



Bainbridge Island  
Metro Park & Recreation District

# Bainbridge Island Metropolitan Park and Recreation District

## Personnel Policies

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- a. Grounds**
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**Policy Name:** Personnel  
**Policies**  
**Section:** 4000

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**Purpose:** To outline the policies governing the employees of Bainbridge Island Metropolitan Park and Recreation District

**Reference:** Periodic references to Washington State law and other various sources are made throughout these personnel manuals.

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## **MISSION STATEMENT**

The mission of the Bainbridge Island Metropolitan Park and Recreation District is to build a healthy community through effective, sustainable stewardship of the District's parks and open space, and through the development and delivery of innovative cultural and recreation opportunities.

## **POLICY 4001 – GENERAL**

a. Disclaimer — Please Read Carefully

THIS MANUAL IS PROVIDED AS A GUIDE. IT IS NOT INTENDED TO FORM A CONTRACT BETWEEN BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT ("DISTRICT") AND ITS EMPLOYEES. RATHER, IT DESCRIBES THE DISTRICT'S GENERAL PHILOSOPHY CONCERNING EMPLOYMENT POLICIES AND PROCEDURES. NOTHING IN THIS MANUAL IS INTENDED TO BE PART OF THE EMPLOYMENT RELATIONSHIP. THE DISTRICT RESERVES THE RIGHT TO APPLY, INTERPRET AND CHANGE THIS MANUAL AND ITS POLICIES AND PROCEDURES, WITH OR WITHOUT NOTICE, AS IT SEES FIT.

b. Application

Subject to the limitations in the foregoing Disclaimer, this policy manual applies to employees of the District and, where specifically indicated, applicants for employment and former employees. This policy manual does not apply to people who volunteer their services to the District, nor does it apply to people whom the District treats as independent contractors.

c. Equal Employment Opportunity

The District is an equal opportunity employer. Accordingly, the District will make all employment decisions without regard to race, color, sex, creed, sexual orientation, religion, age, marital status, national origin, disability, veteran status, or any other basis prohibited by law.

All employees have a right to work in a discrimination-free environment. Accordingly, the District will treat all employees equally and without regard to race, color, sex, creed, sexual orientation, religion, age, marital status, national origin, disability, veteran status, or any other basis prohibited by law. The District strives to foster and maintain a discrimination-free workplace, and to that end it does not permit or condone unlawful discrimination of any kind, including without limitation harassment or oral or written slurs based upon race, color, sex, creed, sexual orientation, religion, age, marital status, national origin, disability, veteran status, or any other basis prohibited by law. Any employee who feels that he or she has been the victim of unlawful discrimination or who has witnessed unlawful discrimination in the workplace should report this to his or her Division Director or the Human Resources Manager.

d. Drugs and Alcohol

The District is committed to maintaining a drug and alcohol-free work environment. The misuse of drugs and alcohol is a threat to public welfare and the safety of employees. Accordingly, employees are strictly prohibited from possessing, selling, consuming, or being under the influence of illegal drugs or alcohol while operating District vehicles, or engaged in District work. If an employee is taking prescription drugs that may cause drowsiness or impair mental functioning, the employee must inform his or her supervisor so that the supervisor can take appropriate action to ensure that the employee will be able to perform his or her job safely and effectively.

*Drug and Alcohol Testing:* The District's policy regarding testing for drugs and alcohol is as follows:

- Employees who are reasonably suspected of using drugs or alcohol while at work or who appear to be intoxicated while at work may be required to take a blood test, urinalysis or similar examination.
- Employees who work on or near vehicles, machinery or equipment, who handle hazardous materials, or who engage in other activities that implicate public safety may be required to take a blood test, urinalysis or similar examination after they have been involved in an accident or have violated a safety rule or regulation, whether an accident results.

- Employees who work on or near vehicles, machinery or equipment, who handle hazardous materials, or who engage in other activities that implicate public safety may be required to take a blood test, urinalysis or similar examination on a random basis.
- Refusal to take a blood test, urinalysis or similar examinations is grounds for discipline or discharge.
- Switching or adulterating samples provided for testing is grounds for discipline or discharge.

Employees are encouraged to consult with the District's Human Resources Manager to learn about resources and assistance programs available to assist with problems related to drugs and alcohol.

e. Smoking

Smoking is prohibited at all times in District vehicles and buildings.

f. Harassment

All employees have the right to work in an environment free from harassment. Accordingly, the District strictly prohibits any type of harassment, which includes without limitation physical, sexual, written or verbal harassment, as well as conduct that creates an intimidating, hostile or offensive working environment.

*Sexual Harassment:* It is both illegal and against District policy for any employee, male or female, to harass another employee by:

1. Making unwelcome sexual advances or requests for sexual favors, or other verbal or physical conduct of a sexual nature, a condition of an employee's continued employment; or
2. Making submission to or rejection of such conduct the basis for employment decisions affecting the employee; or
3. Creating an intimidating, hostile, or offensive working environment by such conduct.

Any employee or applicant for employment who feels that he or she has been the subject of sexual harassment should report the alleged act to the Human Resources Manager or Executive Director. An investigation of any complaint will be undertaken immediately by the Human Resource Manager or Executive Director and there will be no reprisals taken against an employee or applicant for making a complaint. The question whether a particular action or incident is prohibited behavior or purely a personal, social relationship without any discriminatory employment effect requires a determination based on all the available facts.

Any supervisor or other employee who is found after appropriate investigation to have engaged in sexual harassment of another employee or applicant will be subject to appropriate sanctions, up to and including termination of employment.

a. Non-Fraternization

The District recognizes that a romantic relationship between a manager/supervisor and his or her subordinate may compromise or create a perception that compromises the manager/supervisor's ability to perform his or her job. Accordingly, any relationship of a romantic nature between a manager/supervisor and an employee (i) who is in the manager/supervisor's operational or administrative chain of command or (ii) over whom the manager/supervisor exercises direct or indirect supervisory control is prohibited. Violation of this policy may lead to corrective action, up to and including termination of employment. If these situations arise, they will be evaluated and handled on a case-by-case basis.

Although romantic relationships between a manager/supervisor and a lower level employee (i) who is not in the manager/supervisor's operational or administrative chain of command and (ii) over whom the manager/supervisor does not exercise direct or indirect supervisory control are not addressed by this policy, if such a relationship results in disruption in the workplace, or other performance problems, the District will take necessary action to address the situation.

h. Personnel Files

As provided in RCW 49.12.240 and .250, and subject to the limitations in RCW 49.12.260, an employee is entitled, at reasonable times and intervals, to review his or her personnel file and to request that the District review his or her personnel file to make a determination as to whether there is any irrelevant or erroneous information therein. If the District determines that there is such information in the employee's personnel file, the District shall remove it from the file. If the employee does not agree with the District's determination, the employee may at his or her request have placed in the employee's personnel file a statement containing the employee's rebuttal or correction.

Employees are entitled to a copy of their personnel file. The District may, in its discretion, charge employees a reasonable amount for copying costs.





## **POLICY 4002 – HIRING**

### a. Executive Director

The authority to recruit, hire, evaluate and dismiss the Executive Director is vested with the Board of Commissioners.

### b. Employees

The Executive Director has overall responsibility for District operations, and all District employees are subordinate and accountable to the Executive Director. Accordingly, the authority to recruit, hire, supervise, evaluate, discipline, promote and dismiss District employees is vested with the Executive Director. The Executive Director may delegate some or all of this authority as he or she deems appropriate.

### c. Relatives

For purposes of this section, "relatives" means parents (biological, adoptive, step-parents and parents-in-law), grandparents, children (biological, adoptive and step-children), siblings (biological, adoptive and step-siblings), cousins, aunts, uncles, nieces and nephews. "Relatives" does not include spouses and domestic partners.

The District may hire relatives of District employees; provided, however, that if relatives of the Executive Director are hired, the Board of Commissioners Personnel Committee must approve it in advance; and provided further that no relatives of a member of the Board of Commissioners will be hired by the District. Relatives may not be hired in a position subordinate to another relative.

### d. Spouses and Domestic Partners

The District may, on the basis of marital or domestic partnership status alone, refuse to hire or retain spouses or domestic partners of District employees (i) where one spouse or domestic partner would have the authority or practical power to supervise, appoint, remove or discipline the other, (ii) where one spouse would be responsible for auditing the work of the other, or (iii) where other circumstances exist which would place the spouses or domestic partners in a situation of actual or reasonably foreseeable conflict between the District's interests and their own.

### e. Job Openings

All job openings in the District shall be posted in a visible and prominent location on bulletin boards in the following locations: Administrative Building, Aquatics Center and Parks Services. The posting shall include the title of the position, job duties, pay and benefits, qualifications required, and requirements and deadline for application, if any. In the absence of exigent

circumstances, the District shall not extend an offer of employment to fill a job opening until such job opening has been posted as set forth in this paragraph for at least seven (7) calendar days.

When district job openings are advertised outside of the District it should be by means reasonably calculated to reach the largest pool of potential applicants. The District is not required to publicly advertise a position.

f. Application

Application for employment with the District shall be made by way of a standard form that is available online at [www.biparks.org](http://www.biparks.org) and at the Administrative Building. Resumes will be accepted as attachments to the application. The District shall conduct background investigations of applicants as required by and consistent with the law. All applicants will be notified of the District's decision with respect to their application.

g. Orientation

Every new Full Time or Regular Part Time employee shall have an orientation meeting with the Human Resources Manager or his or her designee within the first two weeks of employment. At this meeting the employee will be provided with a copy of this policy manual, benefit information and general information regarding the District. The employee shall sign for receipt of these materials. In addition, the supervisor of a new employee shall ensure that the employee receives the orientation and training necessary to enable the employee to perform his or her job duties capably and safely.

h. Records

The District shall retain all records relating to application for employment. In the case of an applicant who does not become an employee, the District shall maintain such records for at least three years. In the case of an applicant who does become an employee, such records shall be placed in and become part of the employee's personnel file.



## **POLICY 4003 - HOURS OF WORK**

### a. Work Week

Except for exempt employees (as defined below), the work week shall consist of every day of the week, including weekend days, and the work day shall be 12:01 a.m. to 12:00 a.m. Monday through Sunday.

### b. Exempt Employees

Exempt employees are those employees who by virtue of their job duties and/or compensation are exempt from minimum wage and/or overtime pay requirements. The standards established by state and federal employment law will be used to determine whether an employee is exempt or not, and this determination shall be notated in the employee's job description. Exempt employees are expected to work an 8-hour work day and 40-hour work week; however, exempt employees may find it necessary from time to time to work beyond the normal 8-hour work day and 40-hour work week to carry out the responsibilities of their position. Exempt employees will be provided annually eighty hours of paid administrative leave. Administrative leave does not carry over from year to year.

