

City of Bellevue

HR Policies and Procedures Manual

Rev. April 27, 2015

HR POLICIES & PROCEDURES MANUAL

Chapter 1: Introduction

The City of Bellevue is strongly committed to excellence in the delivery of municipal services. As a member of the work team, it is important to understand this commitment and the objective of city goals, policies, and work practices.

1.1 Intent of this Manual

This manual outlines the policies, procedures, and work practices of the city. It is intended to be useful to all employees when making assessments regarding how rules and procedures relate to individual work performance.

In general, the terms and conditions of employment for every city employee are determined by ordinance; nothing in this manual is intended to be implemented in contradiction to city ordinances. These policies are also not intended to be a contract, expressed, or implied. The city recognizes that employment relationships do not always work out as hoped and that either the employee or the city may terminate the relationship.

1.2 Scope of Policy and Procedure

All policies, procedures, and work practices described in this manual apply to all regular status unrepresented employees unless otherwise specified. Partially benefited employees are not covered, except where specifically identified. A reference to “all employees” or “any employee” refers to all unrepresented employees, both fully and partially benefited.

1.3 Changes to Policy and Procedure

The city manager may modify policies, compensation, or benefits as necessary to achieve the mission and goals of the city.

The city retains all rights to manage city operations and affairs in accordance with the powers and authority that an employer possesses including but not limited to the right to make work assignments, to determine the number of personnel assigned at any time to any function, to make reductions in force as determined necessary or appropriate, to develop workplace rules that promote efficiency and productivity in the workplace, and to promote city services in the community.

NOTE: This manual supersedes any prior handbooks or policy statements regarding the procedures and policies described. Because the city’s employment practices and procedures are continually evolving, the policies contained in this manual are subject to change without advance notice. Efforts will be made to share with employees any revision or changes as they are made. Terms and conditions of employment for all employees of the City of Bellevue are determined by ordinance. No act or promise made by any manager or supervisor in contravention of any ordinance shall modify the terms or conditions of employment.

Chapter 2: Definitions

A - B

Abandonment of a Position: Unauthorized absence from work for a period of three consecutive days.

Acting Status: The performance of the full duties of a position in the absence of the incumbent for a minimum of 30 consecutive days when assigned to do so by the appointing authority.

Administrative Leave: Paid leave of absence as described in this manual or as otherwise determined by the department director in consultation with human resources to be in the best interest of the city for fully-benefited employees that is not deducted from the employee's compensated leave bank

Adjusted Base Salary Rate: (applicable only to employees covered in the "G" or the "M" pay plans) An employee's current base salary rate of pay plus a prorated share of any merit increase to which the employee may be entitled.

Agency Worker: A person working at the city on assignment from a temporary staffing agency or other labor-providing organization, and who is not paid through the city's payroll system. An agency worker may not work at the city as an agency worker and in a fully or partially benefited position at the same time. Agency workers perform relief work that is temporary in nature (e.g., short-term project, temporary increase in workload, substituting for absent fully benefited employee). The maximum duration for each assignment is four months. If the agency worker has been on continuous assignments at the city for nine months, a three-month break in service must occur before they can be retained for another assignment or hired into a partially benefited position. An agency worker who has been on continuous assignment for less than nine months may be hired into a partially benefited position without a break after approval by human resources.

Alternative Work Schedule: (Follow link to section 5.15)

Appointing Authority: The city manager or his/her designee.

At-will Employee: An employee in the E or M Pay Plan, a trial service period employee, a partially benefited employee, and any other employee who serves at the pleasure of the appointing authority. At-will employees may or may not serve in regular positions. At-will employees may be terminated with or without cause. Supervisory performance counseling or evaluations (whether oral or written), initial close review, discipline, or the absence of same, shall not change an at-will employee's status.

At-will Position: A position for which the city council does not require a trial service period or a position filled by an employee who has not completed his or her trial service period. All positions in the city except those filled by regular full time employees who have completed their trial service period are at-will (this includes positions in the E or M pay plan; partially benefited such as seasonal, variable, part-time; and any other positions being filled by employees who serve at the pleasure of the appointing authority).

