline does not restrict the City's right to impose any level of discipline up to and including termination if warranted by the poor performance or misconduct at issue.

Where progressive discipline is appropriate, the City will generally proceed through the following steps of discipline; however, as stated above, the City has the sole discretion to follow some, none, or all of the following steps:

1. Oral warning. If an employee is not meeting standards of behavior or performance, the supervisor or manager may meet with the employee to discuss the matter. The employee should be informed of the nature of the problem and the action necessary to correct it. The oral warning should be documented in writing and maintained in the supervisor's working file. This document may be removed after one year if there is no recurrence of the behavior that resulted in the oral reprimand.
2. Written reprimand. A written reprimand is a reprimand that is documented and placed in the employee's central personnel file. This document may be removed after one year if there is no recurrence of the behavior that resulted in the written reprimand.
3. Reduction in pay. A disciplinary reduction in pay is a change to a lower pay amount in the same classification. A disciplinary reduction in pay shall not exceed three calendar months at five percent (5%). Records pertaining to any disciplinary action impacting an employee's pay shall be permanently maintained in the employee's central personnel file. Any such records may be removed six years following the employee's separation from employment. Reduction in pay does not apply to employees in the Fire IAFF union.
4. Suspension without pay. An employee suspended from City service forfeits all pay during the period of the suspension. However, the employee remains entitled to all benefits and the employee's seniority date remains unchanged. A suspension without pay shall not exceed sixty calendar days. Suspensions imposed upon FLSA-exempt employees should be in one-week increments. Records pertaining to any disciplinary action impacting an employee's pay shall be permanently maintained in the employee's central personnel file. Any such records may be removed six years following the employee's separation from employment.
5. Demotion. A disciplinary demotion is a change to a position in a different classification with less responsible duties, lower qualifications, and a lower rate of pay. Records pertaining to any disciplinary action impacting an employee's pay

shall be permanently maintained in the employee's central personnel file. Any such records may be removed six years following the employee's separation from employment.

6. Termination. Records pertaining to any disciplinary action impacting an employee's pay shall be permanently maintained in the employee's central personnel file. Any such records may be removed six years following the employee's separation from employment.

12.30 Disciplinary Authority

Supervisors

Supervisors may issue oral and written reprimands to employees in their chain-of-command. Supervisors may recommend more severe disciplinary action to their respective Department directors.

Department Directors

Department directors may issue oral warnings, written reprimands, reductions in pay, suspensions without pay of up to thirty days, and demotions. Department directors may also recommend that the Mayor impose more severe forms of discipline up to and including termination.

Mayor

The Mayor has full disciplinary authority and may impose oral warnings, written reprimands, reductions in pay, suspensions without pay of up to sixty days, demotions, and terminations.

12.40 Disciplinary Procedure

Notice / Loudermill Notice

Prior to imposition of any discipline having a monetary impact (i.e., a reduction in pay, suspension without pay, demotion, or termination, the department director or the department director's designee must advise the employee in writing of the alleged facts and that disciplinary action is being contemplated. The written notice must specify a time and place for a pre-discipline conference.

Pre-Discipline Conference / Loudermill Conference

After receiving notice of the allegations, the employee is entitled to a pre-discipline conference. At the conference, the employee has the opportunity to present his or her version of the facts as well as to present any reasons why he or she believes discipline should not be taken. If the employee fails to attend the pre-discipline conference, the

disciplinary process may continue without input from the employee.

Written Decision

Within ten working days after the pre-discipline conference, the department director or the Department director's designee shall provide the employee with a written decision as to (1 whether there are reasonable grounds to conclude that the factual allegations against the employee have merit and, if so, (2 a decision to either:

- Issue an oral warning, written reprimand, reduction in pay, suspension without pay of up to thirty days, demotion, or
- Provide a recommendation that the Mayor issue a more severe form of discipline, i.e., a suspension without pay in excess of thirty days or termination.

Mayor's Decision

After receiving a recommendation for disciplinary action from a department director, the Mayor will issue a determination. The Mayor's decision is final.