### c. Non-Exempt Employees

Non-exempt employees are those employees who are not exempt from minimum wage and/or overtime pay requirements. Specific working hours for non-exempt employees shall be established by the Director or supervisors. Full time non-exempt employees are expected to work a 40-hour work week and 8-hour work day within the defined work week and work day periods. Part time non-exempt employees will work according to their regularly scheduled hours as designated by supervisors.

### d. Breaks and Lunch Hour

At a minimum, every employee is entitled to a paid 10-minute break for each four hours of working time, and an unpaid 30-minute meal break for every work period in excess of five hours. If an employee is required to remain on duty or perform a work-related task during the meal break, the employee must be paid for the meal break.

### e. District Closure Policy

#### Inclement Weather Leave

If the District is closed due to inclement weather or natural disaster, Regular (as defined in Section 4005) employees will be paid for such leave time up to a maximum of five working days per year. In the event of inclement weather or natural disaster but the District remains

open, leave time taken by Regular employees will be charged against vacation, sick leave or compensatory time, or taken without pay. If an employee does work during closure, they are not entitled to additional pay or a credit for leave. Any employee already on leave (vacation etc.) is not entitled to any credit or compensation.

#### Loss of Worksite

Employees experiencing an interruption of their work due to loss of their worksite will be reassigned to an appropriate position or location if at all possible. If not possible the Executive Director has discretion to retain Regular employees at their normal rate of pay up to a maximum of five working days. If an employee does work during closure, they are not entitled to additional pay or a credit for leave. Any employee already on leave (vacation etc) is not entitled to any credit or compensation.

#### f. Overtime

Overtime pay is available only to non-exempt employees. Overtime pay will be calculated based on the work week (as defined above). Prior authorization from supervisors is required before working overtime, except in exigent circumstances where such permission cannot be reasonably obtained. If the overtime budget for the Division has been exhausted, the Division Director must personally approve all overtime work.

In accordance with state and federal employment law, employees shall be compensated for work in excess of 40 hours per week at a rate of one and one-half times their regular hourly wage.

Employees may elect to be paid in cash or compensatory time (as defined below) for overtime work, and such election must be notated on the employee's time sheet at or about the time the overtime is worked. If overtime work is paid in cash, it will be paid along with non-overtime wages on the next regular payday.

#### g. Compensatory Time

"Compensatory time" is defined as time when an employee is not working but for which the employee is paid at his or her regular hourly wage. Compensatory time is not counted as hours actually worked, and accordingly is not counted for purposes of calculating overtime.

Compensatory time is available only to non-exempt employees.

Compensatory time may be given in lieu of cash for overtime work at the sole option of the employee at a minimum rate of one and one-half hours for each hour of overtime work. The actual accrual rate will be established and calculated by the Finance Department. Employees who choose compensatory time in lieu of cash may accrue up to 80 hours of compensatory time. An employee who has accrued the maximum amount of compensatory time shall be paid in cash for any additional overtime work.

Compensatory time may be used as mutually agreed to by the employee and his or her supervisor. Employees may carry over to the next calendar year a maximum of 40 hours compensatory time. Exceptions to this rule may be made under special circumstances and must be approved by the Executive Director in writing at least one month prior to the end of the calendar year.

Any compensatory time not used before termination of employment will be paid upon termination at the employee's regular hourly wage.

h. Flex Time

The Executive Director may, on a case by case basis, agree to a flexible schedule for a full time employee if it will not diminish the employee's ability to perform his or her job duties. In order for flex time to be approved, the following criteria must be met:

1. The employee will continue to work 40 hours a week;
  2. Service to the customers will be maintained;
  3. Cost to the District will not increase; and
  4. Each office or operation must be covered during core business hours.
-

## **POLICY 4004 - COMPENSATION**

### **a. Pay Period**

The pay period for all employees will begin on the first day of the month and end on the last day of the month. Salaried employees are paid at the end of the month for the current month's work. Non salaried, (full time, regular part time, seasonal/temporary, and part time) employees are paid at the end of the month for the previous month's hours. E.g. July work hours are paid at the end of August.

### **b. Paycheck**

Employee paychecks will be made available on or about the last working day of the month at the Strawberry Hill Office or a location designated by the Human Resources Manager. If a paycheck is not picked up by the 15th day of the month following the pay period, it will be mailed to the address on file for the employee.

Employees are required to sign up for direct deposit unless released from this requirement by the Finance Manager.

Deductions from wages are those required by state and federal law, such as court-ordered garnishments; tax withholding; those specifically agreed to in writing in advance between the District and employee for a lawful purpose accruing to the benefit of the employee; and those for health care services, required by any rule or regulation.

All employees will fill out a time sheet each month. The due date for turning in time sheets may vary and will be established by the Finance Department. Supervisors are responsible for collecting time sheets and for verifying and approving hours worked, pay rate, job classification, and account codes. Employees should report on their time sheet compensatory time earned or taken (at actual hours), sick days, vacation days, personal days, and any unpaid leave.

All full time salaried employees may sign up for a mid-month draw. The draw is issued on the 15th day of the month and may not exceed two weeks wages minus the total deductions for the month.

c. Longevity Pay

Full and regular part time employees are eligible for longevity pay in accordance with the following schedule:

\* In this section, one year of service is equal to 2080 hours of compensable time

\$50.00 per mo. Paid monthly to full time employees and regular part time employees who have completed 10 years of service with the District.

\$60.00 per mo. Paid monthly to full time and regular part time employees who have completed 15 years service with the District.

\$80.00 per mo. Paid monthly to full time and regular part time employees who have completed 20 years of service with the District.

Employees who move from part time or seasonal/temporary to regular part time or full time will be able to count the actual hours worked for the District to determine their eligibility for longevity.

Longevity pay will begin the month after the employee becomes eligible for it.

d. Preparation/Cleanup, Commuting and Travel Time

Preparation/Cleanup Time

Preparation and cleanup time is compensable if it is time actually worked and part of an employee's principal activity. Preparation and cleanup time must be logged on the employee's time sheet and approved by his or her supervisor. Preparation and cleanup work done off site is presumptively not compensable unless authorized by the Manager.

Commuting Time

Regardless of the mode of transportation used or ownership of the vehicle used, time spent solely on commuting to and from work is not compensable. If while commuting to or from work, an employee detours to conduct District business, the employee may be reimbursed mileage for the detour to the extent that the mileage incurred exceeds the mileage from the employee's residence to his or her place of work.

Travel Time

For non-exempt employees, travel time during normal work hours in furtherance of District business is considered compensable work time. If the District requires a nonexempt employee to travel to a destination in order to conduct District business, and such travel time falls outside the employee's regular work hours, the employee will be compensated for the travel time in the

form of cash or compensatory time. If the District requires a non-exempt employee to travel out of town in order to conduct District business, the employee will not be compensated for the time spent traveling from his or her residence to the airport, bus depot, train station or terminal. Non-exempt employees will not be compensated for time spent while a passenger on an airplane, bus, train, boat or automobile outside of normal working hours. If a non-exempt employee stays over night at a hotel for District business, he or she will be compensated for the time spent actively working on District business.

If an exempt employee stays over night at a hotel for District business, he or she will be considered to have worked a normal work day.

e. Overtime

See Section 4003 — f.

f. Compensatory Time

See Section 4003 — g.

g. Holidays

See Section 4009.

h. Emergencies

Emergencies are defined as any matter that will affect public safety or a situation that requires an immediate response so that normal operations are not disrupted. Employees should attempt to obtain approval from supervisors before taking action with respect to an emergency; however, this may not always be feasible. If a non-exempt employee is called in to work for an emergency or works additional hours in a work day due to an emergency without pre-approval, the employee must inform his or her supervisor the next work day.

If non-exempt employees are called in to work for an emergency, they will be entitled to compensation at the rate of one and one-half times their regular hourly wage for such work. A minimum of two hours will be credited to the employee if the time is isolated and worked outside the regular work week or work day. This policy is designed to compensate non-exempt employees for the disruption to their non-work life.

Examples (not exhaustive) of situations where an employee is entitled to a two- hour credit:

The employee is called in to work in the middle of the night and this time is not added onto the beginning of the employee's next shift.



Working on a weekend is not a normal part of the employee's work week and the employee is called in to work on a Saturday or Sunday due to an emergency.

Examples (not exhaustive) of situations where an employee is not entitled to a two-hour credit:

The employee is called in to work early on a normal work day.

The employee works later than normal on a normal work day.

i. Volunteers

Volunteers are those individuals who provide services to the District and receive no compensation therefore. Volunteers may be reimbursed for expenses in accordance with the rules applicable to employees (per Section j below). An employee may not volunteer to perform the same services for which he or she is currently being compensated.

j. Expense Reimbursement

Employees should use care when incurring expenses for the District. If it is determined that an employee unreasonably, irresponsibly or unauthorizedly incurred expenses, reimbursement may be refused.

In order to be reimbursed the employee must certify the claim for reimbursement on a TC-50 (or other form authorized by the Finance Manager) reimbursement form and attach original itemized receipts. This form must be signed by the Division Director or Executive Director.

1. Travel

The District regulates travel in accordance with Chapter 42.24 RCW and the State Auditor's Office.

Major expenses such as airfare, conference fees and hotel costs must be approved in advance by the Division Director.

Reimbursement for car rental may be made only upon advance authorization by the Division Director.

Spouses and other family members accompanying employees are required to pay their own incremental or prorated share of expenses.

## 2. Mileage

In general, employees are expected to choose the mode of transportation that is the most cost effective. Use of a District vehicle is encouraged. Carpooling is mandatory unless not feasible or interferes with the employees work responsibilities. If an employee chooses to drive alone when carpooling is available, the employee will not be reimbursed for mileage.

Employees whose job duties require that they have a driver's license shall have their license and driving record reviewed as an integral part of the District's risk management insurance program.

Mileage will not be paid in excess of the cost of the "total round trip coach airfare cost", unless it is determined by the Executive Director that it is in the best interest of the District for the employee to drive instead of fly. The "total round trip coach airfare cost" includes coach airfare, mileage to the airport, taxi, bus, train, shuttle service or other local transportation, parking, and hotel if applicable. If the election to drive is made and the mileage claim exceeds the total round trip coach airfare cost, mileage reimbursement shall not exceed the total round trip coach airfare cost.

Employees shall be reimbursed for miles traveled on District business at the rate established by the Internal Revenue Service.

An employee's personal auto insurance is the primary coverage while driving for District business. The District is insured through Enduris and this insurance is considered secondary coverage.

