

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

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

WHEREAS, the Liberty Lake City Council adopted a personnel policy manual on June 2, 2002, as required. The manual establishes policy and procedures which relate to the City of Liberty Lake employees and other such matters properly related thereto; and

WHEREAS, City Staff and Liberty Lake City Council have reviewed the attached Amended 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 as Amended 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.

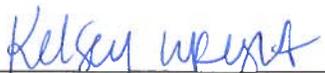
Adopted this 19th day of October, 2021.

APPROVED:



Mayor, Cristella Kaminskas

ATTEST:

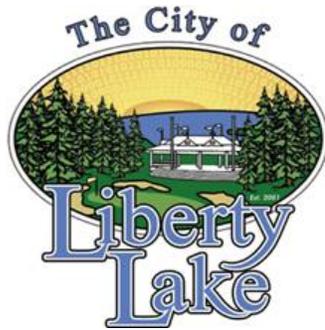


City Clerk, Kelsey Wright

APPROVED AS TO FORM



City Attorney, Sean P. Boutz



PERSONNEL MANUAL

*Adopted by Resolution No. 02-47
June 18, 2002*

*Amended by Resolution No. 02-47A
June 7, 2005*

*Amended by Resolution No. 06-47A-1
Chapter 5, March 7, 2006*

*Amended by Resolution No.'s 02-47B-0247D
January 21, 2014/April 1, 2014*

*Amended by Resolution No. 02-047F
December 17, 2019*

*Amended by Resolution No. 02-047G
October 19, 2021*

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Chapter 1

PURPOSE AND SCOPE

1.1 INTRODUCTION

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

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

It is our belief that when consistent personnel policies are known and communicated to all employees, the opportunity for greater job satisfaction increases. We encourage you to read these policies. If you have any questions, please ask Human Resources. 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, expressed or implied, any type of promise or guarantee of specific treatment in specific situations 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. Please understand that no immediate supervisor or representative of the City has the authority to enter into any oral or written agreement with you for employment contrary to what has been stated here. The only individual who has the authority to enter into a written agreement with you is the Mayor. Verbal agreements will not be recognized. The City Administrator and Chief of Police positions require Council confirmation. Washington State RCWs, WACs, and federal regulations will supersede policies in this personnel manual, whichever is more favorable to the employee.

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.

1.3 CHANGING THE POLICIES

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

1.4 DEFINITIONS

Anniversary Date: The date of initial employment is used to determine seniority and other time-related personnel action. The anniversary date is not changed for purposes of determining seniority.

Immediate Supervisor: An employee's direct report.

Immediate Family: Includes the employee's parents, spouse, child, stepchild, domestic partner, stepparent, brother or sister, mother, father, sons or daughters in law, grandparent, grandchild, or other relative who lives in the employee's same home.

Regular, Full-Time Employee: An employee who regularly works a minimum of 40 hours per week.

Regular, Part-Time 30 hours/week Employee: An employee who regularly works a minimum of 30 hours per week.

Regular, Part-Time Employee: An employee who regularly works less than 40 hours but at least 20 hours per week.

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

Contract Individuals: Individuals who hold jobs or limited durations due to special, emergency, or unforeseen circumstances, projects, or abnormal workloads. All contract personnel will sign a contract specifying terms of employment, duties, and responsibilities. Upon termination, of the contract, the City makes no implied provisions for employment.

Chapter 2

GENERAL POLICIES AND PRACTICES

2.1 EQUAL EMPLOYMENT OPPROTUNITY

The City of Liberty Lake is an Equal Opportunity Employer and is committed to providing equal employment opportunities. This includes promotion, compensation, recruitment, selection, placement, job assignment, disciplinary measures, demotions, layoffs, job terminations, testing, training, awards, benefits, daily working conditions, and all other terms and conditions of employment without regard to race, age, gender, color, creed, sex, religion, marital status, sexual orientation, national origin, veteran status, mental or physical disability or any other lawfully protected characteristics. The City does not discriminate against employees with family and caregiver responsibilities. The City follows all applicable local, state, federal laws.

Any person who believes they are or have been subjected to discrimination by an employee of the City of Liberty Lake is encouraged to immediately bring the matter to the attention of the employee's immediate supervisor or the Human Resource Manager for investigation and appropriate action. Violations of this policy will be subject to discipline, up to and including termination.

2.2 REASONABLE ACCOMMODATIONS

The City will make reasonable accommodations for qualified individuals with disabilities unless doing so creates an undue hardship on the City. We take into consideration the nature and cost of the accommodation needed, the City's financial resources, and the impact of the needed accommodation on the operation, other employees, and our citizens.

The policy applies to all aspects of the employment relationship including the hiring process, promotions, job assignments, compensation, provision of leave, access to benefits, discipline, discharge, layoffs, etc. Qualified employees who believe that a reasonable accommodation is necessary for them to perform the essential functions of their current position or another position for which they have applied, may contact their immediate supervisor or the Human Resource Manager.

2.3 AT WILL EMPLOYMENT

The purpose of this personnel manual is to inform you of the City's policies and procedures. Your employment with the City is "at will," (barring a Collective Bargaining Agreement) which means that you are free to resign at any time for any reason or no reason; similarly, the City is free to conclude the employment relationship at any time, with or without cause, reason, or notice. No one has the authority to change or alter the "at will" relationship except the City Administrator or Mayor. Any change or alteration to an employee's "at will" status must be set forth in writing and must be signed by the City Administrator, Mayor, and the employee. The City has the right and responsibility to manage the workplace in such a way that the best interest of the City, and by extension, the best interests of all the employees who make up the

organization are respected and protected. Any employee action or activity that violates this principle is in violation of this policy, and the employee will be subject to appropriate (at the City's sole discretion) disciplinary and/or remedial action up to and including termination.

2.4 IDENTIFICATION OF EMPLOYEES

It is the policy of the City that an on-duty employee, working in the field, to the best of their ability, be visible and identifiable to the public. All City furnished uniforms or work clothing are to be maintained in a presentable manner by the employee. "Presentable manner" will be determined by the immediate supervisor.

City-furnished uniforms remain the property of the City at all times, unless otherwise advised by the immediate supervisor and approved by the City Administrator or Mayor. If an employee is provided a uniform, the employee shall wear their uniform while on duty. An employee may wear City uniform items commuting between home and work so long as the employee does not participate in any interim activity where the image and good name of the City might be negatively affected.

The outer garment of each uniform furnished by the City will bear the official insignia of the City, as well any additional markings or emblems identified by the immediate supervisor. The immediate supervisor will determine the appropriateness of the employee's name and insignia location on the uniform.

All employees who come in direct contact with the public outside the City-owned buildings may be required to carry a City identification card. The card will contain name, title, department, address, and telephone number, work location; and in some circumstances, a head and shoulders photograph and certification that said person is an employee of the City of Liberty Lake.

All City issued identification, uniforms and other City-owned materials or property in the employee's possession must be returned to the City at the end of employment.

2.5 EMPLOYEE PERSONNEL RECORDS

A personnel file for each employee is kept at 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 shall be contained in a separate confidential file under double lock and key.

Each employee has the right to review their employee file in the presence of the Human Resource Manager and may request copies of the anything in the file. An employee may request removal of irrelevant or erroneous information from their personnel file. If the City denies an employee's request to remove the information, the employee may file a written rebuttal statement which is placed the employee file.

Personnel files are kept confidential to the maximum extent permitted by law. (Note: some documents contained in employee files are public record and must be released upon request by the public, including the press.)

2.6 EMPLOYMENT REFERENCES

Only the Human Resource Manager will provide employment references on current or former City employees. References will be limited to verification of dates of employment unless the employee has completed a written waiver authorizing additional information to be released.

2.7 HARASSMENT AND DISCRIMINATION COMPLAINT PROCESS

All employees have the right to work in an environment that is free from all forms of discrimination or harassment. The City is committed to providing a workplace free from harassment and discrimination. Harassment and discrimination based on race, age, gender, color, creed, sex, religion, marital status, sexual orientation, national origin, veteran status, mental or physical disability, or upon any other lawfully protected status is a violation of the City's policy, is strictly prohibited and will not be tolerated.

The City is committed to providing an environment that treats individuals with dignity and respect. Harassment, discrimination, or abuse of any employee is strictly prohibited, and the City will not tolerate such conduct by any individual, whether the individual is an employee, visitor, vendor, customer, or citizen. Such conduct may result in disciplinary action up to and including termination.

All employees are expected to conduct themselves in their daily activities in such a way as to ensure that no other employee, visitor, vendor, customer, or citizen is subject to unlawful harassment or discrimination. Any employee who believes he/she has been subjected to discrimination or harassment should immediately report the behavior to the following designated City employees: the employee's immediate supervisor, Human Resource Manager, City Administrator or Mayor.

2.8 DISCRIMINATION POLICY

This policy applies to any employee, supervisor or outside third party with whom employees interact in performing their work.

Discrimination may take on many forms, including the following employment actions, if based on the individual's race, gender, sex, sexual orientation, national origin, age, religion, disability or health condition, or veteran status.

Harassing conduct may include but is not limited to:

- Physically assaulting, threatening, or verbally abusing another based on the person's sex, gender, sexual orientation, race, ethnic background, national origin, age, religion, disability or medical condition, or veteran status.

