

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
RESOLUTION NO. 02-47**

**A RESOLUTION OF THE CITY OF LIBERTY LAKE, WASHINGTON
ADOPTING A PERSONNEL POLICY FOR ALL
EMPLOYEES OF THE CITY OF LIBERTY LAKE.**

WHEREAS, the Liberty Lake City Council is required to adopt personnel policies and procedures which relate to the City of Liberty Lake employees and other such matters properly related thereto; and

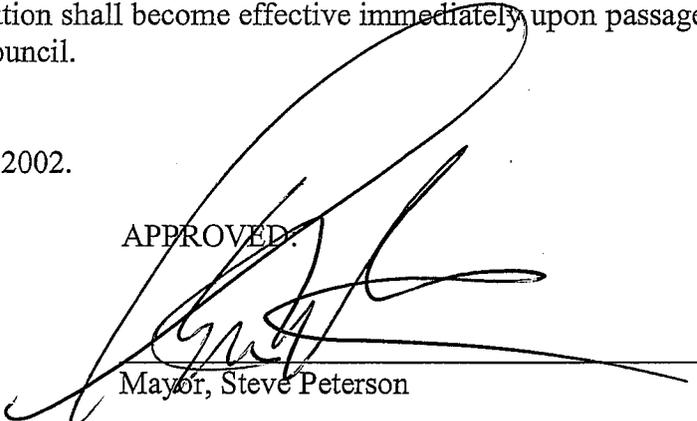
WHEREAS, the Finance Committee, City Staff and Liberty Lake City Council has reviewed the attached Personnel Manual and finds it to be acceptable and appropriate.

NOW, THEREFORE, be it Resolved by the City Council of the City of Liberty Lake, Washington as follows:

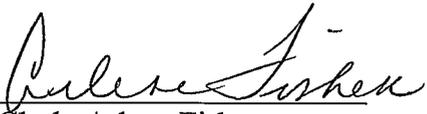
1. City of Liberty Lake Personnel Manual Adopted The policy for personnel matters set forth in the document entitled "City of Liberty Lake Personnel Manual" which is attached hereto as Exhibit "A" and incorporated herein by this reference is hereby adopted as the official policy for all employees employed by the City of Liberty Lake.
2. Amendments as Needed. The City of Liberty Lake through the City Council by Resolution, may amend, change, supplement or update any and all sections, terms or portions of the Personnel Manual as presently exist or as necessary.
3. Authority. The Mayor and City Administrator shall carry out the duties of enforcing the Personnel Policy and Procedures as prescribed in the Manual.
4. Effective Date. The Resolution shall become effective immediately upon passage by the Liberty Lake City Council.

Adopted this 18th day of June, 2002.

APPROVED:

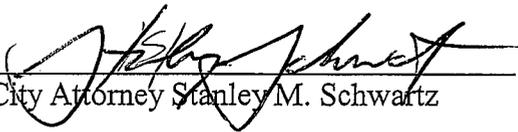

Mayor, Steve Peterson

ATTEST:



City Clerk, Arlene Fisher

APPROVED AS TO FORM



City Attorney Stanley M. Schwartz

Effective Date: _____

CITY OF LIBERTY LAKE

PERSONNEL MANUAL

EXHIBIT "A"

TABLE OF CONTENTS

PAGE

Chapter 1 Purpose and Scope	
1.1 Introduction	1
1.2 Intent of Policies	1
1.3 Scope of Policies	1
1.4 Changing the Policies	2
1.5 Definitions	2
Chapter 2 General Policies and Practices	
2.1 Equal Opportunity Policy	3
2.2 Disability Discrimination Prohibited	3
2.3 Life Threatening/Communicable Disease	3
2.4 Anti-Harassment Policy	3
2.5 Sexual Harassment Prohibited	4
2.6 Discrimination Complaint Procedure	4
2.7 Employee Personnel Records	5
2.8 Employment References	5
Chapter 3 Recruiting and Hiring	
3.1 Recruiting.....	6
3.2 Hiring.....	6
3.3 Temporary Employees.....	7
3.4 Probationary Period.....	7
3.5 Nepotism (Employment of Relatives)	8
3.6 Promotions	8
Chapter 4 Hours and Attendance	
4.1 Working Hours.....	9
4.2 Hours of Work and Overtime.....	9
4.3 Compensatory Time.....	10
4.4 Attendance.....	10
4.5 Unusual Weather Conditions.....	11
4.6 Breaks and Meal Periods.....	11
4.7 Call Back.....	11
4.8 Payroll Records.....	11
4.9 Off Duty Court Appearances	12
4.10 Pay for External Appearances.....	12
Chapter 5 Compensation	
5.1 Salary Classification and Grades.....	13
5.2 Paydays.....	13
5.3 Deductions.....	13
5.4 Travel Away from the City.....	13
5.5 Travel Expense Reimbursement.....	14

Table of Contents (continued)

	Page
5.6 Compensation Upon Termination.....	14
Chapter 6 Performance Evaluations & Training	
6.1 Performance Evaluations.....	15
6.2 Training Policy.....	15
6.3 Training Time & Employee Wages	15
Chapter 7 Benefits	
7.1 Paid Employee Benefits.....	16
7.2 Retirement Benefits.....	16
7.3 Disability Benefits.....	17
7.4 Unemployment Compensation.....	18
Chapter 8 Leaves	
8.1 Vacation Leave.....	19
8.2 Sick Leave.....	19
8.3 Sick Leave Donation	20
8.4 Family Leave Act.....	21
8.5 Leave Without Pay.....	21
8.6 Jury and Witness Leave.....	21
8.7 Military Leave.....	22
8.8 Bereavement Leave.....	22
8.9 Holidays	22
Chapter 9 Employee Responsibilities and Conduct	
9.1 General Code of Conduct.....	23
9.2 Outside Employment & Conflicts of Interest	23
9.3 Reporting Improper Governmental Action.....	24
9.4 Political Activities.....	26
9.5 No Smoking Policy.....	27
9.6 Personal Possessions & Electronic Communications..	27
9.7 Use of City Vehicles and Equipment.....	27
9.8 Contact With the News Media.....	27
9.9 Seat Belt Policy.....	27
9.10 Driver's License Requirements.....	28
9.11 Solicitations.....	28
9.12 Safety.....	28
9.13 Substance Abuse.....	29

Table of Contents (continued)

	Page
Chapter 10 Discipline and Termination	
10.1 Actions Subject to Disciplinary Action.....	30
10.2 Possible Disciplinary Actions.....	31
10.3 Pre-Termination Hearing.....	31
10.4 Layoff and/or RIF.....	32
10.5 Severance Packages.....	32
10.6 Resignation.....	32
Chapter 11 Complaint Procedures	
11.1 Complaint Procedures.....	33

Chapter 1

PURPOSE AND SCOPE

1.1 INTRODUCTION

These personnel policies serve as a general guide to the City's current employment practices and procedures. Their purpose is to establish a means whereby fair treatment is extended to all employees in a uniform and equitable manner. Both the employees and the employer should know what their rights and responsibilities are in relation to the work environment. These policies also describe what the City provides you in terms of benefits and support.

The City places the highest value on our employees and their well being. We want to see that you are a satisfied worker, with the support necessary to achieve the objectives of your position. Only in this manner can your contribution to the City organization be the most productive.