12.50 At-Will Employees

At-will employees serve at the pleasure of the department director and/or Mayor. Therefore, in the event an at-will employee is separated from employment, the at-will employee does not have access to the Dispute Resolution Procedure described in [Section 2.70 Dispute Resolution Procedure](#).

At-will employees are identified in At-Will Status Sections [3.130](#), [4.20](#), and [5.20](#).

Chapter 13 - SEPARATION

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13.10 Resignation

Voluntary Resignations

An employee wishing to leave employment in good standing should provide his or her immediate supervisor with a written notice of resignation at least two weeks before leaving City employment. The written notice of resignation must specify the effective date of the resignation. Failure to provide two weeks' notice usually renders the employee ineligible for reemployment. However, the two-week notification requirement may be waived by the department director.

Implied Resignation

An employee will be considered to have resigned employment under the following circumstances:

- An absence of three or more consecutive working days without notice to the City.
- A failure to return from layoff upon recall (as explained in [Section 13.20 Layoff](#) of this Manual).

13.20 Layoff

Regular employees may be laid off due to a reorganization of City structure or a shortage of funds.

Selection of Employees for Layoff

Employees within a classification will be laid off in inverse order to their value to the City. If value to the City is equal, then seniority will govern. Any assertion by an employee that their selection for layoff was in bad faith is subject to the dispute resolution procedure described in [Section 2.70 Dispute Resolution Procedure](#).

Notification

Employees to be laid off are, whenever possible, provided thirty calendar days' notice.

Recall

Employees on layoff will be eligible for recall for one year after the effective date of the layoff. If the City desires to recall an employee, it shall attempt to contact the employee at their last known phone number. If the employee does not answer the call or promptly respond to a voice mail, the City will attempt to notify the employee of the recall by both U.S. mail to the employee's last known address and email to the employee's last known personal email address. The employee has fourteen days after the notice is sent to accept the recall. If the employee fails to respond within fourteen days or rejects the recall, the employee shall be considered to have forfeited any remaining right to recall.

13.30 Disciplinary Dismissal

Disciplinary actions, including dismissal of employees for disciplinary reasons, are described in [Chapter 12 Discipline](#).

13.40 Retirement

Eligibility

Retirement eligibility rules are established by the retirement system in which an employee participates. Employees should check with the Washington State Department of Retirement Systems for eligibility rules.

Special Provisions for PERS I Employees

For retiring PERS I employees, the date of separation is adjusted by accrued but unused vacation, floating holiday, and sick leave as described in [Section 7.120 Retirement Bonus Pay](#) of this Manual.

Disability Retirement

The City has a Long-Term Disability Plan. If a regular employee suffers a disabling condition, the employee may qualify under the terms of the Plan for disability retirement benefits. The terms of the Plan should be reviewed for specific applicable criteria in each specific instance. An employee who believes he or she may qualify is encouraged to consult with the Human Resources Department for further information.

Chapter 14 - PERSONNEL RECORDS AND REPORTS

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14.10 Central Personnel Files

A central personnel file for each employee is created and maintained by the Human Resources Department. The central personnel file is the City's official record for each employee. The Human Resources Department is responsible to oversee record keeping for all personnel information and will determine what information should be collected and how it should be stored and secured.

14.20 Department Working Files

Departments may create and maintain working files pertaining to each department employee. Department working files are not part of, and may not substitute for, the employee's central personnel file. Employees have the same access to department files as to their central personnel file.

14.30 Employee Duties Regarding Personal Information

Employees are responsible to notify the Human Resources Department in writing concerning changes to any of the following:

- Name,
- Address,
- Telephone number,
- Personal email address,
- Marital status (for benefits and tax withholding purposes),
- Number of dependents,
- Address and telephone numbers of dependents and spouse or domestic partner, or former spouse or domestic partner (for insurance purposes),
- Beneficiary designations for any of the City's insurance and disability plans, and for the Washington State Department of Retirement Systems retirement plans, and

- Persons to be notified in case of emergency.

Failure to timely notify the Human Resources Department of changes to personal information may adversely impact the City's ability to communicate with relevant individuals when necessary. For example, in the event of a medical emergency resulting in an employee's hospitalization, the City may be unable to timely notify the employee's spouse or partner if that information has not previously been provided.

Additionally, 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.