- Telling jokes, teasing, or using epithets or slurs aimed at people within one or more of these groups.
- Circulating writings, printed material, or cartoons meant to denigrate members of these groups.
- Displaying other offensive objects or symbols.

Any employee who violates the City's policy will be subject to discipline, up to and including immediate termination.

2.9 SEXUAL HARASSMENT POLICY

All employees of the City have a right to work in an environment free from sexual harassment. Therefore, the City will actively investigate all allegations of sexual harassment, and if it is determined that sexual harassment has occurred, the City will take appropriate action, including discipline that may result in termination.

Sexual harassment is defined to include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made, either implicitly or explicitly, a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals; or
- Such conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment.

Examples of prohibited conduct include but are not limited to efforts to trade sex for employment related benefits; objectionable verbal comments of a sexual nature; kissing sounds; off-color jokes, sexual slurs or innuendos; lewd language; displays of obscene literature or pictures, obscene gestures; repeated demands for dates; demands for sexual favors; discussions or questions about sex life; criticism of an employee with sex or gender as the basis for the criticism or the expression of negative attitudes about women or men as a class; standing too close; talking about or calling attention to another employee's body or sexual characteristics; any type of physical patting, massaging, pinching, hugging, or touching that is unwelcome or any combination of these.

Finally, such prohibited activity includes conduct carried out in person and via telephone, cellular phone, computer systems, electronic mail, social media, or any other means.

Any employee who violates the City's policy will be subject to discipline, up to and including immediate termination.

2.10 COMPLAINT PROCEDURE

Management is responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise. 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.

If you believe that you have been harassed or are the victim of discrimination, you should identify the offensive behavior to the harasser and request that it stop. In the event you are not comfortable confronting the harasser or when such informal direct communication is either ineffective or impossible, you should discuss your concern promptly with your immediate supervisor. In addition, any employee who has knowledge of any incident of harassment prohibited by this policy is **required** to report such information to your immediate supervisor or Human Resource Manager. If the immediate supervisor is involved in the harassment, or if after reporting the incident or concern, you believe adequate action is not being taken to resolve the concern, the matter should be brought to the attention of the Human Resource Manager, the City Administrator, or the Mayor. The complaint will be properly and promptly investigated. Any action that is necessary and appropriate to ensure the workplace is free of unlawful discrimination and harassment will be taken.

All retaliation is prohibited. Complaints made under this policy will not result in any adverse action against the complainant unless the complaint is proved to be knowingly false. No person who participates in an investigation will be treated adversely because of that participation. Except as reasonably necessary in the conduct of any City investigation of a complaint or any discipline resulting there from, the City will attempt to keep all complaints confidential.

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, gender, creed, religion, national origin, sex, marital status, pregnancy, physical disability, disability, age or any other defined protected category.

Each applicant will 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 disqualification from hiring or immediate termination, if hired.

3.2 HIRING

When a position becomes vacant and prior to any posting or advertisement of the vacancy, the City Administrator or Mayor and immediate supervisor should review the position, its job description, and the need for such a position. The position should be posted and/or advertised with the Mayor's approval. Seasonal employees in good standing may be offered return employment.

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 investigations. The City may also verify educational references made by an applicant prior to hiring. The City may require successful applicants for employment to take a pre-employment drug test and complete a background check once a conditional offer of employment has been extended. The City of Liberty Lake is a drug-free employer.

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 driver's license with any necessary endorsements preferably from the State of Washington or Idaho (or the state in which the employee resides).

After conditional offer of employment has been made and prior to commencement of employment, the City may require persons selected for employment to take a physical examination. The purpose of the examination is to determine if the individual can perform in the position, with or without a reasonable accommodation.

3.3 TEMPORARY/CONTRACT EMPLOYEES

The City finds that both operational efficiency and fair and equitable employment practices are advanced using regular, career service employees where appropriate. Therefore, it is the policy

of the City to have ongoing, relatively stable, trained, and experienced workforce necessary to deliver services to the public. However, supervisors may use temporary employees or contract workers to meet peak and seasonal demand or to provide specialized skills. Temporary/contract employees may be hired without competitive recruitment or examination, although all hiring processes must comply with state and federal laws.

Compensation/Benefits: Temporary/contract employees are eligible for overtime pay as required by law. Temporary/contract employees do not receive retirement, vacation, health insurance, paid holidays, or any other benefits during employment*.

*Except as required by State law: A temporary worker will receive 1 hour of sick leave for every forty hours worked. Unused sick leave is not paid upon separation.

3.4 NEPOTISM

The Immediate Family or such family members identified in Section 1.4 that live outside of current City employees, Mayor, or City council members home are not able to 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 conflicts among the parties or conflicts 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, it is the duty of the employees to give notice to the City of the relationship and, in the City's judgment, it will determine whether a potential conflict exists as noted above. The City may, unless reasonable accommodations cannot be made, find that one employee will not be entitled to remain as a City employee due to this nepotism policy.

3.5 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 City Administrator or 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.

After promotion to a new position, the employee must successfully complete a satisfactory, 90-day probationary period, unless waived or reduced by the City Administrator or Mayor. In the case of unsatisfactory performance in a promotional situation, the employee may request to be transferred to their previous position, which may be considered by the City.

Chapter 4

HOURS AND ATTENDANCE

4.1 WORK SCHEDULES

STANDARD WORKDAY AND NORMAL OPERATING HOURS

The standard workday and normal operating hours are as follows:

- City Hall Hours: Monday-Friday 8:00 a.m. to 5:00 p.m.
- Operations and Maintenance Hours: Monday-Friday 6:00 a.m. to 2:30 p.m.
- Police Department Office Hours: Monday-Friday 8:00 a.m. to 5:00 p.m.
- Trailhead Golf Course Hours: Monday-Sunday 9:00 a.m. to 5:00 p.m.**
- Municipal Library: Monday-Wednesday & Friday 10:00 p.m. to 6:00 p.m.
Thursday 10:00 a.m. to 8:00 p.m.
Saturday 10:00 a.m. to 4:00 p.m.

Working hours for the Police Department are defined in the Labor Agreement between the City of Liberty Lake and the bargaining unit.

Due to the nature of work and urgent matters, schedules may be adjusted determined by the immediate supervisor.

***Trailhead Golf Course and Operations and Maintenance hours are dependent on the season.*

ALTERNATIVE WORK SCHEDULES – City Hall employees

ELIGIBILITY: All regular, full-time employees of the City are eligible to request the available alternative work schedules as described in this policy. Final decisions on participation will be made by the immediate supervisor and will be based upon an objective review of the individual circumstances, the demands of the position, the needs of the department and the needs of the City. Should an alternative work schedule be granted, it is the responsibility of the immediate supervisor to ensure coverage for this request. The immediate supervisor may rescind an employee's alternative work schedule at their sole discretion. At least two (2) weeks' notice will be given to the employee that their schedule will be adjusted. The immediate supervisor can adjust an employee's schedule for a short-term duration when scheduling issues arise within the department. The employee seeking an alternative work schedule must complete an Alternative Work Schedule request form, from Human Resources.

An employee with a documented performance problem may be denied their request for an alternative work schedule, depending on the nature of the performance problem.

.DEFINITIONS: For the purpose of the alternative work schedule policy in Section 4.1, the following terms are defined:

- 1) Compressed Work Week/Modified Compressed Work Week: Employees work a standard number of hours within fewer days during the same week, or each workday is an extra 30-60 minutes long.
- 2) 4/40: Four (4) 10-hour days each week.
- 3) 9/80: The 80 hours in a two (2) week period are scheduled over nine (9) working days. The normal worked day is extended by one-hour four (4) days one week and four (4) days the next week, with one regular eight (8) hour day. This produces one extra day off every other week. To comply with the FLSA and prevent an overtime obligation, the seven (7) day work week must be formally designated, and the schedule must be approved by the Human Resource Manager for compliance with the FLSA.

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.

For most City employees, the established work period is 40 hours within a 7-day work week. All personnel are responsible for accurately reporting all hours worked in the City's time keeping system. Employees failing to accurately record time worked are subject to discipline. Overtime must have prior approval of the immediate supervisor.

Non-exempt employees are entitled to additional compensation, either at the overtime rate of pay (calculated at one and one-half times the employee's regular hourly rate) or compensatory time off, when they work more than 40 hours per week. When computing overtime, time paid for but not worked (e.g. holidays, sick leave, and vacation time) is not counted as hours worked.

Non-exempt employees who miss more than two (2) hours of their scheduled shift, must use the applicable accrued leave that is available to fulfill the hours of the regularly, scheduled work week.

Exempt employees do not receive either overtime pay or compensatory time.

Police Department employees, who are covered in the Labor Agreement, hours of pay and overtime is defined in the Labor Agreement between the City of Liberty Lake and the bargaining unit.

4.3 COMPENSATORY TIME

Non-exempt employees entitled to overtime pay may request compensatory time off instead of payment at the overtime rate of one and one-half times the employee's regular hourly rate. This time off is approved on an individual basis by the employee's immediate 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. After maximum accrual, overtime compensation will be paid.

Compensatory time should be used for short term absences from work during times mutually agreed to by the employee and their immediate supervisor. If compensatory time is not used by the year end, the hours will be cashed out in the last payroll of that year.