***Per Diem is the preferred method for reimbursing employees for meals and incidental expenses while traveling. However, if overnight travel is not involved reimbursement for actual expenses may be used.***

## 3. Meals

Meals should never be charged on the District credit card.

Reimbursement for meals will be made for actual expenses incurred by employees while conducting District business if the claim for reimbursement meets the following criteria:

- i. The maximum rates of reimbursement are based on the US General Service Administration's per diem rates;
- ii. Gratuity must not exceed 15 percent and be identified on the receipt;

- iii. The meal must be consumed while the individual is conducting District business;
- iv. Reimbursement will be for actual amounts incurred;
- vi. An original itemized receipt must be attached to the reimbursement form; and
- vii. No purchases of liquor will be reimbursed.
- viii. No meals for guest will be reimbursed

If travel requires attendance at a meeting where there is no choice in meals and the cost of the meal is more than the maximum allowed, reimbursement of the cost of the meal will be allowed.

#### 4. Lodging

Reimbursement for lodging expenses will be made for actual expenses incurred by employees while traveling out of town on District business if the claim for reimbursement meets the following criteria:

- i. Lodging expenses incurred must not exceed the US General Service Administration's maximum lodging rates for the area in which the employee lodged. This limit may be exceeded only in extraordinary circumstances and when approved by the Executive Director or Board of Commissioners;
- ii. Expenses incurred within commuting distance (90 miles) of the employee's work place or home (whichever is closest) will not be approved without prior approval of the Division Director;
- iii. Receipts must be submitted with the reimbursement request. Receipts must be originals and have sufficient detail; and
- iv. Out of state travel must be authorized in advance by the Division Director.

#### 5. Other Expenses

Other expenses, such as parking, taxi, ferry fares, bus, train, and shuttle service or other local transportation and bridge tolls are reimbursable expenses. These expenses shall be reimbursed if an original itemized receipt is provided.

Expenses that are not reimbursable include, without limitation, the following: alcoholic beverages, hosting, tobacco, fines, parking or speeding tickets, gas for personal vehicles, loss or theft of personal effects, entertainment, and anything considered unreasonable by the Executive Director.

Airplane tickets acquired through the use of individual frequent flyer miles will not be reimbursed.

Individuals using personally owned ferry commuter coupons for District travel may be reimbursed for the current value of the coupon used. The individual must provide documentation of the value of the coupon.

k. Per Diem

There are two types of Per Diem:

Meals and Incidentals (M&I). This includes all incidental expenses including meals, tips and some transportation. M&I Per Diem is paid in lieu of actual expenses. Mileage for a personal vehicle, gas for a District vehicle, parking, ferry fares and tolls are in addition to M&I Per Diem.

Hotel. If the actual hotel cost is less than Hotel Per Diem, the actual cost will be paid. If the employee chooses a hotel that exceeds the Hotel Per Diem rate for that location, the employee is responsible for the additional amount unless approved in advance by the Executive Director. An itemized receipt for the hotel cost must be presented with the request for Hotel Per Diem. Hotel taxes are in addition to Hotel Per Diem.

Employees cannot receive Per Diem and actual expense reimbursement for the same trip. Per Diem rates are based on US General Service Administration rates and vary based on geographic location. Per Diem amounts are available on the following website:

<http://www.gsa.gov>

The use of Per Diem is preferable to actual reimbursement. The Division Director must approve the use of actual reimbursement prior to the date of travel or Per Diem must be used.

For partial days of travel, per diem will be reimbursed at 75% of the total M&I per diem amount.

If attending a seminar and some meals are provided, per diem will be reduced pursuant to the US General Service Administration Per Diem M&IE breakdown. For example, if the M&IE is \$71 and dinner was provided, the Per Diem will be reduced by \$36.00.

**EXAMPLE ONLY.**

The M&IE rates differ by travel location. View the per diem rate for your primary destination to determine which M&IE rates apply.

M&IE Total	\$46	\$51	\$56	\$61	\$66	\$71
' Continental Breakfast/' Breakfast	7	8	9	10	11	12
Lunch	11	12	13	15	16	18
Dinner	23	26	29	31	34	36
Incidentals	5	5	5	5	5	5

Any reimbursement paid over the Per Diem amount is considered taxable income by the IRS and will be included on the employee's W-2 at year end.

Request for payment of Per Diem must be completed on the TC-50 reimbursement form (or other form authorized by the Finance Manager) and will not be paid in advance.



## **POLICY 4005 - COMPENSATION SCALE**

### **a. Position Classifications**

The District has a classification system that segregates positions for compensation purposes based on various factors. The purpose of assigning position classifications is to determine and maintain fair and equitable compensation for District employees.

Classifications are based solely on the requirements of the position. Factors considered in establishing the classification of a position include but are not limited to the following:

1. Basic duties and responsibilities;
2. Knowledge, skills and abilities required;
3. Scope and degree of judgment required and consequences of errors in judgment;
4. Scope and degree of supervision received;
5. Scope and degree of supervision exercised;
6. Decision making responsibilities;
7. Working conditions;
8. Special licenses and certifications required; and
9. Relationship of the position to other positions within a department.

Generally speaking, positions involving substantially the same kind of work, with equivalent levels of difficulty and responsibility, and which require comparable knowledge and skills will be given the same classification.

All employees should be informed of their position's classification before starting work for the District.

### **b. New Position and Classification**

No new position or classification may be created and implemented without the prior approval of the Human Resource Department and the Executive Director. New positions and classifications must be reported to the Board.

c. Changes to Position and Classification

No position or classification may be changed without the prior approval of the Human Resource Department and Executive Director. Reclassification of existing positions will be allowed only when substantial changes occur in the duties and responsibilities of the position. Changes to positions and classifications must be reported to the Board.

d. Lateral Transfers

If an employee transfers to a different department but remains in a position with the same classification as the employee's previous position, the employee's compensation will remain the same.

e. Position Titles

Each position will be given a formal title. This title will be used for official purposes and documents, including personnel records, payroll records, budget documents and other official documents. A different or augmented functional title may be used for descriptive purposes.

f. Change in category

If an employee changes from part time to full time category but their position does not change, their hourly compensation will remain the same.

g. Employee Categories

The District categorizes employees based on the regularity of their work schedule. The two categories — regular and non-regular — are as follows:

1. Regular Employees

Regular employees are those employees who hold Board-approved and budgeted positions, who work regularly scheduled hours year-round, and whose employment is not limited in duration. Regular employees may be classified as either exempt or nonexempt. There are two types of regular employees: full time and part time.

(i) Full Time

Full time employees are those employees who work 40 hours per work week and who are eligible for all benefits provided by the District as provided in Section 4008 and 4009.

(ii) Part Time

Part time employees are those employees who work 25 to 40 hours per work week. Temporary or short term increases in hours worked will not automatically result in a part time employee being re-categorized as a full-time employee. Regular Part Time employees are eligible for prorated benefits as provided in Section 4008 and 4009.

2. Non-Regular Employees

Non-regular employees are those employees who do not hold a position established in the District budget, who do not work regularly scheduled hours year-round, and whose employment is typically limited in duration. Non-regular employees are utilized as needed, are often selected out of a pool of like qualified employees, and are not guaranteed any certain number of hours or schedule of employment. Non-regular employees are under no obligation to accept work offered by the District, but when they do accept work they are held to the same standards as regular employees. Non-regular employees are typically, though not necessarily, categorized as non-exempt. Non-regular employees may work full or part time, and their work schedules may be regular or non-regular. Working regularly scheduled hours (even if full or part time) alone will not automatically result in a non-regular employee being re-categorized as a regular employee. There are three types of non-regular employees: on-call, continuing, and seasonal.

(i) On-Call

On-call employees are those employees utilized by the District on an intermittent and typically short-term basis. An on-call employee who works the requisite number of hours may be re-categorized as a continuing employee (see below). On-call employees are not eligible for any benefits provided by the District except reduced fees for district classes as outlined in Section 4007 paragraph G.

(ii) *Continuing*

Continuing employees are on-call employees who have worked at least 70 hours in 5 months of the calendar year and who are expected, in the reasonable opinion of the Division Director, to do the same in the next calendar year. Continuing employees are eligible to be included in the PERS retirement program and are eligible for the following benefits provided by the District on a pro-rated basis according to the District's accrual schedule:

- Voluntary participation in 125K Plan/Flexible Spending Plan
- Compulsory participation in the Public Employee Retirement System (PERS)
- Voluntary participation in Deferred Compensation program
- Employee Assistance Program



- Free pass at the BIMPRD Aquatics center
- Reduction of 50% for District class fees for employee and dependents as outlined in Section 4008 paragraph g.

(iii) Seasonal

Seasonal employees are those employees who, due to the seasonal nature of their work, do not work more than five consecutive months per calendar year. A seasonal employee's term of employment may not be extended such that the employee will work more than five consecutive months in a calendar year. Seasonal employees are not eligible for any benefits provided by the District except reduced fees for district classes as outlined in Section 4008 paragraph G.

h. Periodic Review

Compensation and benefits for employees will be reviewed at least every three years to ensure that the District is remaining competitive with similar agencies. The compensation scale will be reviewed annually for Cost of Living Allowance (COLA) adjustment. The CPI index for the Seattle/Tacoma/Bremerton area will be a guide for formulating the annual COLA adjustment. The Board of Directors must approve any changes in the compensation scale and benefits package.

i. New Employees

New employees will typically be placed at the "A" step of the compensation scale for their position's classification. However, placement on the compensation scale will ultimately be determined on a case by case basis depending upon the employee's knowledge, skills and abilities. The supervisor, with the approval of the Division Director, has authority to place a new employee as high as the mid-point on the compensation scale. The Executive Director must approve any initial placement higher than the mid-point of the compensation scale, and any such placement will be reviewed by the Board of Commissioners' Personnel Committee.

j. Raises

An employee may receive an increase in compensation for any one of the following reasons:

A positive annual performance appraisal, *i.e.*, a merit increase (regular employees only);

Reclassification of the employee's position;

Promotion or change to a position a classification on a higher scale

General compensation adjustment; or  
COLA adjustment.

#### Merit Increase

Merit increases are available to all employees. Merit increases reward employees for meeting or exceeding the requirements of their position. Performance appraisals are the basis for determining whether or not an employee receives a merit increase. (see section 4007 regarding performance appraisals). Merit increases may be given no more frequently than once per calendar year, except in the case of new employees which may receive a merit increase after the first six months of employment which then establishes their new annual merit and performance review date. In general, if an employee is meeting the requirements of his or her position, a merit increase will be given, and if an employee is not meeting the requirements of his or her position, a merit increase will not be given. The amount of a merit increase is within the sole discretion of the District but will normally be one step up the compensation scale. The decision to give or not to give a merit increase and, if given, the amount of the increase, must be approved in advance by the Division Director. An increase in excess of one step up the compensation scale, which may be given in cases of exceptional performance, must be approved in advance by the Executive Director.