Base Hourly Rate: Hourly rate as shown under "Hourly" on each pay plan or base monthly salary multiplied by 12 and divided by 2,080; as required by the Fair Labor Standards Act.

C - D

Calendar Month of Service: The minimum number of hours in a calendar month (e.g., January, February, etc.) for which a fully benefited employee must be in paid status (e.g., time worked, compensated leave) in order to earn and accrue sick leave and/or vacation credit for that month. A fully benefited employee must be in paid status for at least 90 hours in a calendar month to earn service credit.

Cause for Disciplinary Action: Acts or omissions of an employee warranting discipline up to, and including, termination from employment. Examples of acts or omission for which an employee may be disciplined are listed in [§7.4 Disciplinary Process](#) of this manual.

Classification: A systematic means for grouping similar positions and evaluating the relative compensation of a position in relation to other positions within the city and the external market.

Compensatory Time (Comp Time): Hours accumulated by non-exempt employees in lieu of overtime pay calculated at the rate of 1.5 times the overtime hours worked.

Continuous Length of Service: The length of time since an employee's most recent hire date as a fully benefited employee.

Demotion: The movement of a regular status employee from one classification level or pay grade to a lower classification level or pay grade as a result of reclassification, reorganization, voluntary change, or disciplinary action.

Domestic Partner: Persons of the same or different sex who are:

- Each other's sole domestic partner and live with each other in the same residence in an exclusive, emotionally committed, and financially responsible relationship similar to a marriage with the intent to continue doing so indefinitely;
- Not in a marriage legally recognized by the state of Washington;
- At least 18 years old;
- Not related by blood to a degree of closeness that would prohibit legal marriage in Washington state; and
- Jointly responsible for each other's common welfare and shared financial obligations.

E - F

Employment Status: The following are employment statuses: regular, limited term (LTE), training pool, transitional, variable, seasonal, and part-time.

Exempt Employee: An employee who is exempt from FLSA overtime because he/she acts in a bona fide executive, administrative, or professional capacity or others as defined under the Fair Labor Standards Act (FLSA) and/or Washington Minimum Wage Act as designated by the classification and pay system.

Fully Benefited Employee: An employee appointed to serve in a regular, limited term, training pool, transitional employment status position, or in such other fully-benefitted positions as council designates. Fully benefited employees shall be assigned to work at least 30 hours per week (0.75 FTE to 1.0 FTE).

Fully Benefited Accrual Rate Schedule: The following schedule in which fully benefited employees working less than 40 hours a week will accrue vacation, sick leave, and personal holidays:

FTE Range	Accrual Rate
.75 - .79	.75
.80 - .84	.80
.85 - .89	.85
.90 - .99	.90

Fully Benefited Position: A position council designates as being eligible to receive the full range of city employee benefits including regular, limited term (LTE), training pool, and transitional positions. Fully benefited positions shall be assigned to work at least the minimum number of hours under the applicable definition of “full time employee” as provided in the shared responsibility laws or regulations of the Affordable Care Act as now or hereafter amended.

Full-Time Employee: An employee appointed to serve in a position that will require the employee to work an average of 30 or more hours per week (or 130 hours or more per month) over a 12-month period. The employee may be fully benefited or partially benefited, depending on employment status.

Full-Time Equivalent (FTE): The ratio of hours associated with a regular status position as reflected in the city’s pay plan where 40 hours per week equals 1.0 FTE or the proportionately lesser number of hours assigned to a regular status position. A full time equivalent less than 1.0 represents the ratio of hours scheduled per week divided by 40 hours per week. For example FTE .80 indicates a regular schedule of 32 hours per week (32 hours divided by 40 hours = .80).