It is our belief that when consistent personnel policies are known and communicated to all, the choices for greater job satisfaction increase. We encourage you to read these policies. If you have any questions, please ask your supervisor. If you have ideas or suggestions for improvement, please do the same.

1.2 INTENT OF POLICIES

These policies are not intended to be a contract, express or implied, or any type of promise or guarantee of specific treatment upon which you may rely, or as a guarantee of employment for any specific duration. Although we hope that your employment relationship with us will be long term, we recognize that things may not always work out as hoped, and either of us may decide to terminate the employment relationship. Please understand that no supervisor, manager or representative of the City other than the Mayor has the authority to enter into any agreement with you for employment for any specified period or to make any written or verbal commitments contrary to what has been stated here. Some positions may require Council confirmation.

1.3 SCOPE OF POLICIES

These personnel policies apply to all City employees. In cases where these policies conflict with any City ordinance, Civil Service rule or regulation, bargaining agreement, state or federal law, the terms of that law or agreement prevails. In all other cases, these policies apply.

1.4 CHANGING THE POLICIES

As the need arises, the Mayor may modify these policies as adopted by Council. The City Council, by ordinance, shall enact any changes in compensation or benefit levels. The Mayor may deviate from these policies in individual situations, in an emergency, in order to achieve the primary mission of serving the City's citizens. Employees may request specific changes to these policies by submitting suggestions to the City Administrator.

1.5 DEFINITIONS

Anniversary Date: The date of employment used to determine time based salary changes, seniority and other time-related personnel action. When an employee is promoted to a new salary range or step, the anniversary date for future step raises is adjusted to the date of promotion. The anniversary date is not changed for purposes of determining seniority.

Department Head: An employee who is responsible for directing one or more departments.

Immediate Family: Includes the employee's parents, spouse, child, step-child, parent, brother or sister, mother or father-in-law, son or daughter-in-law, grandparent, grandchild, or other relative who lives in the employee's home.

Probation: A working period during which employees are required to demonstrate their ability and capacity to perform the duties of their position.

Regular Full-Time Employee: An employee who has successfully completed a probationary period as defined in these policies and who regularly works a minimum of 40 hours a week.

Regular Part-Time Employee: An employee who has successfully completed a probationary period as defined in these policies and who regularly works less than 40 hours but at least 20 hours a week.

Temporary Employee: Employees who hold jobs of limited duration due to special projects, seasonal work, abnormal work loads, to fill in for an absent regular employee or for emergencies.

Probationary Employee: Employees who have not yet completed their probationary period in a regular position and who have not been certified to regular employment status. Unless otherwise specified, when regular employees are referred to in these policies, they shall include trial employees.

Chapter 2

GENERAL POLICIES AND PRACTICES

2.1 EQUAL EMPLOYMENT OPPORTUNITY POLICY

The city is an equal employment opportunity employer. The city employs, retains, promotes, terminates and otherwise treats all employees and job applicants on the basis of job-related qualifications and competence. These policies and all employment practices shall be applied without regard to any individual's sex, race, color, religion, national origin, pregnancy, age, marital status or disability.

2.2 DISABILITY DISCRIMINATION PROHIBITED

The city will not discriminate against qualified applicants or employees with a sensory, physical or mental disability unless the disability cannot be reasonably accommodated and prevents proper performance of an essential element of the job.

2.3 LIFE THREATENING/COMMUNICABLE DISEASE

Employees with life threatening illnesses or communicable diseases are treated the same as all other employees. They are permitted to continue working as long as they are not a threat to themselves or their co-workers. The city will work to preserve the safety of all of its employees and reserves the right to reassign employees or take other job actions, including discharge, when substantial and unusual safety risk to fellow City employees or the public exists.

2.4 ANTI-HARASSMENT POLICY

It is the City's policy to foster and maintain a work environment that is free from discrimination and intimidation. Toward this end, the City will not tolerate harassment of any kind that is made by employees toward co-workers or members of the public. Employees are expected to show respect for each other and the public at all times, despite individual difference.

Harassment is defined as verbal or physical conduct that demeans or shows hostility or aversion toward another employee or members of the public. Examples of prohibited conduct include slurs or demeaning comments to employees or members of the public relating to race, ethnic background, gender, religion, sexual orientation, age or disability.

See Discrimination Complaint Procedure, Policy 2.6 for guidance on what to do if you experience harassment.

2.5 SEXUAL HARASSMENT PROHIBITED

Sexual harassment is a form of sex discrimination that is illegal. Sexual harassment is also inappropriate and offensive and will not be tolerated by the City.

Sexual harassment is behavior of a sexual nature which is unwelcome. Examples of sexual harassment include verbal behavior such as unwanted sexual comments, suggestions, jokes, or pressure for sexual favors; non-verbal behavior such as suggestive looks and leering; and physical behavior such as pats or squeezes or repeatedly brushing against someone's body. Other conduct also may constitute sexual harassment depending upon given facts and circumstances.

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct constitute sexual harassment when:

- It is part of a supervisor's decision to hire or fire;
- It is used to make other employment decisions such as pay, promotion or job assignments.
- It creates an intimidating, hostile or offensive work environment.

Employees engaging in improper harassment are subject to discipline, including termination. See Discrimination Complaint Procedure, Policy 2.6, for guidance on what to do if you experience sexual harassment.

2.6 DISCRIMINATION COMPLAINT PROCEDURE

Each member of management is responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise. Further, employees are responsible for respecting the rights of their co-workers and others, including the citizens they serve. The following procedure outlines the steps to follow if you believe you have experienced harassment or discrimination on the job.

Should you believe that you have been harassed or are the victim of discrimination, you should try, if possible, to identify the offensive behavior to the harasser and request that it stop. In the event such informal direct communication is either ineffective or impossible, you should discuss your concern immediately with your supervisor. If the supervisor is involved in the harassment problem, the complaint should be taken to the City Administrator. No employee will suffer retaliation for reporting such concern. To the extent possible, complaints will be handled confidentially.

If an investigation shows the accused employee did engage in improper harassment or discrimination, appropriate action will be taken, as in the case of any other serious

employee misconduct. Such actions may include warnings, verbal and/or written reprimands, a letter to the employee's file, or an employee transfer, demotion, suspension or termination.

2.7 EMPLOYEE PERSONNEL RECORDS

A personnel file for each employee is kept in the City Hall. An employee's personnel file contains the employee's name, title and/or position held, job description, department to which the employee is assigned, salary, changes in employment status, training received, performance evaluations, personnel actions affecting the employee, including discipline, and other pertinent information. All medical information about employees are contained in a separate confidential file under double lock and key.

Employees have the right to review their files in the presence of the City Administrator or City Clerk and may request copies of anything in their file. An employee may request removal of irrelevant or erroneous information from his/her personnel file. If the City denies an employee's request to remove the information, the employee may file a written rebuttal statement to be placed in his/her file.

Personnel files are kept confidential to the maximum extent permitted by law. Except for routine verifications of employment, no information from an employee's personnel file will be released to the public, including the press, without a written request for specific information signed by the employee.

2.8 EMPLOYMENT REFERENCES

Only the Mayor, City Administrator or department head will provide employment references on current or former City employees. Other employees shall refer requests for references to the appropriate department head or the Mayor or Administrator. References will be limited to verification of employment and salary unless the employee has completed a written waiver and release.