14.40 Supervisory Duties Regarding Reporting of Personnel Actions

Supervisors and/or managers are responsible to report to the Human Resources Department within ten working days every appointment, transfer, promotion, disciplinary action, demotion, suspension, change in compensation, resignation, or any other change in employment status.

14.50 Records Retention

Policy

Personnel records shall generally be retained for the time periods specified in state and federal records retention laws. Actual retention periods may be extended by receipt of a complaint or grievance, when litigation is commenced or reasonably anticipated, when the City is provided a litigation hold notice, or when management deems it necessary to retain the record in order to facilitate the orderly administration of the City.

14.60 Employee Access

Inspection

Employees may inspect their own personnel records and may request copies, but must not remove, documents in the file. A request to inspect the central personnel file must be made to the Human Resources Department and will be scheduled at a mutually convenient time. All inspections of the employee's central personnel file must be conducted in the presence of a designated member of the Human Resources Department. A reasonable charge, not to exceed the actual cost to the City, may be imposed for copies of records.

A request to inspect a department file pertaining to a particular employee must be made in writing to the employee's immediate supervisor or the department director and will be scheduled at a mutually convenient time. All inspections of the department file must be conducted in the presence of a department designee. A reasonable charge, not to exceed the actual cost to the City, may be imposed for copies of records.

Removal or Rebuttal of Information

An employee who believes that a document in his/her central personnel file contains incomplete, inaccurate, or irrelevant information may submit a written request to the Human Resources Director that the document be removed. If the Human Resources Director denies the employee's request, the employee may place a written statement of disagreement in his/her central personnel file.

An employee who believes that a document in his/her department file contains incomplete, inaccurate, or irrelevant information may submit a written request to any person in the employee's chain-of-command that the document be removed. If management denies the employee's request, the employee may place a written statement of disagreement in his/her department file.

14.70 Disclosure of Employee Records

Generally, only the employee, the employee's supervisors, managers, department director, the Mayor, the City's legal counsel, and employees of the Human Resources Department have access to the central personnel file. However, records in an employee's central personnel file may be subject to disclosure pursuant to discovery requests made in the litigation context or, in some instances, when requested pursuant to the Public Records Act. In order to protect employees' privacy, absent a court order, certain information/documents will not be released to the public even if a request for disclosure of public records has been made. For example, the employee's address and home phone number will not be released. In the event an employee's address and home phone number is included on a document that must be disclosed, the address and home phone number will be redacted prior to disclosure. Upon receipt of a written public records request for documents in the central personnel file of an individual who remains a current employee of the City, the Human Resources Department will notify the affected employee prior to disclosure of the record.

14.80 Employment Verification and Reference Checks

The Human Resources Department will verify employment of current and former employees upon request from prospective employers, or financial organizations (such as banks, mortgage companies and credit bureaus), and other government entities. Unless the employee has provided written consent to provide additional information, or unless required by law, the Human Resources Department provide only the following information:

- The employee's full name;
- Dates of employment;
- Job title and/or classification;
- Rate of pay.

Supervisors and managers may, at their discretion, respond to reference inquiries

from prospective employers of current and former City employees. Prior to responding to reference inquiries, supervisors and managers are encouraged to obtain a waiver signed by the current or former employee releasing the City and the supervisor from liability. The supervisor or manager should retain a copy of the release for two years.

Chapter 15 - HEALTH AND SAFETY

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15.10 Health and Safety Policy

The policy of the City is to provide a healthy and safe work environment for its employees. The City is responsible to establish a safety committee to communicate and evaluate health and safety issues brought up by employees. To provide a safe and healthy workplace free from recognized hazards, the employer shall:

- Provide a workplace free from recognized hazards.
- Provide and use means to make the workplace safe.
- Prohibit employees from entering, or being in, any workplace that is not safe.
- Construct the workplace so it is safe.
- Prohibit alcohol and narcotics from the workplace.
- Prohibit employees from using tools and equipment that are not safe.
- Establish, supervise, and enforce rules that lead to a safe and healthy work environment that are effective in practice.
- Control chemical agents.
- Protect employees from biological agents.

This is in accordance with [WAC 296-800-110](#).