If an employee does not receive a merit increase following the annual performance appraisal, the employee's supervisor may, with the approval of the Division Director, perform a follow-up performance appraisal, which will be held no earlier than three months and no later than six months after the annual performance appraisal. If a merit increase is not warranted at the time of the follow-up appraisal, then the employee will not be eligible again for a merit increase until the next annual performance appraisal. Merit increases given pursuant to an annual performance appraisal shall be effective as of the date of the annual performance appraisal. Merit increases given pursuant to a follow-up performance appraisal shall not be retroactive to the date of the annual performance appraisal; rather, they shall be effective as of the date of the follow-up performance appraisal.

#### General Compensation Adjustment

General compensation adjustments may be applicable to all District employees or may be limited to specified position classifications. If an adjustment is limited to specified position classifications, all employees who hold positions within the specified classifications will be subject to the adjustment.

## COLA Adjustment

COLA adjustments are applicable to all District employees and reviewed by the board annually as part of the budget process.

### k. Promotion

Promotions may be made to fill vacancies within the District. Current employees will receive first consideration for openings for which they have the requisite knowledge, skills and abilities. Vacant positions will be posted as stated in Section 4001 – e. Employees must apply for vacant positions in order to be considered for promotion. All promotions for Regular employees must be approved in advance by the Executive Director. The Division Director must approve all non regular employee promotions. When an employee is promoted, the employee's placement on the compensation scale for the new position's classification will be based on the employee's qualifications. Notwithstanding the foregoing, under no circumstances will the employee's new compensation be less than 103% of his or her previous compensation.

### l. Demotion

Occasionally, for one or more of any number of reasons, it may be necessary for the District to transfer an employee to a position that pays less than the employee's current position. The most typical reason for this is that the employee is not satisfactorily performing the duties of his or her current position. Whether or not to demote an employee is within the District's sole discretion and, if the District determines that demotion is appropriate, it is within the District's sole discretion as to which position the employee is demoted. Employees will be demoted only to those positions for which they have the requisite qualifications.

### m. Wage Freeze

Notwithstanding anything to the contrary in this policy manual, the District reserves the right in an emergency situation to freeze wages for as long as it deems necessary and advisable. Wage freezes must be approved in advance by the Board of Commissioners. The wage freeze will have a specified duration and must be reviewed at least quarterly. Procedures for reinstating increases will be outlined at the time the wage freeze is instituted.

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## **POLICY 4006 - TERMINATION OF EMPLOYMENT**

### a. At Will Employment

NOTWITHSTANDING ANYTHING TO THE CONTRARY ELSEWHERE IN THIS MANUAL, NOTHING CONTAINED IN THIS MANUAL IS INTENDED TO CREATE, NOR SHALL IT BE CONSTRUED TO CREATE, AN EXPRESS OR IMPLIED CONTRACT OR GUARANTEE OF EMPLOYMENT FOR A DEFINITE OR INDEFINITE TERM. UNLESS THE DISTRICT EXPLICITLY AGREES OTHERWISE AND ELSEWHERE IN WRITING, THE EMPLOYMENT OF EVERY DISTRICT EMPLOYEE IS "AT WILL", MEANING THAT THE EMPLOYMENT RELATIONSHIP IS TERMINABLE BY EITHER THE DISTRICT OR THE EMPLOYEE AT ANY TME, WITH OR WITHOUT ADVANCE NOTICE, FOR ANY OR NO REASON.

### b. Types of Termination

An employee's employment may be terminated either voluntarily or involuntarily. Voluntary termination includes resignation and retirement. Involuntary termination includes layoff and discharge.

### c. Voluntary Termination

#### 1. Resignation

An employee who wishes to resign before they have completed 5 years of employment is requested to give at least two weeks' advance written notice to his or her supervisor of the intent to resign. Failure to give such notice may be taken into consideration by the District with respect to future employment decisions concerning the employee, including without limitation whether or not to hire the employee again. Employees will receive payment for their accrued vacation and compensatory time; if any at the next regularly scheduled pay date (see section 4009).

#### 2. Retirement

An employee who has completed 5 years of employment is requested to give at least 30 calendar days' advance written notice to his or her supervisor of the intent to retire. Employees that leave employment after 5 years of service will receive payment for their accrued vacation, sick leave, and compensatory time; if any at the next regularly scheduled pay date in accordance with section 4009.

d. Involuntary Termination

1. Layoff

From time to time, for any number of reasons, the District may need to reduce the number of employees. In such a situation the District may, in its discretion, reduce the number of employees by way of layoffs. The Executive Director must approve all layoffs in advance. A number of factors will be looked at when considering layoffs, including without limitation the needs of the District, as well as the skills, performance, experience and seniority of the employees under consideration. The District will make best efforts to reassign employees and/or reduce their hours before resorting to layoffs. Only regular employees are eligible for the layoff program.

An employee selected for layoff will be given 30 calendar days' advance written notice. Notice will be given either personally or via U.S. Mail to the employee's address as reflected in the employee's personnel file. Notice will be deemed to have been given either on the date on which it is handed to the employee or on the date on which it is deposited with the U.S. Postal Service, postage prepaid. Written notice given in the manner prescribed herein is the only way in which an employee can be laid off.

An employee who is laid off will be placed on a recall list for a period of 6 months. A laid off employee may remain on the recall list longer than this only with the advance approval of the Executive Director. While on the recall list, the laid off employee is eligible for reinstatement as a District employee. If the laid off employee is reinstated as a District employee, the time that the employee spent on the recall list will count for purposes of length of service with the District, but for no other purpose. No leave or benefits will be available, nor will they accrue, while a laid off employee is on the recall list. Laid off employees must keep the District informed of their current address.

Employees that are laid off will receive cash out of their sick leave and vacation per Section 4009.

The following are the ways in which a laid off employee can be removed from the recall list:

- i. The laid off employee is automatically removed from the list after 6 months, at which time his or her relationship with the District ends. In this situation, the date on which the laid off employee's employment terminated will be deemed to be the date on which he or she was placed on the recall list.

ii. The laid off employee is given notice (in the manner set forth above) that the District is offering to reinstate him or her as a District employee in his or her former position, and the laid off employee either declines or does not respond within 7 calendar days. In this situation, the date on which the laid off employee's employment terminated will be deemed to be the date on which he or she was placed on the recall list.

iii. The laid off employee accepts the offer of reinstatement and is reinstated as a District employee in his or her former position.

iv. The laid off employee is hired to fill a District position, whether regular or non-regular, other than his or her former position.

v. The laid off employee gives written notice to the District that he or she wishes to be removed from the recall list.

## 2. Discharge

Because every District employee's employment is at will, the District may discharge an employee at any time, with or without advance notice, for any or no reason. Discharge of a regular employee must be approved in advance by the Executive Director.

The District may, but need not, utilize the disciplinary procedure set forth in Section 4011 before discharging an employee. Whether or not to utilize the disciplinary procedure is within the sole discretion of the District, and notwithstanding anything to the contrary elsewhere in this manual, a disciplinary proceeding is not required in order to discharge an employee. Notice of discharge will typically be given to the employee verbally by the employee's supervisor or Division Director.

### e. Medical Coverage

Employees and dependents covered by the District's health plan that become ineligible due to reduction in hours, termination of employment, or other reasons are eligible to continue coverage at their own expense under terms and conditions specified in the District's medical coverage contract and applicable provisions of federal law.

### f. Exit Interview

Regardless of the reason for termination of employment, every regular employee is requested to participate in an exit interview with the Human Resources Manager on or before his or her last day of employment. A copy of the exit interview will be placed in the employee's personnel file. The employee's supervisor and/or Division Director may conduct exit interviews as well.

g. Disclosure of Employee Information

The District may, but need not, disclose information about a current or former employee to a prospective employer or employment agency. If the District chooses to disclose information, it shall, consistent with RCW 4.24.730, provide information relating only to: (i) the employee's ability to perform his or her job; (ii) the diligence, skill, or reliability with which the employee carried out the duties of his or her job; and/or (iii) any illegal or wrongful act committed by the employee when related to the duties of his or her job.

Any letter of recommendations written for regular employees must be approved by the Human Resource Manager.

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## **POLICY 4007 - PERFORMANCE APPRAISALS**

The intention of performance appraisals is to provide a written record of employee performance and to give employees an opportunity to discuss with their supervisors how well they are doing at meeting job expectations. In addition, performance appraisals help to clarify job responsibilities and set mutually agreed upon goals. Because performance appraisals are used and relied upon by the District in many ways, it is imperative that District employees who prepare and conduct performance appraisals do so in a fair, impartial and frank manner. If an employee's performance has met or exceeded expectations, the appraisal should reflect this. Conversely, if an employee's performance has been deficient, the appraisal should reflect this.

### Regular Employees

For regular employees, performance appraisals will be prepared after the first six months of employment and thereafter no less frequently than once per calendar year. Performance appraisals are the basis for determining whether or not an employee receives a merit pay increase. The Division Director will review all performance appraisals before they are presented to the employees. Generally, the employee's Supervisor will present the performance appraisal to the employee. The performance appraisal of the Executive Director will be the responsibility of the Board of Commissioners.

### Non-Regular Employees

For non-regular employees, performance appraisals will be prepared as follows:

- (i) On-Call Employee: Whenever deemed appropriate by the employee's supervisor, but in any event no less frequently than once per calendar year.
- (ii) Continuing Employee: After the first six months of employment and thereafter no less frequently than once per calendar year.
- (iii) Seasonal Employee: Whenever deemed appropriate by the employee's supervisor, typically at the end of the season for which the employee was hired, but in any event no less frequently than once per calendar year.

Generally, the employee's immediate supervisor will present the performance appraisal to the employee.



### All Employees

The Executive Director will determine the evaluation form and system to be utilized.

Special performance appraisals may be prepared for the purpose of documenting employee performance — good, bad or otherwise — at any time.

#### Employee Response

Employees will be given an opportunity to submit a written statement concerning their performance appraisal. The statement may be written on the performance appraisal itself or submitted separately. If written on the performance appraisal itself, the statement will be deemed to have been submitted on the date on which the employee signs the appraisal. If submitted separately, the statement must be submitted to the Human Resources Manager within fifteen (15) calendar days after presentation of the performance appraisal to the employee. If submitted timely, the written statement will be attached to the employee's performance appraisal and retained in the employee's personnel file. The District is not required to accept written statements that are not timely submitted.