Chapter 3

RECRUITING AND HIRING

3.1 RECRUITING

Recruiting practices are conducted solely on the basis of ability, merit, qualifications and competence, without regard to race, color, religion, national origin, sex, marital status, pregnancy, physical handicap, disability or age.

Each applicant shall complete and sign an application form prior to being considered for any position. Resumes may supplement, but not replace, the City's official application.

Any applicant supplying false or misleading information is subject to immediate termination, if hired.

3.2 HIRING

When a position becomes vacant and prior to any posting or advertisement of the vacancy, the Administrator and department head shall review the position, its job description and the need for such a position. The position will be posted and/or advertised with the Mayor's approval.

The City may administer pre-employment examinations to test the qualifications and ability of applicants, as determined by the City. The City may contract any agency or individual to prepare and/or administer examinations. The City may also conduct certain background procedures as required by law. Examples of such procedures is to require applicants to show proof they are authorized to work in the United States or request a waiver from applicants to conduct a police background check. The City shall require successful applicants for employment to take a pre-employment drug test. The City of Liberty Lake is a drug-free employer.

Residency within the City shall not be a condition of initial appointment or continued employment provided, however, that an employee's selection of residence shall not interfere with the daily performance of his/her duties and responsibilities.

Applicants for positions in which the applicant is expected to operate a motor vehicle must be at least 18 years old and will be required to present a valid Washington State driver's license with any necessary endorsements. Driving records of applicants will be checked. Applicants with poor driving records, as determined by the City, may be disqualified for employment with the City in positions that require driving.

After an offer of employment has been made and prior to commencement of employment, the City may require persons selected for employment to successfully pass

a medical examination. The purpose of the examination is to determine if the individual is physically able to perform the job and to ensure his/her physical condition will not endanger the health, safety or well-being of other employees or the public. The offer of employment may be conditioned on the results of the examination.

A candidate may be disqualified from consideration if: 1) found physically unable to perform the duties of the position (and the individual's condition cannot be reasonably accommodated in the workplace); 2) the candidate refuses to submit to a medical examination or complete medical history forms.

3.3 TEMPORARY EMPLOYEES

Department heads may use temporary employees to temporarily replace regular employees who are on vacation or other leave, to meet peak work load needs, or to temporarily fill a vacancy until a regular employee is hired. Temporary employees may be hired without competitive recruitment or examination, although all hiring processes must comply with state and federal laws.

Compensation/Benefits: Temporary employees are eligible for overtime pay as required by law. Temporary employees do not receive retirement, vacation, sick leave, health insurance, holidays or any other benefits during employment. Temporary employees will be eligible for same social security substitute system (401a) plan as full time employees.

3.4 PROBATIONARY PERIOD

Upon hire or appointment, all employees enter a probationary period that is considered an integral part of the selection and evaluation process. Probation is designed to give the employee time to learn the job and to give the supervisor time to evaluate whether the match between the employee and the job is appropriate.

The normal probationary period is one year from the employee's date of hire. A six month probationary period is required after rehire and a 90-day probation period after promotion. The Mayor may authorize the department head to extend the probationary period for up to an additional 6 months. An extension may be granted due to circumstances such as an extended illness or a continued need to evaluate an employee's performance with complete documentation provided by the supervisor and/or City Administrator.

Once probation is successfully completed, the employee may be certified to regular employment status. Satisfactory completion of probation does not create an employment contract or guarantee employment with the City for a specified duration.

Use of Sick Leave and Vacation During Probation: Probationary employees may use their accrued sick leave from the beginning of their employment, but may not use earned

vacation until they have completed 6 months of employment, unless specifically approved by the Mayor.

3.5 NEPOTISM (EMPLOYMENT OF RELATIVES)

The immediate family of current city employees and City council members will not be employed by the City where:

1. one of the parties would have authority (or practical power) to supervise the other;
2. one party would handle confidential material that creates improper or inappropriate access to that material by the other; or
3. other circumstances exist that might lead to potential conflict among the parties or conflict between the interest of one or both parties and the best interests of the City.

Change in Circumstances: If two employees marry, become related or begin sharing living quarters with one another and, in the City's judgement, the potential problems noted above exist or reasonably could exist, only one of the employees will be permitted to stay with the city, unless reasonable accommodations, as determined by the Mayor, can be made to eliminate the potential problem.

The decision as to which employee will remain with the city must be made by the two employees within 30 calendar days of the date they marry, become related or begin sharing living quarters with each other. If no decision is made during this time, the City reserves the right to terminate either employee.

3.6 PROMOTIONS

The City encourages promotion from within the organization whenever possible. Employees may apply for positions in which they are interested and qualified. Before advertising a position to the general public, the Mayor may choose to circulate a promotional opportunity within the City. The City, however, reserves the right to seek qualified applicants outside of the organization at its discretion.

New Probation Period: After promotion to a new position, a new probationary period of 90 days must be completed, unless waived or reduced by the Mayor. In the case of unsatisfactory performance in a promotional situation, the employee may be considered for transfer back to the previous position held by the employee. If the employee successfully completes the new probation and is promoted, his/her anniversary date shall be adjusted to the date of promotion for purposes of the step pay plan.

Chapter 4

HOURS AND ATTENDANCE

4.1 WORKING HOURS

The City's standard work week for City Hall is Monday through Friday from 8 a.m. to 5 p.m. with a one-hour unpaid lunch period. Due to the nature of the City's operation, different hours are necessary in some departments.

A normal working schedule for regular, full-time employees consists of 40 hours each work week. Work hours and/or schedules differ for police employees to cover their schedule.

Part-time and temporary employees will work hours as specified by their department heads.

The designated work week shall be determined via written policy by the Chief of Police. Each police employee shall be assigned on a regular shift which shall not be changed without first being given five calendar days notice, except by agreement between the concerned parties. However, the Employer may alter the time of such shifts or starting time when circumstances arise which would require such a change of interest of public safety or the efficiency of law enforcement. The Employer and Employee may work any other arrangement that is mutually agreeable and is not detrimental to rendering efficient police services.

4.2 HOURS OF WORK AND OVERTIME

All City positions are designated as either "exempt" or "non-exempt" according to the Fair Labor Standards Act (FLSA) and Washington Minimum Wage Act regulations. The only exempt positions are City Administrator, Police Chief, City Clerk and Director of Planning & Community Development.

For most City employees, the established work period is 40 hours within a seven day work week. All personnel are responsible for accurately reporting all hours worked on forms supplied by the City. Employees failing to accurately record time worked are subject to discipline.

Non-exempt employees are entitled to additional compensation, either in cash or compensatory time off, when they work more than 8 hours per day. All overtime must be authorized in advance by the employee's supervisor. Overtime pay is calculated at one and one-half times the employee's regular rate of pay. When computing overtime, time paid for but not worked (e.g. holidays, sick leave and vacation time) is not counted as hours worked.

Exempt employees are not covered by the FLSA or Washington Minimum Wage Act overtime provisions and do not receive either overtime pay or compensatory time in lieu of overtime pay.

Police employees shall be paid one and one-half times their regular straight time hourly rate of pay for all authorized hours of work or training in excess of their regular work shift. Excluded from the overtime pay is time spent traveling to and from training courses and any unauthorized hours of work unless required by state and or federal law.