4.4 ATTENDANCE

Punctual and consistent attendance is an essential function of every position and is expected for continued employment. Each immediate supervisor is responsible for maintaining an accurate attendance record of their employees.

Employees unable to work or unable to report to work on time should notify their immediate supervisor as soon as possible, ordinarily before the workday begins or within 30 minutes of the employee's usual starting time. Employees are responsible to report to work for their scheduled work hours each day. If the immediate supervisor is unavailable, the employee may leave a message with the City Administrator or Human Resource Manager, 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, up to and including termination. Employees who are absent due to illness three (3) or more consecutive workdays may be required to provide a doctor's note. Employees who do not call into work or fail to work their scheduled shifts for three (3) consecutive days may be considered to have abandoned the job, pending extenuating circumstance.

4.5 UNUSUAL WEATHER CONDITIONS

During times of extreme weather, including wildfire smoke, 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. The City will make every effort to be flexible with staff schedules.

An employee who is unable to get to work or leaves work early because of extreme weather conditions, may charge the time missed to available accrued time off or take the day unpaid. The employee shall advise the immediate supervisor by phone, text, or email of late arrival or absence.

4.6 BREAKS AND MEAL PERIODS

Employees are required to take one 15-minute rest break for every four (4) hours worked. All breaks will be arranged so that they do not interfere with City business or service to the public. You will be given a minimum 30-minute unpaid lunch break if a shift of five (5) or more hours is worked. Some schedules require a 60-minute unpaid lunch break. Lunch breaks will be scheduled by the employee's immediate supervisor. The scheduling of meal periods may vary

depending on department workload. You must take your lunch breaks unless a request for waived meal period agreement was submitted and approved. If an unforeseen circumstance arises and you miss your meal break, you must notify your immediate supervisor right away.

Police employees' breaks and meal periods are defined in the Labor Agreement between the City of Liberty Lake and the bargaining unit.

4.7 LACTATION

The City complies with all federal and state laws and regulations concerning breast-feeding and nursing mothers and provides assistance for nursing mothers who want to express and store breast milk at workplaces during business hours.

Employees who are nursing mothers can take reasonable break periods during the workday to express breast milk. Such nursing mothers can take breaks each time they need to express milk beginning from the date of the nursing child's birth and for up to two years.

Employees who are nursing mothers can use their meal and paid rest break times for lactation purposes. Break times that are used for lactation purposes beyond meal and paid rest breaks are unpaid. Employees who are nursing mothers should discuss any need for extra break periods to express breast milk with their immediate supervisor.

4.8 CALL BACK

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 and may include 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. Employees will receive a minimum of two (2) hours pay if called back. Employees on standby do not qualify for call back pay.

All police employees are subject to call back in emergencies as defined in the Labor Agreement between the City of Liberty Lake and the bargaining unit.

4.9 STANDBY

If an employee is instructed by their immediate supervisor to be available for work when called, the employee will be compensated at the Washington State minimum wage for each hour the employee is required to standby. The employee shall report to work in ready condition. A standby employee who is called out, will be paid at the rate of one and one-half times their regularly hourly rate for the completion of the call out with a minimum of two (2) hours.

4.10 PAYROLL RECORDS

The official payroll records are kept by the City Treasurer. Immediate supervisors shall certify and approve regular hours worked, overtime hours worked and leave taken for employees within their department, through the City's timekeeping system.

Chapter 5

COMPENSATION

5.1 SALARY SCHEDULES AND SALARY SURVEYS

Salary Schedule: The Salary Schedule is proposed by the Mayor and approved by the City Council. The salary schedule shall include salaries for non-bargaining personnel as well as salary grades negotiated by employee representatives.

New employees normally start their employment at step 1 of the salary schedule. However, the Mayor may place a new employee at a higher step when the employee's experience, training, or proven capability warrant, or when prevailing market conditions require a starting rate greater than the lowest step.

The purpose of step increases is to recognize performance and years of service with the City of Liberty Lake. Based on performance reviews and to the extent that the budget allows, salary adjustments for non-bargaining personnel may receive a step increase at the beginning of each calendar year. Step increases for new hires require a minimum of 90 days of employment in the previous year, therefore if hired after September 1st, a step increase will not occur until the beginning of the following year.

Each job classification has seven (7) steps. Once the employee has reached the top salary step of their pay range, one (1) additional floating holiday will be provided to the employee.

The Mayor may propose, and the City Council may grant, an across-the-board cost-of-living adjustment, raising the salaries of all positions by a specified amount. The Mayor, on an individual basis, may grant a one-step pay adjustment over a two-year period, up to step 7.

Note: All promotions, pay changes and employee status changes (Full-time/Part-Time) must take effect the beginning of the next pay period.

Salary Surveys: To be fair to all employees and provide competitive salary schedules, the City may conduct salary surveys of "like" positions. Adjustments in a salary range will take place during the budget process.

5.2 PREMIUM PAY-CDL

If an employee is required to hold a Commercial Driver's License (CDL) as part of their employment, they will receive a pre-determined premium in addition to their regular base wage. Positions that require a CDL are subject to Department of Transportation (DOT) regulations. Employees who hold a CDL, but it is not required of their position, will not receive premium pay.

5.3 PAYDAYS

City employees are paid monthly on the last working day of each month. Mid-month payroll draws are prohibited under IRS Regulations.

5.4 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.

5.5 TRAVEL AWAY FROM THE CITY

All City business related travel outside of Spokane County must be approved in advance by the City Administrator, Mayor, or immediate supervisor. If City vehicles are unavailable, and private automobiles are used, employees will be reimbursed mileage at the prevailing federal rate. When applicable, travel to and from meetings and conferences should be scheduled during work hours. When it is necessary to travel outside of working hours, non-exempt employees will be compensated for travel time, consistent with Sections 4.2 and 4.3 of this policy. For additional information contact the Finance Director.

5.6 COMPENSATION UPON TERMINATION

When an employee's employment with the City has ended, 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, up to 240 hours and any unused compensatory time.
4. If an employee has an outstanding 401(A) loan, it becomes due and payable upon separation from service.

Any accrued sick leave shall not be paid out to an employee upon termination, however, if a former employee is rehired within 12 months, the city will reinstate unused sick leave.

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 annual performance evaluations for all positions. The City Administrator or Mayor is responsible for developing and maintaining the City's performance evaluation program. Employees shall be evaluated by their immediate supervisor, a minimum of once every 12 months.

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 or to obtain/maintain required licenses and certifications. Opportunities may include, but are not limited to on-the-job training, in-house workshops, conferences, 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.

Chapter 7

BENEFITS

7.1 EMPLOYEE PAID BENEFITS

City paid employee benefits include medical, dental, vision, group basic life insurance, dependent life insurance, an employee assistance program (EAP), and long-term disability. All regular, full-time, and regular, part-time 30 hours/week employees may participate in these programs.

The City will pay a percentage of premium costs for each regular, full-time employee and each regular, part-time 30 hours/week employee. Regular, full-time employees are required to pay 10% of the premium cost, as a payroll deduction for medical and dental insurance. Regular, part-time 30 hours/week employees are required to pay 25% of the premium cost, as a payroll deduction for medical and dental insurance.

The City must maintain a 75% employee participation rate for medical coverage. Employees do have the option to "opt out" as long as the City maintains 75% participation. Availability to opt out, is on a first come basis. Coverage for dependents is optional.

Health Reimbursement Arrangement (HRA)

The City will contribute to an HRA VEBA Medical Reimbursement Plan on behalf of all regular, full-time and regular, part-time 30 hours/week employees. Contributions shall be based on the City's finances each year and ability to contribute to the HRA VEBA.

Additional Health Reimbursement Arrangement (HRA)

As the budget allows, the City may offer an additional HRA benefit known as a "bridge" to offset eligible out-of-pocket medical expenses, after the medical deductible is met.

7.2 RETIREMENT BENEFITS

The City determines employees who are eligible for retirement per the guidelines described in the Washington State Department of Retirement Systems (DRS) Handbook that is applicable to the employee's job classification. Regular uniformed employees in the police department are covered by the Law Enforcement Officers' and Firefighters' Retirement System (LEOFF). All non-represented employees participate in Public Employees' Retirement System (PERS). The State of Washington determines eligibility, benefit levels, and contribution rates.

Employees leaving employment should contact Public Employees' Retirement System (PERS) at (800) 547-6657 or for Police Personnel, the Law Enforcement Officers' and Firefighters' Retirement System (LEOFF) at (800) 547-6657 to coordinate retirement benefits upon separation.

Social Security Replacement: In lieu of contributions to the Federal Social Security Program, the City of Liberty Lake has an authorized 401(a) retirement plan administered by a City selected provider. Guidelines are described in the provider's plan agreement.

7.3 OPTIONAL RETIREMENT BENEFITS

457 Deferred Compensation Plan: All regular full-time, part-time 30 hours/week and uniformed employees can voluntarily contribute to a 457 Deferred Compensation Plan, notwithstanding any potential contributions to the LEOFF. The City does not match any contributions to this plan.

401 Money Purchase Plan: All regular full-time employees and uniformed employees who qualify, can participate in the 401(a) Loan Plan.

Employees must contact the plan provider for detailed information and guidelines regarding this program.