Both the employee and the District employee presenting the performance appraisal should sign the appraisal. The employee's signature does not indicate agreement with appraisal, and will not be construed as such. The employee's signature should acknowledge, among other things, that the employee has been advised of the right to submit a written statement, the procedure for submitting such a statement, and the deadline for doing so. The employee should be given a copy of the signed performance appraisal.

#### Performance Evaluation Grievance

If the employee wishes to grieve the performance appraisal, the employee must file a written grievance with the Human Resources Manager within five (5) business days after submission of the written statement. An employee may not grieve a performance appraisal if the employee has not submitted a timely written statement. Upon receipt of a properly filed grievance, the Human Resources Manager will discuss the performance appraisal with the employee, the Division Director and the District employee who presented the appraisal. The Human Resources Manager will then formulate a recommendation and discuss it with the employee's Division Director (in the case of a non-regular employee) or the Executive Director (in the case of a regular employee). Within fifteen (15) calendar days after filing the grievance, the Human Resources Manager and Division Director or Executive Director, as appropriate, will meet with

the employee to discuss the performance appraisal. At this meeting the Division Director or Executive Director, as appropriate, will inform the employee of the action the District will take, which can include, without limitation, upholding the performance appraisal, modifying it, or striking it altogether.

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## **SECTION 4008 – Benefits – All Employees**

*Section updated 12/21/2017*

All District employees are potentially eligible for the following benefits: Family Medical Leave, Voting Leave, Jury Duty/Legal Proceeding Leave, Military Leave/Reemployment, Education Leave, and reduced fees for District classes.

### **a. Family Medical Leave**

The District shall comply with all laws concerning family medical leave, including the Family Medical Leave Act (FMLA), Washington’s Family Care Act (RCW 49.12.265-.295), and Washington’s Family Leave Act (Chapter 49.78 RCW).

An employee who qualifies for family leave under FMLA is entitled to 12 weeks unpaid leave during any 12-month period for the following reasons:

- i. the birth of the employee’s child;
- ii. the placement of a child with the employee for adoption or foster care;
- iii. to care for a family member with a serious health condition; or
- iv. a serious health condition of the employee.

The Executive Director may, in his or her discretion, (i) prolong the leave period up to a maximum of 180 days for employees who qualify for leave under the FMLA and (ii) grant up to a maximum of 12 weeks of leave to employees who do not qualify for leave under the FMLA.

The “12-month period” for purposes of entitlement to family leave is the calendar year.

If the need for family leave is foreseeable, employees should give the District at least 30 days' notice. If the need is not foreseeable, employees should give notice as soon as practical. The District may require employees to provide a written certification from a physician attesting to the need for family leave.

Employees must use their vacation, sick and administrative leave for family leave. The District will grant additional unpaid leave over and above employees' vacation, sick and administrative leave so that employees receive the amount of family leave to which they are entitled.

The District shall continue to provide medical, dental and other insurance coverage, as applicable, to the employee while the employee is on leave; provided, that the employee shall be responsible for any benefit costs normally covered through deductions from his or her monthly salary.

Time spent on family leave does count for purposes of seniority with the District.

Generally, an employee will be placed in the same or an equivalent position upon the employee's return from family leave.

**b. Voting Leave**

The District shall attempt to set work schedules such that District employees have sufficient time to vote in primary, general and special elections. When applicable, the District shall comply with Washington law concerning time off for voting in primary, general and special elections (RCW 49.28.120).

**c. Jury Duty/Legal Proceeding Leave**

The District encourages its employees to respond to summonses for jury duty and will grant leave for jury duty. Regular employees (Full time and Regular Part Time) will be paid their regular compensation while on leave for jury duty, and jury fees/stipends will not be deducted

from employees' compensation. Employees are expected to return to work immediately upon completion of jury duty.

**d. Military Leave/Reemployment**

Paid military leave will be granted for up to a maximum of 14 days per calendar year. While on leave, an employee will be paid the difference between his or her District compensation and military compensation. For non-salaried employees, compensation will be based on the average hours worked in the preceding six months. To be eligible for paid military leave, an employee must have 12 months of total service (continuous or not) with the District.

With respect to reemployment of employees who are returning from service in the military, the District will comply with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and Washington's law concerning reemployment (Chapter 73.16 RCW).

Generally, under USERRA, employees have the right to be reemployed with the District if they leave their positions with the District to perform service in the military and:

- i. they ensure that the District receives notice of their service;
- ii. they have five years or less of cumulative service in the military while with the District;
- iii. they return to work or apply for reemployment in a timely manner after conclusion of military service; and
- iv. they have not been separated from military service with a disqualifying discharge or under other than honorable conditions.

Generally, returning employees will be restored to the position (or comparable position) and benefits they would have attained if they had not been absent due to military service.

**e. Education Leave**

Refer to the Professional Development Policy for Education Leave

**f. Reduced Fees for District Classes**

As a benefit, The District makes available to all employees a free pool pass and reduction in the cost of district classes. The cost of this benefit is budgeted for and approved annually by the Board of Commissioners.

All full time, regular part time and part time employees are eligible for a 50 percent reduction of the normal class fees for District classes, open play time and a free pool swim pass. The employee's spouse, domestic partner and any child of the employee, under the age of 19, are eligible for this reduction as well.

- Part Time employees are only eligible to receive this benefit while currently employed and working at the district. No person can receive a discount prior to working at the district, nor will prior employment make them eligible for this employee benefit. In addition, if a person becomes employed for the District after they have registered for a class, the discount will not be retroactive.
- The employee's children include any child under the age of 19 that is a legal dependent, unless legally declared disabled (adopted, persons with legal custody of a minor, step children etc.)
- Additional cost, over and above the initial class registration fee such as class supplies, and transportation do not apply and must be paid in full by the employee.
- The Executive Director may at his/her discretion determine that certain classes are not available for this discount.
- Swim, Dive, Masters and Gymnastics (Youth and Adult) Teams are not eligible for this employee benefit.
- Events, performances, trips and travel programs are not eligible for this employee benefit.
- Facility, equipment and camping rentals are not eligible for this employee benefit.  
NOTE: The District's Gear Bank is eligible but must follow all other parts of this policy.
- Employees do not have priority over customers when registering for classes.
- Registration for employees begins when registration begins for all customers.
- Employees that do not live on Bainbridge Island will not pay a non-resident fee.

- Employees are subject to the same refund policies as customers and will not receive a reduced refund fee.
- This policy does not apply to volunteers or contractors and their employees.
- If the board approved budget for Employee Discounts is reached, the Executive Director can discontinue future discounts until the end of the year.

**g. Public Employee Retirement System (PERS)**

PERS is a cost sharing program administered by the State of Washington Department of Retirement Systems (DRS). The District is a “retirement system employer” and participation in PERS plan is mandatory for the District and all eligible employees.

Employees will be informed if they are in a PERS eligible position upon hire (or upon becoming eligible later). Both the employee and the District will contribute to DRS each month as required by law based on the amount of the employee’s compensation.

PERS eligible employees are also eligible to participate in the State of Washington Deferred Compensation program. Participation is voluntary and based on DRS participation requirements.

**k. Injuries**

1. On the Job

When employees are injured on the job, they must notify their supervisor immediately. Shortly after the injury has occurred, they must fill out and submit to their supervisor an incident report. Failure to do so may result in disciplinary action. The cognizant Division Director shall be notified immediately who shall in turn promptly provide the incident report and other requested information to the Administrative Services Director.

Employees will undergo a medical examination for the injury as soon as practical. In connection with this examination they will complete a claim form for industrial insurance benefits. Employees will not be considered absent from work while undergoing the medical examination.

An employee who is unable to work due to an on-the-job injury is potentially eligible for the following benefits:

- i. Industrial insurance (workers' compensation) benefits.
- ii. Benefits provided by the District's disability insurance plan, if such a plan is provided.

During any period in which an employee is unable to work due to an on-the-job injury for which no industrial insurance benefits are provided, the employee will be deemed to be on disability leave and may use his or her accrued vacation leave, sick leave, and/or compensatory time.

Disability leave ends either when the employee returns to work; when the employee is deemed permanently disabled; when the employee's employment is terminated; when the employee dies; or upon the occurrence of another event that prevents the employee from returning to work. Documentation of recovery or receipt of permanent disability benefits shall be obtained from the appropriate entity.

While an employee is on disability leave, the District shall continue to pay, for a maximum of 24 months, the employer's share of the employee's medical, dental, life and disability insurance premiums, if any.

Regular employees shall continue to accrue sick and vacation leave while on disability leave. Time spent on disability leave does count for purposes of seniority with the District.

#### **1. Indemnification**

To the extent permitted by law, the District shall protect, defend, hold harmless and indemnify any past or present officer, employee or volunteer of the District who is a party or threatened to be made a party to a proceeding by reason related to that person's conduct as an officer, employee or volunteer of the District, against judgments, fines penalties, settlements and reasonable expenses (including attorney fees) incurred by him or her in connection with such proceeding, if such person was, or in good faith purported to be, acting within the scope of his or her official duties and if, in the case of any criminal proceedings, he or she had no reasonable cause to believe that his or her conduct was unlawful.



The indemnification provided herein shall not be deemed exclusive of any other rights to which a person may be entitled as a matter of law or contract. The District may purchase and maintain insurance to cover its indemnification obligations hereunder, and purchase of such insurance shall not be considered as additional compensation for the officers, employees and volunteers. Failure of the District to purchase and maintain such insurance shall not be construed to limit the District's indemnification obligations hereunder.

Notwithstanding anything else, to the extent permitted by law and contract, the provisions of this Section 4008.j shall have no force or effect with respect to any accident, occurrence or circumstance for which the officer, employee or volunteer is fully indemnified under the terms of any insurance policy (including any policy held by the District; provided, that this Section 4008.j shall provide protection, subject to its terms and limitations, above any limits of such policy; provided, further, that the District shall not pay an award for punitive damages unless and until such payment is approved by way of a procedure created by resolution of the Board of Commissioners. The provisions of this Section 4008.j are intended to be secondary to any policy of insurance applicable to any official, employee or volunteer (including any policy held by the District); accordingly, the District shall have the right to require the officer, employee or volunteer to exhaust any such insurance policy protection before utilizing the protection afforded by this Section 4008.j.