4.3 COMPENSATORY TIME

Non-exempt employees entitled to overtime pay may request compensatory time off instead of cash payment. This time off is approved on an individual basis by the employee's supervisor. Compensatory time is credited to the employee with one and one-half times the hours worked in overtime. Maximum accruals of compensatory time shall be limited to 80 hours for regular and police employees. After maximum accrual, overtime compensation shall be paid.

Employees may use compensatory time within a reasonable period after making a request to their supervisor, unless doing so would unduly disrupt City operations. Compensatory time should be used for short term absences from work during times mutually agreed to by the employee and his/her supervisor. Unused compensatory time may also be cashed out at the single hourly rate of the employee times the accrued hours.

Employee comp time balances may be reviewed at least annually as part of the City's budget process.

4.4 ATTENDANCE

Punctual and consistent attendance is a condition of employment. Each department head is responsible for maintaining an accurate attendance record of his/her employees.

Employees unable to work or unable to report to work on time should notify their supervisor as soon as possible, ordinarily before the work day begins or within 30 minutes of the employee's usual starting time. If an absence continues beyond one day, the employee is responsible for reporting in each day. If the supervisor is unavailable, the employee may leave a message with the City Administrator or Mayor, stating the reason for being late or unable to report to work.

An employee who is absent without authorization or notification is subject to disciplinary action, including possible termination.

4.5 UNUSUAL WEATHER CONDITIONS

During times of inclement weather or natural disaster, it is essential that the city continue to provide vital public services. Therefore, it is expected that employees make every reasonable effort to report to work without endangering their personal safety.

An employee who is unable to get to work or leaves work early because of unusual weather conditions may charge the time missed to vacation, compensatory time or leave without pay. The employee shall advise the supervisor by phone, as in any other case of late arrival or absence.

4.6 BREAKS AND MEAL PERIODS

Employees may take one fifteen-minute break for every four hours worked. All breaks shall be arranged so that they do not interfere with City business or service to the public. Meal periods shall be scheduled by the employee's department head. The scheduling of meal periods may vary depending on department workload. Meal periods for regular employees are unpaid and are an hour in length.

Police employees are subject to being available to respond to calls for service during their entire shift. Officers are allowed a paid 30-minute lunch break. During this time, officers are to monitor radio traffic with their assigned portable radio and be available to handle calls for service.

4.7 CALL BACK

All employees are subject to call back in emergencies or as needed by the city to provide necessary services to the public. A refusal to respond to a call back may be grounds for immediate disciplinary action, including possible termination. Employees called back to duty will be paid their appropriate rate of pay for hours worked and the overtime rate for hours worked over the applicable overtime threshold.

All police employees are subject to call back in emergencies or as needed by the city to provide necessary services to the public. A refusal to respond to a callback may be grounds for immediate disciplinary action, including possible termination. Employees call back to duty will be paid at their overtime rate for actual hours worked.

4.8 PAYROLL RECORDS

The official payroll records are kept by the City Clerk. Department heads shall turn in the signed work record for each employee within their department, noting hours worked, leave taken and overtime worked. The department head shall sign and certify work records for employees in his/her department. Work records of department heads shall be signed by the City Administrator and the Administrator's work records shall be signed by the Mayor. The City Administrator may review all payroll work records.

4.9 OFF DUTY COURT APPEARANCES

The off-duty police employee shall be paid at the rate of one and one-half times his/her straight time hourly rate for the time spent for all mandatory or subpoenaed court appearances, for any jurisdiction, for actual time spent at court.

4.10 PAY FOR INTERNAL APPEARANCES

The police employee shall be paid at the rate of one and one-half time his/her straight time hourly rate when he/she is required to appear on his/her off duty time for internal investigations or for a review board.

Chapter 5

COMPENSATION

5.1 SALARY CLASSIFICATION AND GRADES

Each job title within the City is classified into one of the City's Salary Ranges. Salary range schedules are approved by the City Council. City Administrator is at Range 56, Chief of Police, Clerk Treasurer and Director of Planning and Community Development is a Range 46 – 47. Police Sergeant, Range 44; Police Officer, Range 39. Building Inspector/Plan Examiner, Range 36; Deputy Clerk/Treasurer and Planning Technician Range 33.

Usually new employees will start at their employment at the lowest step of their range. However, the Mayor may place a new employee at a higher rate when the employee's experience, training or proven capability warrant, or when prevailing market conditions require a starting rate greater than the lower range.

The Mayor may propose and the City Council may grant an across-the-board pay adjustment (cost-of-living increase) from time to time, raising the salaries of all positions by a specified amount. Such adjustments, if any, will not change an employee's pay anniversary date. The Mayor, on an individual basis, may grant a one-time pay adjustment of a step increase over a two-year period without Council approval; any steps over and above a one-step increase must have Council approval.

5.2 PAYDAYS

City employees are paid monthly on the last working day of each month.

5.3 DEDUCTIONS

Some regular deductions from the employee's earnings are required by law; other deductions are specifically authorized by the employee. The City will withhold from the employee's paycheck those deductions required by law and any voluntary deductions authorized by the employee or by statute.

5.4 TRAVEL AWAY FROM THE CITY

All travel away from the City must be approved in advance by the Mayor or City Administrator. If private automobiles are used, employees will be reimbursed mileage at the prevailing federal rate. When applicable, travel to and from meetings and conferences will be scheduled during work hours.

5.5 TRAVEL EXPENSE REIMBURSEMENT

City employees will be reimbursed for reasonable and customary expenses actually incurred in connection with the business of the city, including food, lodging and travel expenses while away, but excluding any expenses for alcoholic beverages. Tips not to exceed 15 percent for meals, taxis or baggage handling are reimbursable. Tips are paid over and above the meal allowance. Receipts are required for reimbursement of actual expenses not to exceed \$10.00 for breakfast, \$10.00 for lunch and \$20.00 for dinner. Requests for reimbursement, including receipts, shall be submitted to the Treasurer on a travel expense form signed by the employee. When meals are included in registration for meetings and conferences, the above limits do not apply. If travel expenses exceed amounts authorized, the voucher must be reviewed and approved by the City Administrator.

City vehicles shall only be used by City employees as authorized by their department head. All city vehicles that will be used out of town shall be signed out at City Hall and approved by the Mayor or City Administrator.

City charge cards may be issued to employees who will travel outside the City on City business. The cards are kept in city hall and must be signed out prior to departure and signed back in upon return.

5.6 COMPENSATION UPON TERMINATION

When an employee's employment with the City is terminated, the employee will receive the following compensation on the next regularly scheduled payday:

1. Regular wages for all hours worked up to the time of termination which has not already been paid.
2. Any overtime pay that is due.
3. A lump sum payment of any accrued but unused vacation and any unused compensatory time within the maximum allowed accrual.
4. Any accrued sick leave will not be paid out by the City.

Chapter 6

PERFORMANCE EVALUATIONS AND TRAINING

6.1 PERFORMANCE EVALUATIONS

To achieve the City's goal to train, promote and retain the best qualified employee for every job, the City conducts periodic performance evaluations for all positions. The City Administrator is responsible for developing and maintaining the city's performance evaluation program. Employees are to be evaluated by their department heads prior to completion of their trial period and once every 12 months thereafter.