Termination, Retirement, Layoff: For eligible employees who terminate, retire, or are laid off, all benefits discontinue the last day of the month.

7.4 DISABILITY BENEFITS

All employees 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's insurance provider, offers long-term disability coverage for all regular, full-time employees and regular, part-time, 30 hours/week employees for off-the-job injury or illness.

7.5 WORKER'S COMPENSATION

Absence for on-the-job injury covered by Worker's Compensation may be charged to any of the injured worker's paid leave banks.

An employee using paid sick leave and simultaneously receiving compensation under the Worker's Compensation Law will receive for the duration of such sick leave only that portion of the employee's regular salary which, together with such compensation, equals the regular salary. Employees in this situation will have sick leave "buy back" calculated by the Administrative Services Department and a future paycheck(s) will be reduced by the corresponding value of the Worker's Compensation payments in order to restore the corresponding value of sick leave that was used.

Members of the LEOFF 2 retirement system are entitled to an additional supplemental benefit as provided for under RCW 41.04.500 beginning on the sixth calendar day after the date of injury for a maximum period of six (6) months. This supplemental benefit applies when a LEOFF 2 employee is using sick leave and results in less sick leave being deducted from the employee's accrual when the "buy back" is calculated.

7.6 UNEMPLOYMENT COMPENSATION

Washington State Employment Security Department (ESD) makes the determination if an individual qualifies for unemployment, not the City. ESD requires the individual to apply for unemployment. Based on the information provided by both parties, ESD will determine whether an individual will be awarded unemployment.

7.7 COBRA RIGHTS

Upon an employee's separation from City employment, at the employee's option and expense, the employee may be eligible to continue City health insurance benefits to the extent provided under federal COBRA regulations.

Chapter 8

HOLIDAYS AND LEAVE

8.1 HOLIDAYS

All regular, full-time employees receive an eight (8) hour paid holiday and regular, part-time 30 hours/week employees receive a six (6) hour paid holiday for the following recognized holidays:

New Years Day
Martin Luther King Jr. Day
Presidents Day
Memorial Day
Juneteenth (June 19th)
Independence Day
Labor Day
Veteran's Day
Thanksgiving Day
Native American Heritage Day (Day After Thanksgiving)
Christmas Day

Any holiday falling on Saturday will be recognized on the preceding Friday. Any holiday falling on Sunday will be recognized on the following Monday. Pursuant to WAC 357-31-030, "When a holiday falls on an employee's regularly scheduled day off, the employer must provide that employee an in-lieu of holiday as follows:

- 1) Designate the prior or the following workday as the holiday;
- 2) Allow the employee to request an alternate workday to observe as a holiday."

The employer requires that the employee request an alternate day off within the same pay period as the holiday. If the holiday is not taken, it will be forfeited.

Any employee on vacation or sick leave during a holiday will not be charged vacation or sick leave for that day.

Employees who are required by their immediate supervisor 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 or will have the option to take compensatory time off.

Police department holiday hours and shifts are defined in the Labor Agreement between the City of Liberty Lake and the bargaining unit.

If an employee's religious beliefs require observance of a holiday not included in the basic holiday schedule, the employee may, with the immediate supervisor's approval, take the day off using vacation, or compensatory time.

8.2 FLOATING HOLIDAYS

All regular, full-time employees will be issued floating holidays based upon the below table. Floating holidays are prorated based upon the quarter in which the employee was hired. Floating holidays must be used before the last day of the pay period, of the calendar year, and will reset in January the following year. Floating holidays cannot be rolled over into the next year and are not cashed out upon separation of employment. As a result, floating holidays should be used before vacation leave.

<u>Quarter Hired</u>	<u>Number of Floating Holidays</u>
1st Quarter (Jan-Mar)	4 Floating Holidays
2nd Quarter (Apr-Jun)	3 Floating Holidays
3rd Quarter (Jul-Sept)	2 Floating Holidays
4th Quarter (Oct-Dec)	1 Floating Holiday

All regular, part-time 30 hours/week employees will be issued floating holidays based upon the below table. Floating holidays are prorated based upon the quarter in which the employee was hired. Guidelines for pertaining to usage and separation of employment are the same as above.

<u>Quarter Hired</u>	<u>Number of Floating Holidays</u>
1st Quarter (Jan-Mar)	3 Floating Holidays
2nd Quarter (Apr-Jun)	2 Floating Holidays
3rd Quarter (Jul-Sept)	1 Floating Holiday
4th Quarter (Oct-Dec)	0 Floating Holidays

8.3 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. Negative vacation balances are not allowed. Accrual is based on a monthly pay period.

<u>Length of Service</u>	<u>Annual Vacation Days</u>
0 through 4 years	10 days (6.67 hours accrued each month)
5 through 9 years	15 days (10.00 hours accrued each month)
10 through 14 years	18 days (12.00 hours accrued each month)
15 through 19 years	21 days (14.00 hours accrued each month)
20+ years	23 days (15.34 hours accrued each month)

Part-Time 30 hour/week employees will accrue six (6) hours per month.

At the discretion of the City Administrator or Mayor, an employee's years of service for vacation accrual purposes may be calculated based on previous relevant service. Credit of up to 50% may be given for related career service up to a maximum of five (5) years credit.

If an employee is unable to take all vacation available, accrual can be carried over to the following year up to a maximum of 240 hours. Vacation accrued above the 240-hour maximum will be forfeited.

Vacation leave benefits may be used to supplement benefits received through the Washington Paid Family and Medical Leave program.

Vacation Leave for all police department personnel is defined in the Labor Agreement between the City of Liberty Lake and the bargaining unit.

An employee will be paid for unused vacation up to a maximum accrual of 240 hours (6 weeks) upon separation from the City.

8.4 SICK LEAVE

All regular, full-time employees will have 40 hours of sick leave available for their immediate use following their date of hire. Employees will begin to accrue sick leave at eight (8) hours per month, starting on the sixth month pay period.

All regular, part-time 30 hours/week employees will have 30 hours of sick leave available for their immediate use following their date of hire. Employees will begin to accrue sick leave at six (6) hours per month, starting on the sixth month pay period.

A seasonal/temporary worker will receive 1 hour of sick leave for every 40 hours worked.

Sick leave for police department personnel is defined in the Labor Agreement between the City of Liberty Lake and the bargaining unit.

Employees will not be paid for unused sick leave upon leaving City service for any reason. If a former employee is rehired within 12 months, the city will reinstatement up to 40 hours of unused sick leave.

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. Covered family members include children under the age of 18 (or over the age of 18 with a disabling condition), spouse or registered domestic partner, parent, parent-in-law, grandparent, great-grandparents, grandchildren stepchildren, foster children, and those for whom the employee stands "in loco parentis" (see Washington Family Care Act and Initiative 1433);

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, or the use of over-the-counter medication.
5. Use of a prescription drug that impairs job performance or safety.
6. Additional leave beyond bereavement leave for a death in the immediate family may be authorized by the City Administrator or the Mayor.
7. Worker's Compensation pay differential: Employees on Worker's Compensation may use sick leave (or other accrued leave) for a maximum of six months to bring their total monthly income to 100% of their regular salary. The status of the employee shall be reviewed at three months and six months. Following review, the City Administrator or the Mayor may, if exceptional circumstances warrant an extension, extend the period for which an employee may use sick leave for the balance of their salary.
8. When your absence from work qualifies under the state's Domestic Violence Leave law (see section 8.13 for further guidance).
9. When your workplace or your child's school or daycare has been closed by a public official for any health-related reason.

A doctor's certificate may be required when an employee is absent for an illness or injury for a period in excess of three (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 the employee's ability to perform the job.

Employees who use all their accumulated sick leave and require more time off work due to illness or injury may, with their immediate supervisor prior approval, request a leave without pay (See Leave of Absence Without Pay Policy, 8.15).

8.5 SICK LEAVE DONATION

In the event an employee or a member of an employee's immediate family suffers an unexpected serious illness that threatens to use up all 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 of sick leave for their use. All sick leave donations must be approved by the City Administrator or the Mayor.

Donations may only be made after the recipient has used up their sick leave, all of their 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 shall calculate the number of hours needed based on a regularly scheduled pay period 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, the recipient will be paid their salary. In the event donations do not cover the number of hours equivalent to the regularly scheduled pay period, the recipient employee will be paid hourly at their own hourly rate for the number of donated sick hours 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 (6) months, to cover the difference between the Worker's Compensation payment and the employee's full salary. Following review, the City Administrator or Mayor may, if exceptional circumstances warrant an extension, extend the period for which an employee may receive sick leave donation for the balance of their salary.

8.6 LEAVE OF ABSENCES

City employees may request a leave of absence from work. Requests for leave of absence will be granted at the City's discretion, based on operational needs and the reasons for the request. Additional consideration may include the employee's length of service, performance, responsibility level, history of leaves, legal mandates, and the City's ability to obtain satisfactory replacement during the time the employee would be away from work. The City reserves the right to investigate all requests for leave and cancel any leave that may be contradictory to the information presented by the requesting employee. Failure to comply with notification and documentation requirements may result in a denial or postponement of leave and denial of payment of time away from work benefits.

The Human Resource Manager should be consulted prior to any final approval, denial, or postponement of leave.