**J. Sick Leave Part Time and Seasonal Employees.** (Full time and Regular Part Time employees should refer to section 4009)

Part time employees will accrue and be paid for sick leave under the rules listed below:

- Employees will be eligible to use sick leave after they have been employed by the District 90 days.
- For employees already employed on or before January 1, 2018, paid sick leave will accrue for all hours worked beginning on January 1, 2018. Employees hired after January 1, 2018 will begin accruing paid sick leave as soon as they begin working.
- Sick leave accrues at the rate of 1 hour for every 40 hours worked.
- Accrual begins on the first day of work even though it cannot be used for 90 days.
- Accrual year is January 1 to December 31<sup>st</sup>.
- The District will reinstate the employee's previously accrued, unused paid sick leave, if the employee is rehired within 12 months of separation
- Sick leave will accrue up to 40 hours.
- Accrued sick leave up to 40 hours will carryforward to the next accrual year.
- Paid sick leave will be paid at the current rate of pay for the employee.
- If the employee has more than one rate, the rate used will be for the position for which they were absent.

- Part Time employees that leave the district will not be entitled to payment for unused sick leave.

### Reporting requirements

- Employees will have different reporting requirements depending on their position and will be notified of those requirements by their supervisor. In general, notice of 7 days is required for doctor appointments or any absence that can be planned.
- Employees should call in non-foreseeable use of sick leave to their supervisor as soon as they are aware that they will be absent.
- Employees are not required to find their own replacement.
- Employees must provide a doctor's note if absent more than three days.

### Allowable uses

- To care for yourself or your family members.
  1. Family members are: A child, including a biological, adopted, or foster child, stepchild, 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 dependency status;
  2. A biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child;
  3. A spouse;
  4. A registered domestic partner;
  5. A grandparent;
  6. A grandchild; or
  7. A sibling.
- When the employees' workplace or their child's school or place of care has been closed by a public official for any health-related reason. *Weather closures are not considered a health-related issue.*
- For absences that qualify for leave under the state's Domestic Violence Leave Act.

Employers can use paid sick leave in increments consistent with the Districts payroll system and practices, not to exceed one hour.

- For example, if an employer's normal practice is to track increments of work for the purposes of compensation in 15-minute increments, then an employer must allow employees to use paid sick leave in 15-minute increments.

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## **POLICY 4009 - BENEFITS - REGULAR EMPLOYEES**

### a. Holiday Leave

Regular full time employees shall receive the following paid holidays:

New Year's Day

Martin Luther King Day

President's Day

Memorial Day

Independence Day

Labor Day

Veterans' Day

Thanksgiving Day

Day after Thanksgiving

Christmas Day

Regular part time employees shall receive the same paid holidays as full time regular employees and will be paid for time off on a pro-rata basis based on a 6-hour work day.

The Executive Director shall have the authority to declare additional paid holidays. If holidays fall on a weekend, the closest normal workday shall be declared a holiday. Employees who are required to work on any of the above holidays shall be given equal paid time off in exchange for the time worked on the holiday.

In addition to the above holidays, every regular employee will receive 2 paid holiday days per year (personal leave). These holiday days do not carry over to the next year. Personal Holidays will be prorated if an employee is hired after the first of the year. Regular part time employees will receive 12 hours of personal leave per year.

Unworked hours on holidays (even though paid) will not be counted as hours worked for purposes of computing overtime.

### b. Vacation Leave

All regular full time employees will accrue vacation leave based on the schedule listed below:

	Full Time Employees	Regular Part Time Employees
	Hours accrued per month	Hours accrued per month
Length of Employment		
Year 1	8	6
Year 2	8.67	6.5
Year 3 to 4	9.33	7
Years 5 to 9	10	7.5
Years 10 to 14	12.74	9.5
Years 15 to 19	14.79	11
Years 20 to 24	15.92	12

One year of accrual credit will be given for each 2080 hours of prior paid employment with the district. Each "year" in the above table represents not a calendar year but the time it takes for the employee to log 2080 hours of paid employment.

Part time employees shall earn vacation time based on a pro rata share of the full time rate based on 75% of full time.

Vacation leave shall accrue but not be available for use during the first 6 months of employment. Upon written request, the Executive Director may allow the use of accrued vacation leave during the first 6 months of employment.

The District encourages employees to use their vacation leave. Vacation leave may be carried over from year to year; however, the maximum amount of leave that can be carried over to a new year is two year's worth of accrued leave. Vacation leave in excess of this authorized carry-over amount will be automatically deducted from the employee's accrued leave balance unless written approval for the excess carry-over amount has been obtained from the Executive Director before year's end. Any such approval must contain a deadline by which the approved excess carry-over vacation leave must be used. If the approved excess carry-over vacation leave is not used by the deadline, it will be automatically deducted from the employee's accrued leave balance.

For employees who have been employed with the District for six months or more, upon termination of their employment the District will pay them (or their designated beneficiary when termination of employment is due to death) for their accrued leave balance.

Other than as provided herein, the District does not allow pay in lieu of accrued vacation leave. Except as specifically provided herein, employees may not sell or assign vacation leave.

All vacations must be authorized in advance by the employee's supervisor. If an employee has scheduled vacation leave, he or she cannot change the leave to sick leave after the first day of the vacation leave begins.

c. Sick Leave

Sick leave shall accumulate at the rate of one paid day per month (8 hours) for regular full time employees and on a pro-rata basis at a rate of 75% of full time for regular part time employees. Employees may accumulate sick leave with no maximum balance. Sick leave begins to accrue on the first day of employment. Sick leave may be taken for personal or "family member" illness or injury, maternity or paternities, preventative health care, or for reasons that justify family medical leave. "Family member" means parents (biological, adoptive, step-parents and parents-in-law), grandparents, children (biological, adoptive and step-children), grandchildren, siblings (biological, adoptive and step-siblings), cousins, aunts, uncles, nieces, nephews, spouses and domestic partners.

Absence from work due to the above reasons prior to the accrual of sick leave shall result in deduction from compensation for the period of the absence.

If employees exhaust their sick leave, they may request an unpaid leave of absence, use vacation or administrative leave, or use compensatory time.

The Division Director is responsible for assuring that sick leave is properly used, recorded and reported on the employee's time sheet. To that end, the Division Director may require the employee to provide written certification from a doctor or relevant professional at any time while the employee is on sick leave.

Employees will provide medical certification for sick leave absences of more than five days. Medical certification should only include the information that the appointing authority needs to authenticate the employee's need for sick leave. The Division Director may require written clearance from a doctor or relevant professional prior to return to work from any absence due to serious illness, injury, or exposure to contagious disease, whether or not sick leave was used.

If an employee has scheduled vacation leave, he or she cannot change the leave to sick leave after the first day of the vacation leave begins.

Employees will utilize the following "call in" procedures when using sick leave:

i. On each day that employees will not be reporting to work, they will notify their supervisor (or designee) of their intended absence by phone or e-mail in advance of their regular starting time, if possible, but if not possible, within the first 30 minutes of their regular starting time.

Certain positions may require different reporting procedures. For example, class instructors should contact their supervisor as soon as they are aware that they cannot attend work so that class participants can be notified in a timely manner. Supervisors will notify employees who have different reporting procedures.

ii. Employees using sick leave for the purpose of preventative health care must schedule their absence in advance with their supervisor.

If regular employees are laid off, they shall maintain their accrued sick leave balance for as long as they are on the recall list (maximum 6 months). Termination for cause will result in the immediate loss of all accrued sick leave.

Full time employees who use 16 hours or less of sick leave in a calendar year, and part time employees who use 12 hours or less of sick leave in a calendar year, will receive an incentive bonus. The incentive bonus shall be 8 hours paid leave for full time employees and 6 hours paid leave for part time employees, which time shall be added to the accrued vacation leave balance.

Payment for accrued sick leave shall be made to the employee under the following circumstances:

i. In case of death of the employee, 100% of the value of the accrued sick leave shall be paid to the employee's representative.

ii. At retirement or upon resignation after 5 years of employment, the employee shall be eligible to receive payment for 25% of accrued sick leave up to a maximum of 173.33 hours. These funds will be paid in to the VEBA health savings account for the benefit of the employee.

Other than as provided herein, the District does not allow pay in lieu of accrued sick leave. Except as specifically provided herein, employees may not sell or assign sick leave.

d. Administrative Leave

All exempt employees shall be granted eighty hours of administrative leave each calendar year. Administrative leave is provided to salaried employees in recognition of special workload requirements of salaried exempt positions that go beyond normal job responsibilities. Use of Administrative leave must be approved in advance by the Division Director. Administrative leave hours may not be carried over from year to year. The District does not allow pay in lieu of accrued administrative leave under any circumstances. Except as specifically provided herein, employees may not sell or assign administrative leave.

Administrative leave will be prorated for employees starting after the first of the year.

e. Leave Donation Program

The Leave Donation Program enables eligible employees to donate sick leave, vacation leave, and/or administrative leave to other employees who have exhausted their leave and who are suffering from a life-threatening illness or injury that requires a prolonged absence from work.

The Leave Donation Program is voluntary and anonymous.

In order to qualify as a recipient of donated leave time, an employee must:

- Have worked for the District for at least one year.
- Have vacation and sick leave benefits.
- Suffer from a life-threatening illness or injury that requires an absence from work for more than 30 days; or be the primary care-giver for an immediate family member who is suffering from a life-threatening illness or injury; or require an absence from work due to the donation of an organ.
- Provide written verification from a doctor or other licensed health care provider describing the nature, severity, and anticipated duration of the absence from work.
- Have exhausted all available leave time, including compensatory time, sick leave, vacation leave and administrative leave.
- Be likely to endure financial hardship as a result of the absence from work.
- Not be collecting disability insurance.

Any regular employee may donate leave time, provided that an employee may not donate more than 10 days of leave time to the same recipient in a calendar year, and further provided that after each donation the employee retains not less than 20 days of accrued sick leave, if donating sick leave, or not less than 12 days of accrued vacation leave, if donating vacation leave. A donor employee need not retain any accrued compensatory time after each donation.

The Leave Donation Program is administered by the Human Resources Department. A Recipient Affidavit Form must be completed by the employee or, if the employee is unable to complete the Form, the employee's spouse, domestic partner or designated agent. The employee's supervisor may initiate the process on behalf of the employee. All requests for donated leave time must be approved in advance by the Executive Director. Once approved, the



Human Resources Department will determine the amount of time needed and send a solicitation letter to regular employees.

An offer to donate leave time must be made in writing to the Human Resources Department with the approved form. The District may require written certification from the donor and recipient employees that no solicitation and/or acceptance of any money, credit, gift, gratuity, thing of value, or compensation of any kind has been or will be provided, directly or indirectly, to the donor employee in connection with the donation of leave time. All offers to donate leave time must be approved in advance by the Executive Director. If the Executive Director determines that donation of leave time is not in the best interest of the donor employee, the donation will be denied.

Recipient employees shall be paid for donated leave time at the recipient employee's rate of pay, not the donor employee's rate of pay.

Donated leave time is donated in terms of whole days only, not hours or other measures of time. The donor employee's leave account will be reduced by the number of days that are donated. The recipient employee's leave account will be credited with the donated time upon approval of both the Recipient Affidavit Form and donation offer.