G - H

Harassment: Harassment is defined as follows (see [§8.5 Complaint Procedure for Reporting Illegal Harassment or Discrimination](#) of this manual for further information):

Physical Harassment - Unwelcome hitting, touching, impeding, blocking movement, or physical interference with normal work or movement when directed at an individual based on race, color, creed, religion, gender, age, national origin, citizenship, marital status, sexual orientation, or the presence of any sensory, physical or mental disability. This could be conducted in the form of pinching, grabbing, patting, propositioning, leering, or making explicit or implied job threats or promises in return for submission to physical acts.

Sexual Harassment - Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature.

Verbal Harassment - Unwelcome epithets, derogatory comments, or slurs on the basis of race, color, creed, religion, gender, age, national origin, citizenship, marital status, sexual orientation, or the presence of any sensory, physical, or mental disability.

Visual Harassment - Unwelcome derogatory posters, notices, bulletins, cartoons, or drawings on the basis of race, color, creed, religion, gender, age,

national origin, citizenship, marital status, sexual orientation, or the presence of any sensory, physical, or mental disability.

I - J

Immediate Family: An employee's:

- Parents (natural, step, adopted, foster, or an individual who stood in loco parentis to an employee when the employee was a son or daughter)
- Siblings
- Spouse
- Mother/father-in-law
- Daughters/sons-in-law
- Domestic partner
- Mother/father of domestic partner
- Spouses of children of domestic partner
- Children/child (biological, adopted, step, foster, legal wards, domestic partner's child, or a child of a person standing in loco parentis)
- Grandparents, great-grandparents, grandchildren, and great-grandchildren

Internal Applicants: (Follow link to section 3.1.1)

K - L

Layoff: The separation from city service of a regular status employee because of reorganization, a change in the duties of a position, lack of work, changing needs of the organization, insufficient funding, or operational analysis.

Limited Term Employee (LTE): A fully benefited employee appointed to serve in a position scheduled to work a minimum of 30 hours a week for a specific project with a specific ending date which is anticipated to last more than five months but in no event longer than three consecutive years (36 months). A limited term employee can be appointed to the position or hired through the recruitment and selection process. A limited term employee has the same benefits as a regular employee except his/her position is at-will for the duration of the limited term assignment, there is a specific end date when his/her employment with the city will terminate, and he/she is ineligible for any form of layoff benefits and/or severance upon termination.

Limited term employee positions are not regular status positions and do not increase the number of full-time equivalent positions. For purposes of determining accrual rates for vacation leave, the service credit date for a limited term employee who during his/her period of service as a limited term employee is appointed to serve in a regular status position shall be the hire date for his/her most recent term of service as a limited term employee.

M - N

Market Premium: An amount of money temporarily added to the base salary rate paid to all regular positions within an affected job classification in order to make compensation competitive with that offered in the relevant job market. Market premium will not be added to an employee's base salary rate in calculating general

salary adjustment, merit increase, non-FLSA overtime pay, City of Bellevue overtime rates of pay, or life insurance coverage.

Merit Date: The effective date that a fully benefited employee is eligible for a merit increase. Merit increases may occur annually and are generally based upon the anniversary date of the employee's first merit increase.

Merit Increase: A within-range increase awarded a fully benefited employee on or after his/her merit date based on satisfactory performance (as explained in [Section 7.2](#)) during the preceding 12-month evaluation period, or six-month period for newly hired employees hired at the minimum rate of the pay range. A merit increase may be received on an annual basis, but may not cause the employee's salary to exceed the maximum rate of the pay range.

Non-exempt Employee: An employee who is not exempt from FLSA overtime.

O - P

Overtime: Time worked by a non-exempt employee in excess of 40 hours in an FLSA-defined workweek compensable at the regular rate of time and one-half. Time worked does not include paid leave time, except holiday leave.

Overtime for [Non-Exempt Maintenance/Inspection Employees](#): These employees will be paid overtime pay for all hours compensated in excess of 40 hours in an FLSA-defined workweek.

Partially Benefited Employee: An employee appointed to serve in a variable, seasonal, or part-time position.