The City of Liberty Lake will comply with all laws regulating leaves of absence, including the Family Medical Leave Act (FMLA) and Washington Paid Family and Medical Leave (PFML).

When an employee of the City police department is on an approved leave of absence, the employee will be required to return all department issued equipment. Upon return from approved leave, the department equipment will be reissued to the employee.

Employee Benefits During Periods of Approved Leave of Absences:

The City will continue the employer's share of the premiums for medical and dental coverage for up to 12 weeks of approved leave. However, City payment of the employer's share of coverage

is conditioned upon return to work. Except in certain circumstances, if the employee terminates employment before returning from leave, the City may recover all insurance payments made while the employee was on leave.

If an employee is normally required to pay for part of the medical and dental insurance premiums, mutually acceptable arrangements for payment of the employee's share of the premiums must be made to ensure continuation of coverage. Sick and vacation leave shall not accrue during a period of unpaid leave, unless earned by meeting the requirements 8.2 and 8.4. Paid holidays shall not be provided to employees on unpaid leave, unless earned by meeting the requirements of 8.1.

Job Protection Provisions:

If an employee returns to work within the agreed upon time of leave, the City will make every effort to reinstate the employee to their former position or an equivalent position with equivalent pay, benefits, status, and authority.

8.7 FAMILY AND MEDICAL LEAVE (FMLA)

Family and Medical Leave (FMLA), as defined under federal law, will be granted for a period of up to twelve workweeks in any rolling twelve-month period for eligible employees for the reasons listed below. Each new request for FMLA leave will be individually considered, including how much leave, if any, has already been taken toward FMLA entitlement. In accordance with federal law and the City policy, FMLA leave may run concurrent with any other leaves for which the employee may be entitled. The Human Resource Manager can assist with further information.

- To care for the employee’s child after birth, adoption, or foster care placement.
- To care for an employee’s spouse, child, parent, or registered domestic partner, who has a serious health condition, whether the condition requires a continual or intermittent leave.
- For the employee’s own serious health condition, whether the condition requires a continual or intermittent leave.
- For any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered military member on covered active duty, whether the need for leave is continuous or intermittent.
- For military care leave an employee is entitled to up to twenty-six workweeks of leave during a single 12-month period to care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember’s spouse, child, parent or next of kin.

An eligible employee is an employee who has been employed by the City of Liberty Lake for at least 12 months (the 12 months need not be consecutive, subject to certain exceptions) and worked at least 1,250 hours in the preceding 12 months.

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day or a partial day, periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the work week or workday, resulting in a reduced work schedule. In all cases, the leave may not exceed a total of 12 work weeks (or 26 workweeks

to care for an injured or ill service member over a 12- month period). FMLA can be taken on an intermittent basis allowing the employee to work on a less than full-time schedule if required by a health care provider.

Spouses who are both employed by the City of Liberty Lake are limited in the amount of family leave they may take for the birth and care of a newborn child, placement of a child for adoption or foster care, or to care for a parent who has a serious health condition to a combined total of 12 work weeks (or 26 work weeks if leave to care for a covered service member with a serious injury or illness is also used). Leave for birth and care, or placement for adoption or foster care, must conclude within 12 months of the birth or placement.

8.8 WASHINGTON PAID FAMILY AND MEDICAL LEAVE (PFML)

Employees who miss work due to family or medical reasons may be eligible for Washington Paid Family and Medical Leave (PFML) benefits. PFML benefits are administered through the Washington State Employment Security Department (ESD). Employees who experience a qualifying event or whose family member experiences a qualifying event must apply for benefits through ESD.

Notice of Use of PFML: If an employee's leave is expected, they are required to provide the City with at least 30 days advance *written* notice. If the leave is unexpected, the employee must give the City notice as soon as they are able. Written notice should state that the employee needs to take paid family or medical leave and about how long he or she expects to be gone. E-mails, text messages and handwritten notes are all acceptable forms of written notice.

Employees may use employer-provided paid time off benefits to supplement benefits received through the PFML program.

8.9 JURY AND WITNESS LEAVE

Jury Duty. The City provides all employees leave with pay 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 immediate supervisor with a copy of the jury duty summons as soon as possible after receiving it, as well as proof of jury service upon completion.

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.

8.10 MILITARY LEAVE (USERRA)

The City is proud to employ and has a commitment to support those who serve in the military. An employee who is a member of an organized unit of the United States military reserve or National Guard shall be granted leave with pay, in accordance with Federal and State Law, so that the employee may report for active duty, when called, or take part in active training duty in

such manner and at such time as the employee may be ordered to active duty, active training, drills, reservists or guard duties. Any authorized leave in excess of the days permitted by Federal and State Law will be charged pursuant to other applicable federal and state laws or to leave without pay or annual leave at the option of the employee.

Upon receipt of orders for active or reserve duty, employees should notify their immediate supervisor and the Human Resource Manager as soon as possible and submit a copy of the military orders (unless they are unable to do so because of military necessity or it is otherwise impossible or unreasonable).

For additional information about the Uniformed Services Employment and Re-employment Rights Act of 1994 (USERRA) and the agency that enforces it, please see the labor law poster in your work area or contact Human Resources.

Military Family Leave

During a period of military conflict, an employee is entitled to leave under this section when a spouse or domestic partner who is a member of the armed forces of the United States, National Guard, or reserves has been notified of an impending call or order to active duty or has been deployed.

- a) Period of Military Conflict – means a period of war declared by the United States Congress, declared by executive order of the president, or in which a member of a reserve component of the armed forces is ordered to active duty pursuant to either sections 12301 and 12302 of Title 10 of the United States Code or Title 32 of the United States Code.

The employee shall be granted a total of 15 days of unpaid leave per deployment after the military spouse or domestic partner has been notified of an impending call or order to active duty and before deployment or when the military spouse or domestic partner is on leave from deployment.

An employee returning from military family leave shall be restored to a position of employment in the same manner as an employee returning after Family and Medical Leave pursuant to the City's personnel policies. Benefits during this period of unpaid leave will be subject to the City's qualification for benefits rule of the personnel policies. An employee may continue benefits in the same manner as an employee on Family and Medical Leave.

An employee who seeks to take leave under this chapter must provide notice to the City Human Resource Manager, within five (5) business days of receiving official notice of an impending call or order to active duty or of a leave from deployment of the employee's intention to take leave under this chapter.

An employee who takes leave under this section may elect to substitute any of the accrued leave to which the employee may be entitled for any part of the leave under this section.

8.11 WASHINGTON STATE MILITARY FAMILY LEAVE ACT

An employee who works twenty (20) or more hours per week and is legally married to or is the registered domestic partner (RDP) of an individual who is a member of the armed forces, National Guard or reserves may take up to fifteen (15) days of unpaid leave per deployment in order to prepare for their spouse's/RDP's deployment or while the spouse/RDP is on leave from deployment. To take this leave, the employee must notify the employer of their spouse's/RDP's impending call or order of active duty within five (5) business days of the time the notice was received. During the leave, the employee may utilize any earned and accrued paid leave available. At the end of the leave period, the employee may return to his or her job or an equivalent position.

8.12 BEREAVEMENT LEAVE

The City provides regular, full-time employees with paid bereavement leave of up to three (3) working days in the event of the death of an immediate family member. Additional bereavement leave of two (2) additional days may be granted by the City Administrator or the Mayor. An employee is not paid for any day off if the employee would not otherwise have been entitled to compensation for that day. Bereavement leave pay shall be that amount the employee would have earned had the employee worked their regular work schedule during the leave.

8.13 DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING LEAVE

Leave Entitlement

An employee who is the victim of, or who has a family or household member who is a victim of domestic violence, sexual assault or stalking may take reasonable leave from work, including continuous, intermittent, or reduced schedule to participate in legal, law enforcement, medical services, obtainment of supportive services needs to ensure their personal safety or the safety of family or household members. Family and household members are defined as an individual whose relationship to the employee can be classified as child, spouse, parent, parent-in-law, or person whom the employee has a dating relationship.

Employee may utilize any of their paid time accruals for absences related to domestic violence leave.

If employees have any questions about this leave or whether it applies to their circumstances, they should contact the Human Resource Manager.

Notice

In the case of any leave, the City asks that employees provide advance notice of their intent to take leave, up to 30 days, if possible. When advance notice cannot be given because of emergency or unforeseen circumstances related to domestic violence, sexual assault or stalking, the employee or designee should provide notice to the City no later than the end of the first day that the employee takes such leave.

Verification

The City may request information to verify the requested leave qualifies under RCW 49.76. If such verification is requested the employee must provide verification within a reasonable time frame. Verification may include items such as court orders of protection, police reports or employee statements or documentation verifying the relationship between the employee and family or household member.

The types of information that may provide verification are:

- A police report;
- An order for protection or other evidence from the court or prosecutor where the employee or family member appeared, or is scheduled to appear, in court;
- Documentation from a victim advocate, an attorney, a member of the clergy, or a medical or other appropriate professional; or
- An employee's written statement.

If leave is taken to assist or care for a family member, the familial relationship may be substantiated by a statement from the employee, a birth certificate, a court document, or other similar documentation.

Once verification is received, the City will seek no further information from the employee. In general, any information provided will be held confidentially. This includes the fact that the employee or family member is a victim of these crimes, the employee has requested or obtained leave, and any written or oral statement, documentation, record, or corroborating evidence provided by the employee.