Recipient employees may receive donated leave time from multiple donor employees up to a maximum of 180 days per calendar year. Any unused donated leave time shall be credited back to the donor employees' leave accounts on a pro rata basis upon the recipient employee's return to work or termination of employment. However, if the pro rata amount to be returned to each of the donor employees is less than one whole day, then no leave time shall be credited back to the donor employees.

The recipient employee shall continue to accrue sick and vacation leave while using donated leave time. Time spent on donated leave time does count for purposes of seniority with the District.

The District does not allow pay in lieu of accrued donated leave time. Except as specifically provided herein, recipient employees may not sell or assign donated leave time.

f. Bereavement Leave

All regular employees will be granted up to 3 days of paid leave per calendar year when there is a death of a "family member". "Family member" means parents (biological, adoptive, step-parents and parents-in-law), grandparents, children (biological, adoptive and step-children), grandchildren, siblings (biological, adoptive and step-siblings), spouses and domestic partners. Additional unpaid bereavement leave may be granted with the advance approval of the Executive Director. Vacation leave, sick leave, administrative leave and/or compensatory time may be used at the employee's discretion.

g. District Closure Policy (see also, section 4003)

District Closure Policy

Inclement Weather Leave

If the District is closed due to inclement weather or natural disaster, Regular (as defined in Section 4003) employees will be paid for such leave time up to a maximum of five working days per year. In the event of inclement weather or natural disaster but the District remains open, leave time taken by Regular employees will be charged against vacation, sick leave or compensatory time, or taken without pay. If an employee does work during closure, they are not entitled to additional pay or a credit for leave. Any employee already on leave (vacation etc) is not entitled to any credit or compensation. Loss of Worksite (see section 4003)

Employees experiencing an interruption of their work due to loss of their worksite will be reassigned to an appropriate position if at all possible. If not possible the Executive Director has discretion to retain Regular employees at their normal rate of pay up to a maximum of five working days. If an employee does work during closure, they are not entitled to additional pay or a credit for leave. Any employee already on leave (vacation etc) is not entitled to any credit or compensation.

h. Public Employee Retirement System (PERS)

PERS is a cost sharing program administered by the State of Washington Department of Retirement Systems (DRS). The District is a "retirement system employer" and participation in PERS plan is mandatory for the District and all eligible employees.

Employees will be informed if they are in a PERS eligible position upon hire (or upon becoming eligible at a later date). Both the employee and the District will contribute to DRS each month as required by law based on the amount of the employee's compensation.

PERS eligible employees are also eligible to participate in the State of Washington Deferred Compensation program. Participation is voluntary and based on DRS participation requirements.

i. Medical/Dental Insurance

The District will provide a medical and dental insurance program to all regular employees. Employees and dependents covered by the District's health plan that become ineligible due to change in employment status or termination are eligible to continue coverage at their own expense under terms and conditions specified in the District's medical coverage contract and prescribed by applicable law. Dependent coverage may be paid, in whole or in part, by the

District, but such payment is subject to annual review and budgetary constraints and will be consistent throughout all eligible employees.

j. Life/Disability Insurance

The District will provide group term life insurance and Disability insurance to all regular employees.

k. Injuries

1. On the Job

When employees are injured on the job, they must notify their supervisor immediately. Shortly after the injury has occurred, they must fill out and submit to their supervisor an incident report. Failure to do so may result in disciplinary action. The cognizant Division Director shall be notified immediately who shall in turn promptly provide the incident report and other requested information to the Administrative Manager.

Employees will undergo a medical examination for the injury as soon as practical. In connection with this examination they will complete a claim form for industrial insurance benefits. Employees will not be considered absent from work while undergoing the medical examination.

An employee who is unable to work due to an on-the-job injury is potentially eligible for the following benefits:

- i. Industrial insurance (workers' compensation) benefits.
- ii. Benefits provided by the District's disability insurance plan, if such a plan is provided.

During any period of time in which an employee is unable to work due to an on-the-job injury for which no industrial insurance benefits are provided, the employee will be deemed to be on disability leave and may use his or her accrued vacation leave, sick leave, and/or compensatory time.

Disability leave ends either when the employee returns to work; when the employee is deemed permanently disabled; when the employee's employment is terminated; when the employee dies; or upon the occurrence of another event that prevents the employee from returning to work. Documentation of recovery or receipt of permanent disability benefits shall be obtained from the appropriate entity.

While an employee is on disability leave, the District shall continue to pay, for a maximum of 24 months, the employer's share of the employee's medical, dental, life and disability insurance premiums.

Regular employees shall continue to accrue sick and vacation leave while on disability leave. Time spent on disability leave does count for purposes of seniority with the District.

2. Other

Regular Employees who are unable to work due to a non-work-related injury may use their vacation leave, sick leave, and/or compensatory time during the time in which they are unable to work. During this time, the District will continue to pay — for a maximum of 120 days after exhaustion of the employee's accrued paid leave — the employer's share of the employee's medical, dental, life and disability insurance premiums. Regular employees shall continue to accrue sick and vacation leave while not working due to a non-work-related injury and while being paid for that leave for up to a maximum of six months. Time spent not working due to a non-work-related injury does count for purposes of seniority with the District.

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## **POLICY 4010 - EMPLOYEE RESPONSIBILITIES**

### **a. Computers**

Failure to follow the following guidelines may, in the District's discretion, result in disciplinary proceedings or discharge.

Generally speaking, the District has the authority, in its sole discretion and without notice, to monitor, review and inspect any usage of District computers, including without limitation internal and external e-mail communication, electronic files, and internet usage. Employees do not have an expectation of privacy with respect to their usage of District computers.

#### **Software**

In order to protect the District's computer system from viruses and ensure that the software used is compatible with District computers, only software purchased or approved by the District may be installed on District computers. The System Administrator (or designee) must approve any installation of software not purchased by the District. Software purchased by the District is for District business only and may not be copied or taken home.

Software is protected by law from unauthorized duplication. No employee may duplicate software or otherwise use software other than in accordance with the terms of its license. Software that has been duplicated without authorization may not be installed on District computers.

#### **E-Mail**

E-mail, as well as voice mail, may be used for District business only. All communications should be professional and in a business like tone. Employees must not use e-mail for jokes, gambling, games, derogatory or discriminatory remarks, or commercial messages. Sending and receiving personal email messages should be limited to before and after work or during breaks. The District has access to all e-mail and District employees should not consider e-mail a private means of communication. Confidential or sensitive communications via e-mail are discouraged. E-mail accounts must be managed by employees within the assigned size capacity.

## Internet

The internet is a source of information but can be abused. Internet access should be limited to legitimate District business. Limited personal use may occur during breaks and before and after work. Signing up for personal list serves, bulletin boards or chat groups is not allowed on District computers. The District internet access may never be used for accessing pornographic, gambling or other inappropriate web sites.

The District has the right and ability to check what web addresses are being accessed by employees and monitor how much time each day employees are spending on the internet. Excessive or inappropriate use of the internet will not be tolerated.

## Security

Employees should log off before leaving their computer unattended. Passwords should be changed regularly to prevent unauthorized use of District computers. The System Administrator must be notified of any password change.

### b. Cellular Telephones

#### District Cellular Telephone (including text messaging)

The intended use of District Cellular phones is for District business and to enhance the productivity of employees. If an employee is allocated a District cellular telephone, the District will pay all reasonable expenses related to the purchase, lease or rental. The District reserves the right to obtain reimbursement for personal calls. The employee is responsible for taking reasonable precautions to prevent theft, loss or vandalism of the telephone. The Division Director is responsible for determining which employees are allocated a District cellular phone. Cellular telephone acquisition and use must be budgeted for annually in the District's operating budget and reviewed periodically for more cost effective service providers or a better method of communication.

District cellular telephones should be used for District business and emergencies only. Employees must obey state and federal laws regarding cellular telephones. If personal calls are made and increase the incremental cost to the district, the employee must reimburse the District immediately. Employees should review the cellular statements and distinguish personal calls. Payment for personal calls shall be made to the Finance Department.

Brief personal calls to family or friends when required to work extended hours is considered District business.

The District has the right and authority to monitor the use of District cellular telephones and the Division Director should regularly review the use of each of their employees District cell phone to assure that it is being used appropriately.

Failure to follow the foregoing guidelines may, in the District's discretion, result in disciplinary proceedings or discharge.

Text messages are subject to the Washington State Law regarding public record retention. Texting should not be used unless approved by the Division Director. If employees use texting for District purposes they are responsible to understand the retention requirements of the Public Records Acts. Contact the Districts Public Records Officer for information and questions.

#### Personal Cellular Telephone

If employees use their personal cellular telephone for District business, they may request to be reimbursed for the cost of the call. The employee must provide documentation of the time, date and cost of the call, as well as the reason for it. All reimbursements must be approved in advance by the Finance Manager to ensure that they comply with applicable laws and District policy. The District shall not reimburse employees for the cost of personal use of personal cellular telephones.

The District assumes no liability for loss, damage, theft or other problems with respect to the employees' personal cellular telephones.

Personal calls (and text messages) should be made only during break time and in such a way as to not disturb co workers or customers.

#### c. District Credit Cards

The District may issue credit cards to employees and/or Departments to cover authorized travel expenses and other purchases or acquisitions. District credit cards are to be used for the following purposes only: travel, training, local business meetings, and purchases and acquisitions for District purposes. District credit cards are not to be used for personal expenses, including without limitation telephone calls, meals, gas for personal vehicle, and cash advances. All state and District purchasing requirements must be followed when using credit cards. Employees using the District credit card are responsible for understanding the purchasing requirements.

When using a District credit card:

Employees must legibly print their name on receipts;

Receipts must sufficiently describe the nature and amount of the transaction;

Original receipts must be turned into the Finance Department with the credit card statement;

The employee charging an item or service on the card must turn in an appropriate invoice and/or receipt within 5 working days to the designated credit card coordinator.

Credit card bills should be paid in a timely manner to avoid finance charges and late fees;

All transactions over \$1000 must be approved, in advance when possible, by the Division Director.

If a receipt cannot be obtained for a transaction, then the credit card cannot be used for the transaction.

Credit card should not be used for purchase of meals or gas with the exception of purchases made for activities involving advertised or scheduled classes.

The employee using the credit card is responsible to pay charges not sufficiently documented or not approved. The employee must pay such charges within one month or else the District may, in its discretion, deduct money from the employee's compensation to cover the charges.

District credit cards must be surrendered to the Finance Department immediately upon request. Employees shall immediately report lost or stolen District credit cards to the Finance Department.