6.2 TRAINING POLICY

The City seeks, within the limits of available resources, to offer training to increase an employee's skill, knowledge and abilities directly related to City employment, to obtain or maintain required licenses and certifications, and to develop staff resources. Opportunities may include, but are not limited to: on-the-job training, in-house workshops and seminars sponsored by other agencies or organizations.

6.3 TRAINING TIME AND EMPLOYEE WAGES

When a city employee attends training workshops, seminars or classes during regular work hours, the employee will be paid their regularly compensated salary and/or hourly wage. Travel to and from training events should occur during working hours; travel to and from training events after working hours is not reimbursable.

Chapter 7

BENEFITS

7.1 PAID EMPLOYEE BEFEFITS

City paid employee benefits include medical insurance, dental insurance vision insurance employee life insurance, dependant life insurance, an employee assistance plan (EAP), and long-term disability. All regular, full-time employees are required to participate in these programs.

The City will contribute medical benefits for each regular, full-time employee. Employees are required to contribute 5% of the premium cost for the employee's health insurance. Participation in the medical plan is mandatory for the employee but coverage for dependants is optional and in some cases may require additional contribution to fund medical premium costs.

The City will pool employee's contributions for the purposes of defraying health insurance costs.

7.2 RETIREMENT BENEFITS

The City's contribution for retirement, social security replacement, and paid employee medical benefits will be capped at 30% of gross wages for regular, full-time employees. Contributions to these programs will be made in the following order.

The City contributes on behalf of all eligible employees to a 401(a) retirement plan in addition to those contributions made by the employee through FICA payroll deductions.

The City will contribute 7.5% of gross wages toward retirement programs. Employees may contribute to retirement programs up to the legal maximums. At their option, employees may designate up to 2.5% of retirement benefits be used for medical benefits purposes provided that mandatory retirement contributions will be made first.

Social Security Replacement – In lieu of contributions to the Federal Social Security Program, the City of Liberty Lake has authorized a 401 (a) pension plan administered by the ICMA Retirement Corporation. The City will contribute 5.25% of gross wages for regular, full-time employees. Employees may contribute to the plan to the legal maximums.

All full-time regular uniformed employees in the police department are covered by the Law Enforcement Officer's Retirement System (LEOFF). LEOFF benefit levels and

contribution rates are set by the State of Washington. The City of Liberty Lake contributes to the 457 Deferred Plan the difference between the LEOFF and the City's retirement contribution for all regular uniformed employees under the LEOFF plan. All regular full-time and eligible part time non-uniformed employees are covered under the ICMA 401 (a) pension plan.

All regular full-time, part-time and uniformed employees can voluntarily contribute to a 457 Deferred Compensation Plan administered by ICMA Corporation. The City of Liberty Lake does not match any contributions to this plan.

Employees intending to retire should notify their department head of their intent to retire at least three months prior to the date of retirement.

7.3 DISABILITY BENEFITS

All employees, other than police and fire employees in the LEOFF 1 retirement system, are covered by the state Workers' Compensation Program. This insurance covers employees in case of on-the-job injuries or job-related illnesses.

The City provides long term disability coverage for all full time employees for off-the-job injury or illness.

WORKERS COMPENSATION:

Any employee receiving time-loss payments from Workers' Compensation shall have the option of using sick leave or other accrued leave to make up the difference between the Workers' Compensation payments and his/her regular salary for a maximum six months. The status of the disabled employee shall be reviewed at three months and at six months to determine the extent of his/her disability and to determine, under the Americans with Disabilities Act, if accommodation can be made to allow the employee to return to work. These reviews shall be conducted by the City Administrator, Mayor and Personnel Officer. Following the final review at six months, the Mayor may, based on the review and at his/her discretion, extend the time during which the employee can use accrued leave or donated sick leave, as described in the section on sick leave donation, if exceptional circumstances warrant such an extension.

In order to relieve employees of undue hardship by the time lag involved in time-loss payments, the employee shall be paid the sum due from Workers' Compensation. The employee shall then, upon receipt of Workers' Compensation payment, endorse such payments to the city.

COBRA Rights: Upon an employee's termination from City employment or upon an unpaid leave of absence, at the employer's option and expense, the employee may be eligible to continue City health insurance benefits to the extent provided under the federal COBRA regulations. An administrative handling fee over and above the cost of the

insurance premium may be charged the employee or his/her dependents who elect to exercise their COBRA continuation rights.

Termination, Retirement, Leave of Absence: For eligible employees who terminate, retire or are on approved leave of absence, the city will pay the premium in the final month of employment, which will continue insurance for the employee for the month following departure.

7.4 UNEMPLOYMENT COMPENSATION

City employees may qualify for State Unemployment Compensation after termination from City employment, depending on the reason for termination and if certain qualifications are met.

Chapter 8

LEAVES

8.1 VACATION LEAVE

Regular, full-time employees will receive vacation based on years of service, according to the following schedule. Vacation accrues each pay period and it will begin to accrue as of the date of hire. Although vacation begins to accrue immediately, employees are not eligible to take accrued vacation until they have worked for the City for at least 6 months.

<u>Length of Service</u>	<u>Annual Vacation Days*</u>
1 through 4 years	10 days (3.33 hours accrued each pay period)
5 through 9 years	15 days (5.00 hours accrued each pay period)
10 through 14 years	18 days (6.00 hours accrued each pay period)
15 through 19 years	21 days (7.00 hours accrued each pay period)
20+ years	23 days (7.67 hours accrued each pay period)

*One day of vacation is equal to 8 hours. Accrual is based on bi-monthly pay period.

At the discretion of the City Administrator, an employee's years of service for vacation accrual purposes may be calculated based on previous relevant government service. Credit of up to 50% may be given for related career service.

If an employee is unable to take all vacation available up to a two years accrual can be carried over. Vacation accrued over the two year maximum will be forfeit.

The employee will be paid for unused vacation upon separation from the City.

8.2 SICK LEAVE

All full-time regular employees accrue sick leave benefits at the rate of 8 hours per pay period. Up to 640 hours may be accrued.

For regular, full-time employees, upon their employment, a sick leave bank of 40 hours is established for their immediate use. Employees will begin to accrue sick leave starting on the sixth pay period and will not accrue more than 96 hours in the first year of employment.

Allowable Uses of Sick Leave: Sick leave covers those situations in which an employee is absent from work due to:

1. Employee's own health condition (illness, injury, physical or mental disability, including disability due to pregnancy or childbirth.);
2. The need to care for the employee's immediate family members who are ill;
3. Medical or dental appointments for the employee or an immediate family member who needs assistance to go to such appointments;
4. Exposure to a contagious disease where on-the-job presence of the employee would jeopardize the health of others;
5. Use of a prescription drug which impairs job performance or safety;
6. Additional leave beyond bereavement leave for a death in the immediate family, to be authorized by the Mayor or City Administrator;
7. Worker's Compensation pay differential: Employees on Worker's Compensation may use sick leave (or other accrued leave) for a maximum six months to bring their total monthly income to 100 percent of their regular salary. The status of the employee shall be reviewed at three months and six months. Following review, the Mayor may, if exceptional circumstances warrant an extension, extend the period of time for which an employee may use sick leave for the balance of his/her salary.