The City may disclose the information only if:

- Requested or consented to by the employee;
- Ordered to do so by a court or administrative agency; or
- Otherwise required by applicable federal or state law.

Protection from retaliation

No employees will suffer any reprisal or retaliation because they have been a victim of these crimes or has requested and/or taken leave pursuant to this policy.

8.14 PREGNANCY DISABILITY LEAVE

An employee medically disabled as a result of pregnancy or childbirth is eligible for an unpaid leave of absence for the period of disability, regardless of duration, short-term disability benefits may apply. Employees needing to request this leave should speak with the Human Resource Manager as soon as possible. The City may request medical certification to verify the individual is incapacitated due to pregnancy or childbirth.

The employee must use available paid leave during this time. Benefits normally provided during periods of paid leave will be available. If, and/or when leave is no longer paid, health insurance benefits will cease as in keeping with cases of other leave. Should pregnancy disability status continue beyond the point of paid leave, the employee will receive a COBRA notification to allow her to continue health insurance benefits at her own cost for up to eighteen (18) months.

The employee must respond and follow the requirements of notice to obtain this benefit.

Paid leave benefits (such as vacation or sick leave) will not accrue while on unpaid leave. Employees will not receive payment for holidays occurring while on unpaid leave.

When the employee is no longer disabled, she is entitled to return to the same or equivalent position, unless this is no longer possible due to City necessity. The City may, at its discretion, request certification from the employee's health care provider releasing her to return to work.

8.15 LEAVE OF ABSENCE OR DAY WITHOUT PAY

The City Administrator or Mayor may grant leave of absence (three (3) or more consecutive days) without pay for absence from work, for up to a 30-day duration, if not covered by any other leave or if other leave balances, are exhausted. Situations for which such leave may be granted would be in the interest and welfare of the City and are not solely for the employee's personal gain or profit. Employees that fail to return to their position at the end of the agreed upon leave of absence shall be deemed to have resigned from employment with the City unless there are extenuating circumstances approved in advance by the City.

If an employee has exhausted all applicable leave balances available, the employee must receive written approval from the City Administrator or Mayor to take a day off without pay.

8.16 ADMINISTRATIVE LEAVE

The City Administrator or the Mayor has the authority or approve administrative leave. To be compliant with State or Local law, administrative leave will be evaluated to determine if the administrative leave is paid or unpaid.

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, courteous, efficient, and helpful manner. Employees must maintain a clean, neat, and professional appearance appropriate to their work assignment, or position. Inappropriate attire will be addressed by the immediate supervisor, City Administrator, or the Mayor.

Since a proper working relationship between employees and the City depends on job performance, professional conduct and behavior by each employee, the City has established certain minimum standards of personal conduct.

Among the City's expectations are, but not limited to: 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 immediate supervisors; preserving and protecting the City's equipment, grounds, facilities, and resources; and providing orderly and cost-efficient services to City citizens. The City relies on each employee's good judgment and sense of responsibility as the principal source of guidance for conducting day-to-day duties and responsibilities.

To function as efficiently as possible, the City 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 modify your work assignments and the duties originally assigned. If these arrangements become necessary, the best cooperation is expected 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 their 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;
2. Employment that is conducted during the employee's work hours with the City.
3. Non-City employment that utilizes City telephones, computers, supplies, facilities, or any other resources or equipment;

4. Non-City employment with a firm which has contracts with or does business with the City;
5. Non-City 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 written approval from the City Administrator or Mayor.

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:

- 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.

- Retaliatory Action: Any material adverse change in the terms and conditions of an employee's employment.
- 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 the immediate supervisor if the supervisor is not involved in the alleged wrongdoing. Bring the matter to attention 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 immediate supervisor, the employee may raise the issue directly with the City Administrator or the Mayor.
3. The City Administrator or Mayor 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 personnel actions taken as a result of the investigation may be kept confidential.

In the case of an emergency, where the employee believes that damage to persons or property may result if action is not taken immediately, or if the improper action involves both the Mayor and the City Administrator, 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.

List of Government Agencies

Spokane County Prosecuting Attorney
1100 W Mallon Ave
Spokane, Washington 99260
(509) 456-3662
www.spokanecounty.org/332/prosecuting-attorney

Washington State Office of the Attorney General
1125 Washington St SE
Olympia, Washington 98504
(360) 753-6200
www.atg.wa.gov

List of Government Agencies Continued

Washington State Auditor's Office
302 Sid Snyder Ave SW
Olympia, Washington 98501
(564) 999-0950
www.sao.wa.gov

Human Rights Commission
1330 N. Washington St, #2460
Spokane, Washington 99201
(509) 568-3196
www.my.spokanecity.org/bcc/commissions/

Washington State Department of Labor and Industries
901 N. Monroe St, Ste. 100
Spokane, Washington 99201
(509) 324-2600
www.lni.wa.gov

U.S. Environmental Protection Agency (EPA), Region 10
Criminal Investigations
1200 Sixth Ave, Ste.155
Seattle, Washington, 98101
(206) 553-8306
www.epa.gov/aboutepa/epa-region-10-pacific-northwest

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 or was reasonably perceived to have 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 immediate supervisor within thirty (30) days of the occurrence of the alleged retaliatory action. If the immediate supervisor is involved, the notice should go to the City Administrator or the Mayor. The written complaint shall specify the alleged retaliatory action and the relief requested.
2. The City Administrator or the Mayor shall investigate the complaint and respond in writing within thirty (30) days of receipt of the written complaint.
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 fifteen (15) days of receipt of the City's response to the charge of retaliatory action or forty-five (45) days of receipt of the complaint of retaliation to the Mayor for response.

4. Within five (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 forty-five (45) days after the date of the request for hearing unless an extension is granted.

Policy Implementation

The City Administrator or the Mayor is responsible for implementing these policies and procedures. This includes making the policy available to any employee upon request and providing the policy to all newly hired employees. Supervisors are responsible for ensuring the procedures are fully implemented within their departments.

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

9.4 POLITICAL ACTIVITIES

City employees, outside working hours, 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.

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.

The City strongly requests that political comments and opinions are not discussed in the workplace. This pertains to all elections.

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, including vaping or the use of e-cigarettes, 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

The City furnishes desks, lockers, and/or other office related equipment. However, we do not assume responsibility for any theft or damage to the personal belongings of employees and we

reserve the right to search employee desks, lockers, and personal belongings brought onto City premises, if necessary, without notice.

The City also furnishes computers and cellphones for use in conducting City business. Because the computers and cellphones 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 TECHNOLOGY RESOURCE USAGE POLICY

The following policies define appropriate use of the City of Liberty Lake network, computers, all related peripherals, software, electronic communications, and Internet access. They apply to the access of the City's network and use of computing technology resources at any location, from any device, via wired or wireless connection. They apply to all users of City technology resources regardless of employment status. Access to all networks and related resources require that each user be familiar with these policies and associated work rules. The City of Liberty Lake authorizes the use of computing and network resources by City staff, contractors, volunteers, and others to carry out legitimate City business. All users of City computing and network resources will do so in an ethical, legal, and responsible manner. All use of technology resources must be consistent with the intent and requirements of all City policies and work rules. Technology resources may not be used to facilitate operation of a personal business.

This document does not attempt to address every possible situation that may arise. Etiquette and common sense should be exercised while using City technology resources. This document provides policies and general rules for appropriate use of resources, compliant with public record regulations.

Permitted Personal Use

During work hours, Limited Internet, on-line services, and personal e-mail communications are permitted subject to the following limitations:

- Such use shall not occur on city time but is permitted before and after hours and during breaks.
- Such use is permitted only to the extent that the City does not incur user charges.
- Personal use remains subject to the prohibited and inappropriate use policies in Section 9.7.

Network Usage

Approval must be obtained when connecting devices to the City's network. This includes PCs, hubs, printers, scanners, remote connections, and other wireless or wired devices.

- Use of hardware on the City's network requires written approval from the City Administrator or Mayor. Approved devices with hardware must be disconnected from the network prior to using the modem.

- Personal software or devices may not be loaded or attached to any City- owned equipment without written authorization by the City Administrator or Mayor.
- Intruding or attempting to intrude into any gap in system or network security is prohibited. Sharing of internal information to others that facilitates their exploitation of a gap in system or network security is also prohibited. If you encounter or observe a gap in system or network security, report the gap immediately.
- Obey the privacy and rules governing the use of any information accessible through the network, even if that information is not securely protected.
- All users are responsible for ensuring that they are scanning attachments and downloaded materials for viruses prior to opening.
- Use of the network via any connection (e-mail, application, Internet, etc.) to access or download large non-business-related files is prohibited. Examples include video, audio, MP3 files, and games.
- Transmission, distribution or storage of any information or materials in violation of federal, state or municipal law is prohibited. Software that is copyrighted or licensed may not be shared or illegally distributed. Copyright violations are federal offenses that may result in civil and criminal penalties to employees and the City of Liberty Lake.