Note: Employees may discuss and participate in any WISHA safety and health related practice and may refuse to perform dangerous tasks without fear of discrimination. Discrimination includes: dismissal, demotion, loss of seniority, denial of a promotion harassment, etc.

15.20 Employee Responsibilities

All City employees are generally responsible to conduct their work in a safe manner, to comply with all applicable safety and health rules, and to promptly report any unhealthy, unsafe, or potentially hazardous condition of which they become aware to their immediate supervisors. More specifically, employees must:

- Study and follow all safe practices that apply to their work;

- Participate in department safety programs and trainings;
- Coordinate and cooperate with all other employees in the workplace to try to eliminate on-the-job injuries and illnesses;
- Apply the principles of accident prevention in their daily work and use proper safety devices and protective equipment as required for their position and/or by their supervisor;
- Take care of all personal protective equipment (PPE) properly;
- Not wear torn or loose clothing while working around machinery;
Note: Things such as clothing, hair, and jewelry can get caught in machinery and be a hazard on the job.
- Report promptly to their supervisor every industrial injury, occupational illness, and accident involving a City vehicle or damage to City property;
- Not remove, displace, damage, or destroy or carry off any safeguard, notice, or warning provided to make the workplace safe;
- Not interfere with use of any safeguard by anyone in the workplace;
- Not interfere with the use of any work practice designed to protect them from injuries;
- Do everything reasonably necessary to protect the life and safety of employees.

This is in accordance with [WAC 296-800-12005](#).

15.30 Safety Committees

City-wide Safety Committee Authority and Duties

In order to promote a safe work environment for all employees, and to comply with [WAC 296-800-130](#), a City-wide Safety Committee has been created. The Committee advises the Mayor and all City departments on matters related to City safety policies and programs. The City-wide Safety Committee's authority and responsibilities include the following:

- Updating and modifying safety policies;
- Monitoring compliance with industrial safety and health laws, tracking City injury and accident trends and overseeing accident and safety reporting;
- Recommending annual safety goals, training priorities and communication programs;
- Establishing and monitoring mandatory accident and claims investigation programs and central reporting of unsafe conditions;
- Monitoring Safety Subcommittee program activities and coordinating interdepartmental efforts.

City-wide Safety Committee Membership

The City-wide Safety Committee includes the City's Risk Manager, the Chair of each Safety Subcommittee, the Human Resources Director, and other members as the Mayor may appoint. The City-wide Committee must include both employer-selected and

employee-elected members. The number of employee-elected members must equal or exceed the number of employer-selected members. The term of employee-elected members must be a maximum of one year. However, there shall be no limit to the number of terms a representative can serve. If there is an employee-elected member vacancy, a new member must be elected prior to the next meeting of the City-wide Safety Committee. The Human Resources Director serves as the Committee's principal staff. The Committee selects its own Chairperson.

City-wide Safety Committee Meetings

The City Safety Committee may meet as frequently as needed, but at least every three months. The Committee shall elect, from within its membership, a Chairperson who will serve a one-year term. The Committee Chairperson is responsible to call for meetings of the Committee.

The subjects discussed and a record of those in attendance at each meeting must be memorialized in Committee minutes. The Committee Chairperson is responsible to see that meeting minutes are kept. The minutes must be preserved for one year. The minutes shall be made available for review by the safety and health consultation personnel of the Department of Labor and Industries.

Safety Subcommittees

In addition to the City-wide Safety Committee, the City has created four safety subcommittees to address the unique safety needs of the varied workplaces throughout the City. The four Safety Subcommittees include:

1. MOC Safety Subcommittee: oriented to the unique safety needs of Public Works and Parks Operations employees working out of the MOC.
2. Fire Safety Subcommittee: oriented to the unique safety needs of Fire Department employees.
3. Police Safety Subcommittee: oriented to the unique safety needs of Police Department employees.
4. City Hall Safety Subcommittee: Oriented to the unique safety needs of employees working at City Hall as well as employees not represented by one of the other three subcommittees. That is, the City Hall Safety Subcommittee is oriented to the safety needs of employees in the following departments: Finance, Planning, Human Resources, Technology and Information Services, Executive, Public Works and Parks and Recreation employees not assigned to the MOC, and any employees not otherwise represented.