A doctor's certificate may be required when an employee is absent for a period in excess of 3 days. The City may also request the opinion of a second doctor at the City's expense to determine whether the employee suffers from a chronic physical or mental condition which impairs his/her ability to perform the job. Employees who are habitually absent due to illness or disability may be terminated if their disability cannot be reasonable accommodated and/or when the employee's absenteeism prevents the orderly and efficient provision of services to the citizens of the City.

Employees who use all their accumulated sick leave and require more time off work due to illness or injury may, with their department head's prior approval, request a leave without pay. (See Leave Without Pay Policy.)

Employees will not be paid for unused sick leave upon leaving City service for any reason.

8.3 SICK LEAVE DONATION

In the event an employee or a member of an employee's immediate family suffers a serious illness that threatens to use up all of the employee's sick leave, other city employees may voluntarily donate some of their accrued sick leave hours to that employee. Employees donating sick leave must maintain a minimum balance of 40 hours sick leave for their use. All sick leave donations must be approved by the Mayor or City Administrator.

Donations may only be made after the recipient has used up his/her sick leave, all his/her accrued compensatory time and all but 40 hours of vacation time; and, when appropriate, has made application for state industrial and/or long term disability coverage.

Donations shall be made on an as-needed basis. At the end of each pay period, the city payroll officer shall calculate the number of hours needed to constitute full-time employment for the recipient employee. Other employees may then donate hours to help cover, but not exceed, the number of hours needed for that specific pay period. If donations of sick leave cover the number of hours necessary for full-time employment, the recipient shall be paid his/her salary. In the event donations do not cover the number of hours equivalent to full-time employment, the recipient employee shall be paid hourly at his/her own hourly rate for the number of donated sick hours he/she received and for any hours actually worked.

In that Long Term disability payments are incrementally reduced when sick leave or other payment is made to an employee, sick leave donations shall cease when the recipient employee becomes eligible for Long Term Disability.

If or when an employee becomes eligible for Worker's Compensation payment and meets the criteria above, sick leave donations may be made monthly for up to six months, to cover the difference between the Worker's Compensation payment and the employee's full salary. Following review, the Mayor may, if exceptional circumstances warrant an extension, extend the period of time for which an employee may receive sick leave donation for the balance of his/her salary.

8.4 FAMILY LEAVE ACT

The City of Liberty Lake complies with Federal Family Leave Act.

8.5 LEAVE WITHOUT PAY

The Mayor may grant leaves of absence without pay for absence from work not covered by any other type of leave or if other leave balances are exhausted. Examples of situations for which leave without pay may be granted include time off work for personal reasons such as prolonged illness, parenting, caring for an ill relative or pursuing an education.

8.6 JURY AND WITNESS LEAVE

Jury Duty. The City provides all employees leave for the full period of jury duty service. Payment provided by the courts during period of paid jury duty leave must be turned over to the City, excluding expense reimbursement such as mileage. You must provide your supervisor with a copy of the jury duty summons as soon as possible after receiving it. Upon completion of jury duty, you are required to provide your supervisor with proof of jury service.

Witness Duty. All employees summoned to testify in court are allowed time off for the period they serve as witnesses. In general, witness duty leave is unpaid unless you are a witness in a case involving the City.

8.7 MILITARY LEAVE

We provide all employees leave while performing military service in accordance with federal and state law. Regular full-time and part-time employees receive paid military leave of up to 10 working days per year for military service. In general, if military service extends beyond 15 working days, the additional leave will be unpaid. All employees who are not eligible for paid military leave are provided unpaid leave for a period of their military service. Military service includes active military duty and Reserve or National Guard training. You are required to provide your supervisor with copies of your military orders as soon as possible after they are received. Reinstatement upon return from military service will be determined in accordance with applicable federal and state law.

8.8 BEREAVEMENT LEAVE

The City provides regular full time employees with paid leave up to three days in the event of the death of an immediate family member. Additional leave up to a total of 5 days may be granted at the discretion and approval of both the department head and Mayor.

8.9 HOLIDAYS

The following are recognized as paid holidays for all regular full-time employees:

New Year's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Day
Labor Day	Civil Rights Day

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

Employees who are required by their department head or by shift schedules to work on a recognized holiday shall be paid at an amount equal to one and one-half times their hourly rate for time worked on that holiday.

If an employee's religious beliefs require observance of a holiday not included in the basic holiday schedule, the employee may, with his/her department head's approval, take the day off using vacation, compensatory time or leave without pay.

Chapter 9

EMPLOYEE RESPONSIBILITIES AND CONDUCT

9.1 GENERAL CODE OF CONDUCT

All City employees are expected to represent the City to the public in a professional manner, which is courteous, efficient and helpful. Employees must maintain a clean, neat and professional appearance appropriate to their work assignment as determined by the department head for their position. Inappropriate attire will be addressed by the department head and/or city administrator.

These rules are here for each employee's information and to minimize the likelihood of any employee, through misunderstanding or otherwise, becoming subject to disciplinary action. Since the proper working relationship between employees and the City depends on each employee's on-going job performance, professional conduct and behavior, the City has established certain minimum standards of personal conduct.

Among the City's expectations are: Basic tact and courtesy towards the public and fellow employees; adherence to City policies, procedures, safety rules and safe work practices; compliance with directions from supervisors; preserving and protecting the City's equipment, grounds, facilities and resources; and providing orderly and cost efficient services to its citizens. The City relies on each employee's good judgement and sense of responsibility as the principal source of guidance for conducting day-to-day duties and responsibilities.

The City is a relatively small organization. To function as efficiently as possible, we may ask you to perform other duties outside your regular assignments.

To make the most efficient use of personnel, the City also reserves the right to change your work conditions and the duties originally assigned. If these arrangements become necessary, we expect the best cooperation from employees.

9.2 OUTSIDE EMPLOYMENT AND CONFLICTS OF INTEREST

Employees shall not, directly or indirectly, engage in any outside employment or financial interest which may conflict, in the City's opinion, with the best interests of the City or interfere with the employee's ability to perform his/her assigned City job. Examples include, but are not limited to, the following:

1. Outside employment that prevents the employee from being available to work for the City beyond normal working hours, caused by as emergencies or peak work periods, is not acceptable when it is a regular part of the employee's job;

2. Employment that is conducted during the employee's work hours;
3. Employment that utilizes city telephones, computers, supplies or any other resources, facilities or equipment;
4. Employment with a firm which has contracts with or does business with the City;
5. Employment which may reasonably be perceived by members of the public as a conflict of interest or which otherwise discredits public service.

An employee who chooses to have an additional job, contractual commitment or self-employment, may do so only after obtaining prior approval from the City Administrator.

9.3 REPORTING IMPROPER GOVERNMENTAL ACTION

General Policy:

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

Key Definitions:

1. Improper Governmental Action. An action by a city officer or employee that is undertaken in the performance of the official's or employee's official duties, whether or not the action is within the scope of the employee's employment, that is in violation of any federal, state or local law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety, or is a gross waste of public funds.

"Improper Governmental Action" does not include personnel actions (hiring, firing, complaints, promotions, and reassignment, for example). In addition, employees are not free to disclose matters that would affect a person's right to legally protected confidential communications.