Internet/Intranet Usage

- This technology usage policy outlines appropriate use of the Internet/Intranet. Usage shall be primarily focused on business-related tasks.
- When using the Internet or other means of communication keep in mind that you are representing the City. Comments made should be reflective of City policy unless expressly indicated otherwise.
- Use of the Internet, as with use of all technology resources, should conform to all City policies and work rules. Visiting "adult" or sexually oriented websites, sites associated with hate crimes, violence or other crimes that create discomfort in the workplace and have no legitimate business value is prohibited unless deemed necessary by law enforcement personnel for investigative or intelligence gathering purposes. Filtering software will be actively used to preclude access to inappropriate website. Attempts to alter or bypass filtering mechanisms are prohibited.
- The supervisor or designee may limit Internet connect time and bandwidth. Using "push" technology or other "subscriber" technologies that employ continuous or extended connections to the Internet or produce high volumes of email communications is prohibited.

Email Usage

- Email must follow the same code of conduct as expected in any other form of written or face-to-face communication.
- Messages sent or received via email are public record and must meet the same standards as if they were tangible documents or instruments. Users must manage their email in accordance with record retention policies and procedures as defined by the City Clerk's office.
- Email accounts must be managed within assigned capacities. Messages shall be backed up and stored to alternative locations (like a hard drive or back-up disk) on a regular basis by the City's Information Technology Technician or service.
- The City provides staff access to and support of the Exchange/Outlook email system.

User Accounts

Each user is responsible for establishing and maintaining a password that meets City requirements. Without the expressed authorization of the user, the use of another person's account or attempt to capture another user's password is prohibited. Each user is responsible for restricting unauthorized access to the network by logging out of their computer account when leaving their computer unattended. If you discover unauthorized use of your account, immediately report it to the Information Technology Technician.

Monitoring and Employee Privacy

The City owns all data stored on its network and systems (including email, voicemail, any data on city owned cell phones, including photos and text message and Internet usage logs) and reserves the right to inspect and monitor all such communications at any time. The City may conduct random and requested audits of employee accounts to ensure compliance with policies and requirements, to investigate suspicious activities that could be harmful to the organization, to assist Departments in evaluating performance issues and concerns, and to identify productivity or related issues that need additional educational focus within the City. Internet and email communications may be subject to public disclosure and the rules of discovery in the event of a lawsuit. The City's Internet connection and usage by individuals are monitored. There is no right to privacy in an employee's use of City technology resources.

Social Networking Sites, Blogs & Forums

We respect employees' freedom to use the internet, weblogs (blogs), web forums, social networking and social media sites as they feel appropriate while off duty using their personal equipment. Use of social media also presents certain risks and carries certain responsibilities. Keep in mind that online communications and conduct that adversely affects an employee's or co-worker's job performance, our visitors, vendors, customers, or citizens may result in disciplinary consequences, up to and including termination.

Based on these concerns, employees should remember these points when using these systems:

- These systems may not be used to threaten, harm, harass, stalk, invade privacy, publish private facts, defame, or infringe intellectual property of any entity or person, including our employees, and others with whom we work or have a business relationship. Should an employee believe that he or she is being subjected to threats or criminal harassment related to his or her work with us that is carried out by any means, including electronic or social media means, the employee should report those concerns to their immediate supervisor right away.
- These systems may not be used to violate the City's workplace discrimination or harassment policies by discriminating against or creating a hostile work environment for others with whom employees work, including co-workers, clients, vendors, and suppliers. Should an employee believe that he or she is being subjected to workplace discrimination or workplace harassment carried out by any means, including electronic or social media means, the employee should report those concerns to his or her immediate supervisor right away.
- Employees may not use work facilities, equipment, or time to develop, design, maintain, update, or make entries on these personal sites, blogs, forums, or social networks.
- Employees may express their individual views or beliefs but should do so in a way that makes clear they are not speaking on behalf of the City when doing so. In instances in which it may be difficult or misleading as to whether the post is made on behalf of the City, the employee must use a disclaimer to state he or she is not authorized to speak for the employer and make clear that any opinions expressed are the employee's and are not the views of the City.
- Use of social networking sites, blogs, forums, or other networks must not violate the employee's duty of loyalty and noncompetition to the employer. Similarly, social networking and/or internet-based activities may not interfere with the employee's work commitments.
- At all times, employees are responsible for protecting any confidential information, including medical information, to which they have had access to through their work. The employer's confidentiality policies apply to all communications, both personal and professional.
- These systems may not be used for illegal or unethical purposes. The City may monitor its facilities and systems for compliance with this policy and may monitor the internet and various sites for the use of its name, copyrights, marks, website, other intellectual property, and any other associated inappropriate material. Employees who violate this policy are subject to disciplinary action up to and including termination. The fact that this policy does not specifically identify a particular site or technology does not limit the extent of the application of this policy.

This policy is not intended to preclude or dissuade employees from engaging in legally protected activities/activities protected by state or federal law, including the National Labor Relations Act such as discussing wages, benefits or terms and conditions of employment, raising complaints about working conditions for their and their fellow employees' mutual aid or protection or legally required activities.

Administration, Reporting and Violations

Departments share responsibility with monitoring appropriate implementation of these policies and requirements. Supervisors are responsible for determining all disciplinary actions that may stem from violations of these policies and requirements. Actions that demonstrate a clear disregard for these policies and requirements and that result in damage or serious disruption to the City's network, systems, services, or data may result in termination.

As with any set of policies or rules, exceptions will be granted and documented on a case-by-case basis. These require authorization from the Department involved.

Any employee who observes or suspects a violation of these policies and requirements, particularly those that relate to security of the City's network, systems and data, should immediately report these concerns to their immediate supervisor.

9.8 CITY ISSUED ELECTRONICS

If the City issues an employee an electronic device, including cellphones, the employee is not to wipe, lock or factory reset the device, including when returning the device upon separation of employment. The City may withhold final payout if a returned device is not consistent with the policy. If the issued devices or accessories become damaged, contact the City's Information Technology Technician immediately for the appropriate next steps.

Employees are required to provide device passcodes to the City's Information Technology Technician. This is to ensure that the City has access to City-issued devices, as necessary.

Any changes to passcodes must be reported to the City's Information Technology Technician.

9.9 CONTACT WITH THE NEWS MEDIA

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

9.10 USE OF CITY VEHICLES AND EQUIPMENT

Use of City phones and cellular 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. Unless otherwise authorized, the immediate supervisor 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 employee's misuse of City services, telephones, vehicles, equipment, or supplies can result in disciplinary action including termination.

9.11 SEAT BELT POLICY

Per Washington State law, anyone operating or riding in City vehicles must always wear a seat belt. Employees who receive a citation for failure to follow the law will be responsible for payment of the ticket and may be subject to disciplinary action.

9.12 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 or Idaho 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 their immediate supervisor and will be suspended from driving duties. The employee may not resume driving until proof of a valid, current license is provided to the immediate supervisor. Depending on the duration of license suspension, revocation, or other inability to drive, an employee may be subject to disciplinary action, up to and including termination.

9.13 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.

9.14 SAFETY

Every employee is responsible for maintaining a safe work environment and following the City's safety rules. Employees shall promptly report all unsafe or potentially hazardous conditions to their immediate supervisor. The City will make every effort to remedy problems as quickly as

possible. In case of any accident, employees shall immediately notify their supervisor. If the supervisor is unavailable, the Human Resource Manager, the City Administrator, or the Mayor must be notified.

It is the policy of the City to comply with all statutory obligations for the prevention of exposure to bloodborne pathogens. Therefore, employees shall follow the policy and procedures outlined in the Bloodborne Pathogen Exposure Control Plan.

Employee safety depends on the safety consciousness of everyone. To facilitate a safe work environment, employees may not bring dangerous weapons of any kind 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.

9.15 DRUG-FREE WORKPLACE POLICY

The Drug-Free Workplace Act prohibits the manufacturing, distribution, dispensation, possession and use of unlawful drugs or marijuana or alcohol on City premises or during work hours by City employees. Employees must notify the City within five (5) days of any citation, arrest, conviction, guilty or no-contest plea, or forfeiture of bond or bail under any criminal drug laws. The City will review the circumstances to determine whether a violation of this policy has occurred. Failure to comply with the Drug-Free Workplace Act and/or failure to successfully complete a rehabilitation program, will result in termination.

Chapter 10

DISCIPLINE AND TERMINATION

10.1 CONDUCT 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 can be imposed on a case-by-case basis and is not intended to be punitive but rather to maintain the efficiency of day-to-day operations and to improve the employee's performance.

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 termination on the first occurrence. Before a final decision is made on a discharge, the City will conduct an investigation as discussed later in this chapter. This section is not intended to modify the "at will" nature of your employment with the City. Examples of offenses, which should not be deemed all inclusive, but may result in termination include:

1. Theft, misappropriation or removal of City property or the property of employees or citizens.
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 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 alcohol on the job or under the influence of drugs and/or alcohol 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 firearms, 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.
14. Any other conduct deemed unbecoming of a City employee.
15. Habitual lateness, absence without proper notification, unprotected excessive absenteeism, loitering, goofing off, or failing to assist others in a work situation.
16. Violation of the City's telephone or computer policies.
17. Smoking cigarettes/e-cigarettes or chewing tobacco in an unauthorized area or causing a fire or creating a biohazard.
18. Failure to report an accident or an occurrence causing damage to City, customer, or public property in a timely fashion; failure to properly secure the City facilities.
19. Inability, inefficiency, negligence, or insubordination, including a refusal or failure to perform assigned work.
20. Concealing defective work.
21. Failure to observe safety practices or to wear safety clothing.
22. Lying, dishonesty, deliberately damaging City property.
23. Violation of any of the provisions of applicable federal or state law relating to political activities.
24. Negligent, reckless, or knowing violation of any of the provisions discussed within the personnel manual.
25. Violation of any lawful order, directive, or policy of a superior, including but not limited to directors, managers, supervisors, the City Administrator, or Mayor.