Each of the safety subcommittees serve as an advisory panel to the department directors whose employees they represent. Each safety subcommittee is responsible to comply with the requirements of [WAC 296-800-13020](#) as well as to:

- Review and analyze accident investigation reports for:

1. Accuracy and completeness;
 2. Identification of trends and problem areas.
- Review safety inspection reports, job safety analyses, supervisor safety observation reports and employee suggestions for:
 1. Possible changes in practices or procedures;
 2. New or revised safety procedures;
 3. Need for protective devices or equipment;
 4. Need for training.
 - Recommend safety program enhancements and training activities.
 - Develop practical inspection procedures and assist with inspections when directed by the department director(s).
 - Provide regular reports to the department director(s) on progress of the safety program and comparative safety records of work crews and other segments of the department(s).
 - Coordinate department safety activities with the City-wide Safety Committee.

Safety Subcommittees include both management and non-management employees. Department directors appoint management members and employees elect employee members. Each subcommittee selects its own chairperson. The chairperson of each subcommittee also serves as a liaison to, and member of, the City-wide Safety Committee.

Safety Subcommittees meet monthly. The subjects discussed and a record of those in attendance at each meeting must be memorialized in subcommittee minutes. The minutes must be preserved for one year. Copies of the minutes are to be forwarded to the department director(s) of the employees represented by the Subcommittee.

15.40 Accident Prevention Program

In addition to the City-wide Safety Committee and various Departmental Safety Committees, the City has developed and will maintain an Accident Prevention Program as required by [WAC 296-800-140](#). The City's Accident Prevention Program is outlined in writing and is tailored to the needs of each department's workplaces and operations and to the types of hazards that may be present. The Accident Prevention Program must include:

A safety orientation:

- A description of the City's total safety and health program;
- On-the-job orientation showing employees what they need to know to perform their initial job assignments safely;
- How and when to report on-the-job injuries including instruction about the location of first-aid facilities in each workplace.
- How to report unsafe conditions and practices.
- The use and care of any required personal protective equipment.

- What to do in an emergency, including how to exit the workplace.
- Identification of any hazardous gases, chemicals, or materials used on-the-job (See [Chapter 296-901 WAC](#)), instruction on the safe use of any hazardous gases, chemicals or materials used on the job, and instruction on emergency action to take if an accidental exposure occurs.

A plan for the development, supervision, implementation, and enforcement of safety and health training programs that are effective in practice. The plan must:

- Improve the skill, awareness, and competency of all City employees in the field of occupational safety and health;
- Make sure that training includes on-the-job instruction to employees prior to their job assignment about hazards such as:
 - Safe use of powered materials-handling equipment such as forklifts, backhoes, etc.
 - Safe use of machine tool operations;
 - Use of toxic materials;
 - Operation of utility systems.

15.50 Hazard Communication Program

Each department having hazardous materials in the workplace must develop, implement, and maintain at each workplace, a written hazard communication program complying with [WAC 296-901-14010](#).

15.60 Payments to Injured Workers

Policy

Employees receiving time-loss payments pursuant to Labor & Industries regulations after suffering an injury in the workplace are eligible to use accrued leave to cover any shortfall between their regular base rate of pay and time-loss payments received. Any amount paid out by the City will be charged to sick leave, compensatory time-off, or vacation. When the employee's paid leave accounts are exhausted, City's payment will cease. An employee may not receive more pay while on time loss than the employee would have received had he or she not been injured. If an employee desires his or her paid leave balances not to be utilized, that employee must notify Payroll in writing at the start of the time-loss period.

Method of Reimbursement

On receipt of time-loss payments, the employee shall endorse those payments to the City.

Continuation of Benefits

During time-loss leave, an employee's benefits will be paid by the City and the

employee will continue to accrue sick leave and vacation leave so long as the employee remains on the City's regular payroll.