Partially Benefited Position: All positions that are not fully benefited. Partially benefited positions include variable, seasonal, or part-time positions. Partially benefited positions are at-will positions for which the employee is only eligible to receive either PERS benefits or MEBT II benefits, and no other benefits except as required by law. Partially benefited positions are not regular status positions and do not increase the number of full-time equivalent positions.

Part-time Employee: A partially benefited employee who is appointed to serve in a position that will average 28 hours per week or less over a one-year period. If hours average 30 hours per week or more over a 12-month period, part-time employees will be considered full-time and eligible for medical coverage as required by law.

Promotion: Movement of a regular status employee from one classification level or pay grade to a higher classification level or pay grade as a result of reclassification, voluntary change, or reorganization.

Prorated Accruals: Proration of vacation and sick leave accruals and holiday credits for a fully benefited employee working less than 40 hours a week. See "Fully Benefited Accrual Rate Schedule" definition.

Q - R

Reassignment: Movement of an employee to a different work group with no change in classification or pay grade.

Reclassification of Position: The changing of a classification level or position of a regular status employee as a result of a classification review and/or amendments to the classification plan in recognition of changes in job duties and responsibilities that have occurred over time, excluding any action which is disciplinary in nature.

Reemployment: An employee who has terminated employment and who is subsequently rehired when such employment does not qualify as reinstatement.

Reinstatement: Return of a regular status employee to a former position within two years following a layoff, a leave of absence without pay, or a classification reduction for cost savings.

Regular Employee: An employee who has successfully completed a trial service period as defined in these policies and who regularly works a minimum of 30 hours per week in a regular position. A regular employee may only be disciplined for cause.

Regular Status Position: A city council-created and budgeted full-time equivalent or some portion thereof that is eligible to receive the full range of city council-approved benefits.

Regular Status Employee: An at-will or regular employee serving in a regular status position.

Reorganization: Reallocation of duties, assignments, work load, programs, service, and/or responsibilities to achieve organizational objectives.

Retirement: Withdrawal from active service, eligible for retirement under the rules and provisions of the Washington State Department of Retirement Systems (DRS), and submittal of a written retirement application to DRS.

S - T

Salary Range Adjustment: A percentage or fixed dollar adjustment of wages and salaries applied generally to pay ranges in the compensation plan.

Seasonal Employee: A partially benefited employee who is appointed to serve in a position that is regularly scheduled to work up to 40 hours a week and for which the customary annual employment is six months or less. "Customary" means that the nature of the position typically lasts for six months or less and that the period of employment begins at approximately the same time each year. Seasonal positions must be pre-approved by human resources to ensure compliance with applicable legislation.

Service Credit Date: Date assigned to each fully benefited employee based upon his/her most recent date of hire into a fully benefited position with the city.

Special Assignment Pay: A specified monthly amount which is added to the base salary rate of a regular status exempt employee who is required to perform a special function or project that is outside of his/her normal work responsibilities and which requires the employee to work a substantial amount of extra work time. Requires written approval from the department director in consultation with human resources.

Special Recognition Award: A lump-sum award for special recognition of exceptional service or performance that may be given to regular status employees.

Standby Pay: Pay received because an employee is subject to being called back to work outside of regular working hours.

Student Intern: A variable, part-time, or seasonal employee enrolled in a bona fide education program. Full-time employees taking evening classes, those enrolled in one course, or those going to school periodically are not considered student interns. During the school year, the student intern must be scheduled to work 20 hours or fewer per week. During special situations (e.g., specific internship programs through school) or during school breaks, student interns can be scheduled to work more than 20 hours per week.