Failure to follow the foregoing guidelines may, in the District's discretion, result in disciplinary proceedings or discharge.

d. District Property (e.g. telephones, vehicles, supplies)

District property, including without limitation supplies, vehicles and equipment, is to be used for District business only. Personal use of District property is prohibited by law. By way of example, paper, envelopes and postage may not be used for personal mail, and petty cash funds may not be used to cash personal checks.

Employees entrusted with District property are responsible for its proper care, use and maintenance. The District reserves the right to seek reimbursement from an employee for the replacement value of District property that is lost or damaged while in the employee's possession. Employees may not take District property home with them without advance approval from their Division Director.

District telephones are to be used for District business, the only exception being necessary personal calls, which shall be local and brief. Long distance personal calls are prohibited, and employees who make such calls shall reimburse the District for the cost of the calls. The District has the right and authority to monitor the use of District telephones.



The District may provide a locker, cabinet or desk for an employee's use. The District is not responsible for employees' personal possessions that are brought onto District property.

The District reserves the right to inspect District property, including an employee's locker, cabinet or desk. Inspections will be conducted in accordance with applicable law.

Failure to follow the foregoing guidelines may, in the District's discretion, result in disciplinary proceedings or discharge.

e. Employee Suggestions and Concerns

It is always appropriate to share ideas informally with co-workers or supervisors. The District encourages employees to write suggestions down and submit them to their Division Director.

The District encourages all employees to raise any and all work related concerns with the appropriate District representative. If an employee is unsure to whom to direct questions or concerns, or feels that the issue was not addressed satisfactorily, the employee should contact his or her Division Director.

Questions and concerns regarding personnel policies should be directed initially to the employee's supervisor or the Human Resources Manager. Questions and concerns regarding operations or administrative policies should be directed initially to the employee's supervisor.

f. Reporting Improper Activity

The District encourages employees to report "improper governmental action", which is defined as any action by a local official or employee that is undertaken in the performance of his or her duties that violates law, abuses his or her authority, is a danger to public health or safety, or is a gross waste of public funds.

If an employee reasonably suspects improper governmental action, the employee is encouraged to report it in writing to his or her Division Director or the Executive Director. The District encourages employees to utilize internal procedures to address suspected improper governmental action. However, the employee is free to report the suspected governmental action to any cognizant outside agency.

Any report of suspected improper activity will be promptly investigated and the reporting employee will be advised of the results of the investigation in a timely manner. The reporting employee's identity will be kept confidential to the extent possible.

An employee will not be retaliated against for reporting suspected improper governmental action; provided, however, that the report was made in good faith. If an employee feels that he

or she is being retaliated against, the employee should immediately notify the Executive Director or the Human Resource Manager. The alleged retaliation will be promptly investigated and the employee will be advised of the results of the investigation in a timely manner.

g. Conflicts of Interest

As a public entity, it is important that the District avoid situations involving actual, potential or perceived conflicts of interest. Accordingly, District employees may not engage in activities that conflict or appear to conflict with the performance of their official duties, or that confer or appear to confer benefits upon them by virtue of their employment with the District. Examples of such activities include:

- o Use of an employee's position with the District to secure privileges or exemptions for the employee or another.
- o Use of District property or funds for an employee's or another's personal gain.
- o Acceptance of a favor or item of economic value in exchange for influence over the conduct of an employee's official duties.
- o Involvement in any business, entity, support organization, or professional activity, including outside employment, that is incompatible with an employee's responsibilities to the District.
- o Involvement in any business, entity, or support organization with which the District has a financial relationship that entails decision-making authority or handling of funds with respect to transactions involving the District.
- o Involvement in any District transaction or contract in which the employee is beneficially interested, directly or indirectly.
- o Disclosure or use for personal gain of confidential information obtained by reason of the employee's position with the District.

An employee is permitted to hold outside employment only if such employment does not in any way inhibit the employee's performance of his or her duties for the District, does not constitute an actual, potential or perceived conflict of interest, and does not reflect poorly on the District. If an employee is offered a favor or item of economic value by an outside person or entity (such as a support organization), the employee shall immediately report such offer to his or her supervisor. The Executive Director shall make the decision as to the propriety of all such offers and whether or not the favor or item of economic value shall be accepted or declined.

If an employee is unsure as to whether a given activity would pose a conflict of interest, the employee should consult with their supervisor or Human Resource Manager before engaging in the activity.

h. Political Activity

The District supports its employees' rights to vote, express their opinion, hold political office, and participate in political campaigns. In the interest of maintaining an orderly and respectful workplace and avoiding conflicts of interest, and not in an attempt to chill or suppress the free exercise of constitutional rights, the following guidelines should be followed:

1. Employees may not wear, display or distribute political paraphernalia or literature during their hours of employment.
2. Employees participating in fundraising or other political activity must make it clear that they do not represent the District.
3. Employees may not solicit political contributions from co-workers through threats or promises of differential treatment on the job.

i. Social or Professional Organization Memberships/Dues

It is the policy of the District to pay for certain membership in organizations that would promote the advancement of education and research, enhance the professional standing of its administrative personnel, and facilitate favorable community relations. The Executive Director must authorize the membership (Board of Commissioner if for the Executive Director) and

- Membership is used primarily for business purposes
  - Payments shall not be used for political purposes
  - Memberships and employee participation in community organizations should be reasonable and necessary to achieve effective community relations within a reasonable expenditure of funds
  - Membership fees and dues shall be paid directly to the organization or proof of payment by the employee must be provided.
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## **POLICY 4011- DISCIPLINE**

The District expects all employees to comply with District policies and to perform their job duties in an honest, ethical, lawful and appropriate manner. The District reserves the right to discipline employees who fall short of these standards.

The Executive Director is responsible for discipline of all District employees. The Board is responsible for discipline of the Executive Director.

### **a. Grounds**

The following is a non-exhaustive list of conduct that could result in discipline:

1. Dishonesty.
2. Intoxication.
3. Improper use of District property.
4. Insubordination.
5. Criminal conviction.
6. Unexcused absence.
7. Violation of District policy.
8. Harassment.
9. Conduct unbecoming an employee of the District.
10. Conduct incompatible with good public service.

Everyone in an employee's chain of command (immediate supervisor, Department Director, Division Director, Human Resources Manager, Executive Director) has the right and obligation to initiate disciplinary proceedings when warranted.

### **b. Procedure**

If the District believes that discipline is warranted, the District will notify the employee in writing (i) that disciplinary proceedings are pending, (ii) of the conduct that is the basis for the proceedings, (iii) of the proposed disciplinary action(s), (iv) of the consequence of not responding to the disciplinary notice, and (v) of the procedure for requesting an informal hearing.

If the employee does not file a timely response to the disciplinary notice, the District will immediately implement the proposed disciplinary action set forth in the notice.

If the employee wishes to dispute the conduct and/or the proposed disciplinary action, the employee must, within five (5) business days of receipt of the disciplinary notice, file a written response with the Human Resources Manager. If the employee files a timely response, the employee will be entitled to an informal hearing with the Human Resources Manager, Division Director and Executive Director. At the hearing the employee may submit materials for consideration, speak on his or her behalf, and have others speak on his or her behalf. Within ten (10) business days, the Executive Director shall notify the employee in writing of his or her decision and the disciplinary action to be taken, if any. The Executive Director is not bound by the proposed disciplinary action(s) set forth in the disciplinary notice and may, in his or her sole discretion; decide upon different disciplinary action(s).

The following is a non-exhaustive list of disciplinary actions that are available to the District in a disciplinary proceeding:

1. Notice of discipline (which will be permanently placed in the employee's personnel file).
2. Monetary fine (which will be deducted from the employee's compensation).
3. Suspension with or without pay.
4. Demotion and/or reassignment.
5. Involuntary termination (discharge).

All disciplinary action taken against employees will be permanently documented in their personnel file.

c. At Will Employment

Nothing in this Section alters the at-will nature of the employment of District employees, and notwithstanding anything to the contrary stated or implied elsewhere in this manual; a disciplinary proceeding is not required in order to discharge an employee. The District may, but need not, utilize the disciplinary procedure set forth in this Section 4010 before discharging an employee, and whether or not to do so is within the sole discretion of the District.

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## **POLICY 4012 - GRIEVANCE**

### **a. Grounds**

Generally, only adverse employment-related actions may be grieved, and only the aggrieved employee may file a grievance. Employees may not file grievances on behalf of other employees.

The following is a non-exhaustive list of actions that are not grievable:

1. Involuntary termination (layoff or discharge).
2. Classification as an exempt or non-exempt employee.
3. Classification as a regular or non-regular employee.
4. District-wide wage freeze.
5. An action taken pursuant to the Leave Donation Program.
6. Disciplinary action.
7. Level 2 grievance.

### **b. Procedure**

In the absence of a specified grievance procedure elsewhere in this manual, the following is the procedure for grievances:

**Level 1:** The employee must submit a written grievance to his or her immediate supervisor within five (5) business days of the action that is the subject of the grievance. The grievance must describe the action in sufficient detail and explain how it adversely impacts him or her. The supervisor will investigate as necessary and, within five (5) business days of receipt of the written grievance, inform the employee of the findings and the action to be taken, if any.

**Level 2:** If the employee does not receive a response from his or her supervisor within this timeframe or does not accept the supervisor's decision, the employee may file a written grievance with the Human Resources Department. The written grievance must be filed within five (5) business days of the employee's notification of the supervisor's decision. The grievance must describe the action in sufficient detail, explain how the action adversely impacts him or her, and summarize the supervisor's decision. The Human Resources Manager, Division Director and the Executive Director will investigate as necessary and, within ten (10) business days of receipt of the written grievance, the Executive Director will inform the employee in writing of the findings and the action to be taken, if any.

Employees should strictly comply with the time limits herein for filing a grievance. The District reserves the right to reject grievances that are not timely filed.

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Bainbridge Island Metropolitan Park & Recreation District  
Employee Manual Acknowledgement

I acknowledge that I have received and read the policies and provisions contained in the Bainbridge Island Metropolitan Park & Recreation District (District) Employee Manual. I understand that I am responsible to consult my supervisor or the Human Resources Manager if I have any questions.

I understand and acknowledge that there is not specified length to my employment at the District and that my employment is at will. I understand and acknowledge that "at will" means that I may terminate my employment at any time, with or without cause or advance notice. I also understand and acknowledge that "at will" means that the district may terminate my employment at any time, with or without cause or advance notice, as long as they do not violate federal or state laws.

I have received that handbook and I understand that it is my responsibility to read and follow the policies contained in this handbook and any changes made to it.

EMPLOYEE'S NAME (printed):

EMPLOYEE'S SIGNATURE:

DATE: \_\_\_\_\_