Time-loss Leave

Employees without a paid leave balance, and employees who choose not to draw against their accrued paid leave balances, may request time loss leave without pay. No vacation, sick leave or other benefits accrue while an employee is on time loss leave without pay, except that the injured worker and his or her dependents remain eligible for City health benefits for up to six months from the date of the on-the-job injury. During this six-month period, the City will continue to pay its portion of the employee's health insurance premiums. Employees on unpaid time loss leave retain their State Worker's Compensation payments.

Disability Leave Supplement for Police Officers and Firefighters

Police Officers and Firefighters on time-loss receive payment of a "disability leave supplement" as described in [RCW 41.04.500-550](#).

State Denial of Eligibility

In the event the State denies an employee's eligibility for Worker's Compensation payments, the employee's absence from work and continuation of health care benefits will be handled under the City's sick leave policy.

15.70 Accident/Injury Reporting

When Required

Employees must notify their supervisor and complete (or have completed for them) a City accident/injury report when any of the following occur:

- The employee suffers any job-related injury or illness;
- The employee is involved in any accident using a City vehicle or equipment;
- The employee is involved in or becomes aware of any accident or event damaging City property or equipment.

Procedure

City accident/injury reports are promptly completed by employees. Reports are turned into the employee's supervisor, then forwarded to Risk Management within 48 hours. The form is available on the City's intranet or from the Finance/Risk Management Department.

In the event of a serious incident involving personal injury or major property damage, the employee should immediately call 911. The employee should never admit fault,

imply that the City is responsible, or agree to pay for damages. The employee should not give an explanation as to why an accident happened to a victim or any witnesses. Except for mandatory reporting to law enforcement as required by State law, employees should refrain from discussing the incident with anyone other than their supervisor, City management, the City Attorney, or a union representative.

Reports

An employee who receives medical attention for a job-related injury must also complete a Self-Insured Accident Report (SIF-2), and a Provider's Initial Report (PIR). These forms are available on the City's intranet or from the Human Resources Department.

Supervisor follow-up

When notified by an employee of a work-related injury or an accident involving a City vehicle or damage to City property, the supervisor must immediately investigate. The supervisor sees that the proper forms are completed and obtains estimates of property or vehicular damage. Supervisors inspect accident/injury scenes and collect as much vital information as possible, including photographs of the scene, witness names, statements, addresses, and phone numbers, and other relevant information.

Employee Duty to Cooperate in Investigations

Employees are expected to cooperate with any internal investigation that occurs, and to give honest and complete answers in response to all inquiries.

Chapter 16 - HIPAA PRIVACY AND SECURITY POLICY

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The City is required to comply with the Health Insurance Portability and Accountability Act (“HIPAA”) due to its operation as both a health care provider for emergency medical services (EMS) and as a sponsor of a self-insured health plan (RedMed). Accordingly, the City has adopted HIPAA Privacy and Security Policies and Procedures to protect the privacy of both patient information and employee information related to the provision of health care benefits, known under HIPAA as protected health information (“PHI”). These HIPAA Privacy and Security Policies and Procedures are maintained by the Fire Department as an EMS provider and by the Human Resources Department for the City’s self-insured health plan.

To summarize, City employees who, as part of their job functions, are authorized to access, use, or disclose PHI pertaining to individuals seen by the City’s EMS providers or employee health information obtained by the City through its function as a self-insured health plan, are required to protect this information from unauthorized use and disclosure and adhere to the HIPAA Privacy and Security Policies and Procedures. These policies and procedures apply to:

1. The Fire Department as a health care provider because it provides emergency medical services.
2. The Human Resources Department because of its access to employee health benefits information through its role as the sponsor of the self-insured health plan.
3. Departments which support the Fire and Human Resources Departments and who have access to PHI, including the Information Services Department.

Access, use and disclosure of PHI without authorization is prohibited. Failure to comply with the HIPAA Privacy and Security Policies and Procedures may result in disciplinary action, up to and including termination of your employment. If you have questions about access, use, or disclosure of protected health information contact the Human Resources Department before you act.

HIPAA does not apply to health information the City has for some other reason, such as because the City is an employer or because of Worker’s Compensation. Other rules and regulations address the privacy of health information in other contexts, such as under the Family Medical Leave Act, the Americans with Disabilities Act, or the Industrial Insurance Act. If you have questions about any of the other privacy laws or rules, please contact the Human Resources Department.