2. Retaliatory Action. Any material adverse change in the terms and conditions of an employee's employment.

3. Emergency. A circumstance that if not immediately changed may cause damage to persons or property.

Procedure for Reporting Improper Government Action

City employees who become aware of improper governmental actions should follow this procedure:

1. Bring the matter to the attention of his/her supervisor, if non-involved, in writing, stating in detail the basis for the employee's belief that an improper action has occurred. This should be done as soon as the employee becomes aware of the improper action.
2. Where the employee believes the improper action involves the supervisor, the employee may raise the issue directly with the Mayor.
3. The Mayor or his/her designee, as the case may be, shall promptly investigate the report of improper government action. After the investigation is completed (within 30 days of the employee's report), the employee shall be advised of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.

An employee who fails to make a good faith effort to follow this policy shall not be entitled to the protection of this policy against retaliation, pursuant to RCW 42.41.030.

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

Employees may report information about improper governmental action directly to an outside agency if the employee reasonably believes that an adequate investigation was not undertaken by the City to determine whether an improper governmental action occurred, or that insufficient action was taken by the City to address the improper action or that for other reasons the improper action is likely to recur.

Protection Against Retaliation

It is unlawful for a local government to take retaliatory action because an employee, in good faith, provided information that improper government action occurred. Employees who believe they have been retaliated against for reporting an improper government action should follow this procedure:

1. Employees must provide a written complaint to the supervisor within 30 days of the occurrence of the alleged retaliatory action. If the supervisor is involved, the notice should go to the Mayor. The written charge shall specify the alleged retaliatory action and the relief requested.

2. The Mayor or designee shall investigate the complaint and respond in writing within 30 days of receipt of the written charge.

3. After receiving the City's response, the employee may request a hearing before a state administrative law judge (ALJ) to establish that a retaliatory action occurred and to obtain appropriate relief under the law. The request for hearing must be delivered within the earlier of either 15 days of receipt of the City's response to the charge of retaliatory action or 45 days of receipt of the charge of retaliation to the Mayor for response.

4. Within 5 working days of receipt of a request for hearing, the City shall apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge. At the hearing, the employee must prove that a retaliatory action occurred by a preponderance of the evidence in the hearing. The ALJ will issue a final decision not later than 45 days after the date of the request for hearing, unless an extension is granted.

Policy Implementation

The Mayor or designee is responsible for implementing these policies and procedures. This includes posting the policy on the City bulletin board, making the policy available to any employee upon request, and providing the policy to all newly hired employees. Officers, managers and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility.

Violations of this policy and these procedures may result in appropriate disciplinary action, up to and including dismissal.

9.4 POLITICAL ACTIVITIES

City employees may participate in political or partisan activities of their choosing provided that City resources and property are not utilized, and the activity does not adversely affect the responsibilities of the employees in their positions. Employees may not campaign on City time or in a City uniform or while representing the City in any way. Employees may not allow others to use City facilities or funds for political activities.

Any City employee who meets with or may be observed by the public or otherwise represents the City to the public, while performing his/her regular duties, may not wear or display any button, badge or sticker relevant to any candidate or ballot issue during working hours. Employees shall not solicit, on City property or City time, for a contribution for a partisan political cause.

Except as noted in this policy, City employees are otherwise free to fully exercise their constitutional First Amendment rights.

9.5 NO SMOKING POLICY

For health and safety considerations, the City prohibits smoking by employees in all City facilities, buildings, vehicles and offices, or facilities rented or leased by the City, including individual employee offices.

9.6 PERSONAL POSSESSIONS AND ELECTRONIC COMMUNICATIONS

The City furnishes desks and other personal possessions. We do not, however, assume responsibility for any theft or damage to the personal belongings of employees and we reserve the right to search employee desks, and personal belongings brought onto City premises, if necessary.

The City also furnishes computers for use in conducting City business. Because the computers are for City business, the City reserves the right to review the contents of any files or documents on the computer, including contents of any electronic mail. City computers are not for personal use.

9.7 USE OF CITY VEHICLES AND EQUIPMENT

Use of City phones for local personal phone calls should be kept to a minimum. Other City equipment, including vehicles, should be used by employees for City business only. The Department head, however, may allow an employee to drive a City vehicle home when that employee is on call, if call-in is anticipated or for reasons that will improve city service or efficiency. The City vehicle, in this case, should remain at the employee's home unless used after hours on official city business. An employees' misuse of City services, telephones, vehicles, equipment or supplies can result in disciplinary action including termination.

9.8 CONTACT WITH THE NEWS MEDIA

The Mayor, City Administrator and designated department heads shall be responsible for all official contacts with the news media during working hours, including answering of questions from the media. The Mayor may designate specific employees to give out procedural, factual or historical information on particular subjects.

9.9 SEAT BELT POLICY

Per Washington State law, anyone operating or riding in City vehicles must wear a seat belt at all times.

9.10 DRIVER'S LICENSE REQUIREMENTS

As part of the requirements for certain specific City positions, an employee will be required to hold a valid Washington State Driver's license and must be insurable. If an employee's license is revoked, suspended or lost, or is in any other way not current, valid, and in the employee's possession, the employee shall promptly notify his/her department head and will be immediately suspended from driving duties. The employee may not resume driving until proof of a valid, current license is provided to his/her department head. Depending on the duration of license suspension, revocation or other inability to drive, an employee may be subject to disciplinary action, including termination.

9.11 SOLICITATIONS

Most forms of selling and solicitations are inappropriate in the workplace. They can be an intrusion on employees and citizens and may present a risk to employee safety or to the security of City or employee property. The following limitations apply:

1. Persons not employed by the City may not solicit, survey, petition or distribute literature non-related to City business on City premises at any time. This includes persons soliciting for charities, salespersons, questionnaire surveyors, labor union organizers, or any other solicitor or distributor. An exception is community-based fund raising efforts.
2. Employees may not solicit for any purpose during work time. Reasonable forms of solicitation are permitted during non-work time such as before or after work or during meal or break times. Soliciting employees who are on non-work time may not solicit other employees who are on work time. Employees may not distribute literature for any purpose during work time or in work areas. Employee break areas are considered a non-work area under this policy.

9.12 SAFETY

Every employee is responsible for maintaining a safe work environment and following the City's safety rules. Each employee shall promptly report all unsafe or potentially hazardous conditions to his/her department head. The City will make every effort to remedy problems as quickly as possible.

In case of any accident employees shall immediately notify their department head or, if the department head is unavailable, the City Administrator.

Since being exposed to a bloodborne pathogen may lead to sicknesses such as hepatitis, AIDS or malaria, and since the City wants to assure the employees as safe and healthy a work environment as possible, it is the policy of the City to comply with all statutory obligations for the prevention of exposure to bloodborne pathogens.

Employee safety depends on the safety consciousness of everyone. In order to facilitate a safe work environment, employees may not bring dangerous weapons to the workplace. This includes, but is not limited to, weapons for which employees have a valid permit. The only exception to this rule involves law enforcement positions for which the job requires possession of dangerous weapons.

9.14 SUBSTANCE ABUSE

The City's philosophy on substance abuse has two focuses: A concern for the well-being of the employee and a concern for the safety of other employees and members of the public.

Availability of Rehabilitation or Treatment

As part of the employee assistance program, the City encourages employees who are concerned about their alcohol or drug use to seek counseling, treatment and rehabilitation. Although the decision to seek diagnosis and accept treatment is completely voluntary, the City is fully committed to help employees who voluntarily come forward to overcome a substance abuse problem. In most cases, the expense of treatment may be fully or partially covered by the City's benefit program. In recognition of the sensitive nature of these matters, all discussions will be kept confidential. Employees who seek advice or treatment will not be subject to retaliation or discrimination.