10.2 POSSIBLE DISCIPLINARY ACTIONS

If discipline is necessary, the following types of disciplinary actions may be used, depending on the particular situation: Verbal warning, written warning, suspension, demotion, and possible termination.

The type and level of disciplinary action will be determined by the nature and severity of the behavior and/or performance deficiency that led to the disciplinary action. The decision of what discipline to apply in any case is solely the City's.

Notice

In any disciplinary action against an employee, pertinent information will be reduced to written form by the appointing authority and a copy provided to the employee and for the personnel file. The written notice shall state the following:

1. The reason for discipline
2. The facts supporting the discipline
3. The form of discipline to be imposed
4. The effective date of the discipline

10.3 INTERNAL INVESTIGATION

Scope

This internal investigation policy focuses on the protocols essential to conducting an effective internal investigation. The City is committed to thoroughly and accurately ascertaining the facts of any misconduct allegation during an investigation to obtain a fair outcome for those involved. Therefore, the purpose of this policy is to be just and equitable, to help promote fairness, order, and consistency in the investigation of any allegation.

This policy is designed to ensure that internal investigations, regardless of the scope, are prompt, effective, well managed, that the findings are responsibly addressed and to establish all the facts of the particular case before any decision is made by leadership. Your cooperation during investigation will aid the City in discovering relevant information. The purpose of an internal investigation is to establish if there is a reasonable belief that the allegations occurred.

Allegations of misconduct can come from a variety of sources. When faced with allegations of misconduct, regardless of the source, it is essential for the City to take immediate action to determine:

- If the allegations have merit.
- The scope and cause of the alleged misconduct.
- If there is a need for government reporting or potential for civil liability.
- The measures needed to remedy the issues at the heart of the allegations.

An effective investigation carefully considers:

- The nature of the allegations.
- The appropriate scope to encompass the allegations and any related compliance issues.
- The timing of the investigation and the investigation methods, such as document preservation and employee interviews.

Reporting Steps

Impartiality is crucial to a fair, unbiased investigation. Please see 11.1 for the complaint procedures.

Investigation

The first step is to determine whether the matter requires an investigation. In some cases, a modified approach is required as the circumstances may not warrant the commissioning of a formal investigation and therefore the investigatory stage may be limited to the collation of evidence to establish the facts of a case. In these cases, the supervisor may be responsible for the investigation stage. In other cases, it may be deemed more appropriate to appoint an independent Investigator to investigate the complaint.

When a full investigation is warranted, the employee's immediate supervisor, Human Resource Manager, or City Administrator (serve in the role of Investigator). The Investigator begins the investigation by identifying those with knowledge of the circumstances that form the basis of the complaint. The Investigator is responsible for ensuring that all necessary interviews and steps are taken promptly, without any unreasonable delays.

Information produced during the interviews should be written down by the Investigator to aid with the written report. The purpose of the report is to provide a factual summary of the allegations and the evidence gathered. This should draw attention to key points and draw conclusions on what occurred (or the balance of probability of what it is considered to have occurred). The investigation report should also include, where appropriate, reference to relevant policies and any potential breaches for consideration. The Investigator is not responsible for deciding the outcome of the investigation but will provide factual summary of evidence to the City Administrator or Mayor.

Employees are entitled to be accompanied by a friend or colleague, at any formal meetings held under this policy. It is the employee's responsibility to make arrangements to be accompanied.

The employee's choice of companion must be reasonable, depending on the circumstances of each individual case, however, it would not normally be reasonable for someone to attend whose presence would prejudice the meeting or who is a witness or alleged as one of the accused. The companion may not answer questions on behalf of the employee or prevent the employer from explaining their side of the story, the person is merely present for silent support.

Suspension or Transfer of the Employee

There may be occasions when the allegations being considered are of a serious nature and warrant the suspension of the employee involved or a temporary assignment while the investigation is being conducted.

Failure to Attend Investigation Meeting

All employees of the organization are expected to attend and participate in investigatory meetings as deemed necessary. This is the opportunity for your voice to be heard before any decisions are made pertaining to the possibility of disciplinary action or termination.

On the rare occasion that an employee finds themselves unable or unwilling to attend an investigation meeting, they will need to contact the Investigator in advance to disclose their reasoning. The Investigator will determine if the reason given is acceptable and determine the next course of action.

If an individual fails to attend the investigator meeting without good reason and the City is unable to obtain any information from the employee, a decision will be made without his or her input and may warrant disciplinary action for failing to cooperate during an investigation.

Confidentiality

During an investigation, questions of confidentiality and sharing information with interviewees, for example, may arise. Three principles are useful in determining whether information should be released concerning an employee, client, or allegation, etc.

- Does the individual need to know (i.e., in order to fully cooperate with the investigation)
- Will it enable important facts to be gathered which could not have been otherwise.
- An individual, who has an allegation made against them, has the right to have a written copy of these allegations.

Everyone involved should ensure confidentiality throughout the procedure and thereafter when the resolution has been reached. If reasonable, failure to maintain confidentiality may result in disciplinary action being taken against the person responsible for the information breach.

Except as reasonably necessary, in the conduct of any City investigation of a complaint or any discipline resulting there from, the City will attempt to keep all complaints confidential.

Boundaries for the release and disclosure of information is afforded only those who need to know the relevant information unless required to disclose under the Washington State Public Records Act, a subpoena and/or the Whistleblower Policy. See 10.7 for more information.

Language Barriers

If there are likely to be understanding or language difficulties during the meeting, it may be necessary for an interpreter or friend to be made available. The employee will be responsible for making arrangements, or where appropriate, to request assistance from the investigator.

Raising a Grievance during an Investigation Process

In exceptional circumstances, where an employee raises a grievance at any stage of the investigation, a decision will be made as to whether the investigation proceedings should be suspended until such time as the grievance is resolved.

A decision will be made based on the seriousness of the allegations presented which make it clear that it would be inappropriate for the investigation to continue. In most cases, the two procedures will run parallel. It is not sufficient to raise a grievance with regards to the investigation action itself.

Retaliation

The City will not tolerate any reprisals or retaliatory action taken against an employee who files a complaint with the City.

Policy Violation

An employee who violates the City's policies may be subjected to disciplinary action, up to and including immediate termination.

10.4 LAYOFF and/or REDUCTION IN FORCE

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

Temporary/Seasonal employees 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 SEVERANCE 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

Employees intending to leave employment, should notify their immediate supervisor of their intent within two (2) weeks for hourly employees, within thirty (30) days for directors, managers, and supervisors, or as outlined in the employee's signed contract. Notice requirements may be waived by the City Administrator or Mayor.

10.7 PUBLIC DISCLOSURE

To the extent permissible by Public Disclosure Laws of the State of Washington, the City of Liberty Lake will make every attempt to keep confidential any information relating to any investigation and resultant actions. However, each employee must be aware and put on notice that should they, or anyone acting in their behalf or at their behest, divulge information to the media or any other individual relating to the investigation and/or resultant action resulting there from, the City reserves the right to release factual information relating to the investigation and/or resultant action to the extent that the City determines it is necessary to convey accurate statements with regard to the investigation and/or resultant action.

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 current employees with procedures for resolving complaints. These procedures do not apply to an employee after termination of employment. Our desire is to recognize a problem early and resolve it quickly. The City prohibits any form of retaliation against any employee for good faith actions in filing a complaint under this policy. It is advised to limit the discussion surrounding the complaint to those who need to know and can affect change.

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 or Mayor.

Step 3: If the employee is not satisfied with the response from the supervisor, the employee may submit the problem, in writing, to the City Administrator or 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 ten (10) working days of the occurrence leading to the complaint, or ten (10) working days after the employee becomes aware of the circumstances, unless a federal or state statute of limitations grants a longer period of time.

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

Uniformed Officers have more than one source for dispute resolution, as outlined in this policy and procedure process. In addition, an employee may use the Civil Service rules or the policies outlined in the labor agreement. These employees should follow the grievance procedures set out in the Civil Service rules or labor agreement 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.



I, _____,
(Print Name)

have received, read, and understand the City of Liberty Lake’s personnel manual (revision date: 10/19/2021) in its entirety and fully understand its content. I have been given the opportunity to ask questions and seek clarification on any part of the personnel manual that I do not understand.

I understand that this personnel manual may be modified or changed by the City in its sole discretion at any time without prior notice. I understand that this personnel manual supersedes and replaces any prior personnel manual on any of the subjects covered in this revised personnel manual.

I understand that my employment is “at will” and may be terminated without cause at any time and without prior notification; that this personnel manual is not a contract; that nothing contained in this personnel manual is intended to be part of the employment relationship; and that its contents are simply general statements of the City policy.

I understand if I am a uniformed Police Officer that my employment is governed by a Collective Bargaining Agreement and a portion of the personnel manual may be superseded by such.

(Signature)

(Date)