When Substance Abuse Affects Job Performance

Although the City is concerned with rehabilitation, it must be understood that disciplinary action may be taken when an employee's job performance is impaired because he/she is under the influence of drugs or alcohol on the job. The City may discipline or terminate an employee possessing, consuming, selling or using alcohol or controlled substances during work hours or who reports for duty under the influence. An employee may be required to submit to alcohol or controlled substance testing when the City has reasonable suspicion that the employee is under the influence of controlled substances or alcohol. Refusal to submit to testing, when requested, may result in immediate disciplinary action, including termination. An employee on a prescribed medication that affects his/her ability to work must notify his/her supervisor and may be assigned to other duties or required to leave work.

Drug-Free Workplace Act

The federal Drug-Free Workplace Act prohibits the manufacturing, distribution, dispensation, possession and use of unlawful drugs or alcohol on City premises or during work hours by City employees. Employees must notify the City within 5 days of any conviction for a drug violation. Continued poor performance and/or failure to successfully complete a rehabilitation program is grounds for termination.

Chapter 10

DISCIPLINE AND TERMINATION

10.01 ACTIONS SUBJECT TO DISCIPLINARY ACTION

The City's success in providing excellent service to the citizens and maintaining a good relationship with the community depends on our employees. Disciplinary action is not primarily intended to be punitive but rather to maintain the efficiency of day-to-day operations.

There are certain kinds of actions which cannot be permitted to occur because of their impact on other employees and on the city. Such offenses may result in discharge on the first occurrence. Before a final decision is made on a discharge, the city convenes a predetermination hearing as discussed later in this chapter. An example of dischargeable offenses, which should not be deemed all inclusive, includes:

1. Theft, misappropriation or removal of city property or the property of employees, clients or customers.
2. Knowing, intentional or repeated falsification on any application for employment or any report, record, time sheet or city records.
3. Soliciting and/or accepting payment, gifts or any item of value for services performed during the regular workday, whether or not the services are performed on behalf of the city and whether or not city vehicles or equipment are used.
4. Willful alteration, destruction or waste of city property, facilities, records or equipment, wherever located, or the destruction of another employee's property.
5. Use of drugs and/or liquor on the job or under the influence while on the job.
6. Giving or taking a bribe of any nature as inducement for obtaining or retaining a job or position.
7. Threatening, intimidating, coercing or interfering with supervisors or other employees.
8. Deliberate attempts to injure another employee or fighting on city property.
9. Sleeping during regular working hours.
10. Unauthorized possession of fire arms, explosives or any dangerous weapons while performing city work.
11. Participating in an unauthorized work stoppage or slow down.
12. Unwelcome racial, sexual or other harassment or discrimination directed toward another employee.
13. Recklessness resulting in an accident while on duty or while driving a city vehicle.

For employee guidance, we include other behavior which would be detrimental to the City's objective and could lead to disciplinary action (up to and including discharge); a list intended to be illustrative but not comprehensive.

1. Habitual lateness; absence without proper notification; excessive absenteeism, loitering, goofing off or failing to assist others in a work situation.
2. Violation of the city's telephone or computer policies.
3. Smoking in an unauthorized area or causing a fire hazard.
4. Failure to report an accident or an occurrence causing damage to city, customer or public in a timely fashion; failure to properly secure the city facilities.
5. Inability, inefficiency, negligence or insubordination, including a refusal or failure to perform assigned work. Concealing defective work.
6. Failure to observe safety practices or to wear safety clothing.
7. Lying, dishonesty, deliberately damaging city property.

10.2 POSSIBLE DISCIPLINARY ACTIONS

In the event that discipline is necessary, the following types of disciplinary actions may be used, depending on the particular situation:

1. Oral Warning.
2. Written Reprimand.
3. Suspension.
4. Demotion.
5. Termination.

The choice of what discipline to apply in any particular case is solely the City's.

10.3 PRE-TERMINATION HEARING

In the case of termination of an employee, the city will conduct a pre-termination hearing. The pre-termination hearing serves as a check against mistaken decisions and as an opportunity for an employee to furnish additional facts before a termination decision is finalized.

In the event a supervisor desires to terminate an employee, the employee shall be provided with a notice of the recommendation for termination. The notice shall include an explanation of the charges on which the recommendation is based, and the time and date for a pre-termination hearing. If the employee fails or refuses to appear, the termination may proceed.

Pre-termination hearings will be presided over by the Mayor or a designated representative. The hearings are intended to be informal. The employee may show cause why he/she should not be terminated.

Usually within 2 working days after the pre-termination hearing, the Mayor will issue a decision on whether there are reasonable grounds to believe the charges against the employee are true and support termination. A longer review period may be required in more complex situations.

10.4 LAYOFF and/or RIF

The Mayor may lay off employees for lack of work, budgetary restrictions, reorganization or other changes that have taken place.

Temporary employees or employees who have not completed probation will be laid off before regular employees are affected. In determining who is to be laid off, consideration usually will be given to individual performance and the qualifications required for remaining jobs. Seniority will be considered when performance and qualifications are equal, as determined by the City. Employees who are laid off may be eligible to be re-employed if a vacancy occurs in a position for which they are qualified.

10.5 SEVERENCE PACKAGES

The City of Liberty Lake does not offer severance packages unless specifically negotiated and approved by the Mayor and City Council.

10.6 RESIGNATION

An employee should provide at least 2 weeks notice of resignation or adhere to the requirements outlined in the employee's signed contract. This time limit may be waived by the Mayor.

Chapter 11

COMPLAINT PROCEDURES

11.1 COMPLAINT PROCEDURES

The City recognizes that sometimes situations arise in which employees feel that they have not been treated fairly or in accordance with City policies. For this reason, the City provides its employees with procedures for resolving complaints.

Step 1: Employees should first try to resolve any problem or complaint with their supervisor.

Step 2: When normal communications between an employee and the supervisor is not successful, or when an employee disagrees with the application of City policies and procedures, the employee should attempt to resolve the problem with the City Administrator. If need arises, an employee may seek the assistance from a person of the same gender and they cannot be a co-worker.

Step 3: If the employee is not satisfied with the response from the City Administrator, he/she may submit the problem, in writing, to the Mayor. The written complaint must contain, at a minimum:

1. A description of the problem;
2. A specific policy or procedure which the employee believes has been violated or misapplied;
3. The date of the circumstances leading to the complaint or the date when the employee first became aware of those circumstances;
4. The remedy sought by the employee to resolve the complaint.

The written complaint must be filed within 10 working days of the occurrence leading to the complaint, or 10 working days after the employee becomes aware of the circumstances.

The Mayor may meet with the parties, either individually or together, and will usually respond in writing to the aggrieved employee within 10 days of the meeting. The Mayor's response and decision shall be final and binding.

Uniformed Employees (Fire and Police) have more than one source for dispute resolution, this process and Civil Service rules. These employees should follow the grievance procedures set out in the Civil Service rules when applicable. In all other cases, the procedures described in this section shall be used. Under no circumstances shall an employee have the right to utilize both this process and any other complaint or appeal procedure that may be available to an employee.