Training Pool Employee: A fully benefited employee who is appointed to serve in a position created for the purpose of training for a regular status position and is regularly scheduled to work 30 or more hours per week. This status is typically used for positions that require extensive up-front training and cannot remain vacant (e.g., public safety positions). Employees may be hired into this status for a maximum of 12 months, and if no FTE vacancy is available training pool employees must be terminated on or before the 12 months from date of hire. The employee can be appointed to the position or hired through the recruitment and selection process. A training pool employee receives the same benefits as a regular employee except that employment is at-will for the duration of the training pool status. Training pool positions are not regular status positions and do not increase the number of full-time equivalent positions. For purposes of determining accrual rates for vacation leave, the service credit date for a training pool employee who during his/her period of service as a training pool employee is appointed to serve in a regular status position shall be the hire date for his/her most recent term of service as a training pool employee.

Transfer: Reassignment of a regular status employee to a different classification within the same pay grade.

Transitional Employee: A fully benefited employee who is appointed to serve in a position created for the purpose of training for the regular status position that is being vacated by an incumbent. A transitional employee is regularly scheduled to work 30 or more hours per week. The incumbent must provide written notification of resignation with a specified termination date. The incumbent and transitional employee will retain all benefits during the transitional period, which is 12 months or less. The transitional employee is hired through the recruitment and selection process. A transitional employee receives the same benefits as a regular employee except that employment is at-will for the duration of the transitional employee status (until the incumbent vacates the position). Transitional employee positions are not regular status positions and do not increase the number of full-time equivalent positions. For purposes of determining accrual rates for vacation leave, the service credit date for a transitional employee who during his/her period of service as a transitional employee is appointed to serve in a regular status position shall be the hire date for his/her most recent term of service as a transitional employee.

Trial Employee: An at-will employee who has not yet completed an initial trial service period in a regular status position or has not yet completed the trial service period after promotion, demotion, or transfer to a regular status position and who has not achieved regular employee status. Any employee in a trial service period serves at the pleasure of the department director, and employment can be terminated at any time with or without cause. Unless otherwise specified, the policies and procedures outlined in this manual apply to employees in trial status.

Trial Service Period: A specified length of time worked during which a newly hired, promoted, demoted, or transferred trial employee's performance in a regular status position is reviewed to determine whether the match between the employee and the job is appropriate. Any employee in a trial service period serves at the pleasure of the department director, and employment can be terminated at any time with or without cause. Any reference to the trial service period in this manual shall be considered to include that a department director after consultation with the human resources director may extend an established trial service period.

Twelve-month Period: A rolling 12-month period measured backward from the date an employee uses any FMLA.

U - Z

Unlawful Discrimination: Discrimination in employment as prohibited by state, local, or federal law.

Variable Employee: A partially benefited employee who is appointed to serve in a position whose average weekly hours cannot be determined at the date of hire. Hours may vary week to week and are anticipated to be 28 hours or less per week (or less than 130 hours per month). If hours average 30 or more hours per week over a 12-month period, variable employees will be considered full-time and eligible for medical coverage as required by law.

Chapter 3: Recruitment and Selection

The City of Bellevue seeks to hire a fully qualified candidate for each open position. It is the responsibility of the human resources director to oversee an active recruitment process designed to meet current and projected employment needs. All things considered, positions will be filled in a timely manner in order to avoid adversely impacting other employees. Hiring decisions are made with the approval of the department director.

3.1 Recruitment Process

The recruitment process is outlined and described in the recruitment and selection guidelines which are written and distributed by the Human Resources Department.

In general, the process consists of the following elements:

3.1.1 Position Requisition

A position requisition must be completed and approved by the city manager or his/her designee before a recruitment can begin. Hiring managers and the Human Resources Department jointly determine if a recruitment will be external (open to the general public and city employees) or [internal](#) (open only to city employees).

3.1.2 Job Announcements and Advertising

All vacancies will be posted by the Human Resources Department and advertised according to an agreed-upon schedule between the hiring manager and human resources analyst. Locations to advertise a position will be based on a recommendation of the Human Resources Department and will be designed to obtain the most appropriate exposure. Advertising in diversity publications is highly recommended for external positions.

3.1.3 Job Application

In order to be considered for a position, an application must be completed and submitted by the stated deadline date as indicated in the job announcement, along with any additional materials requested in the job announcement.

3.1.4 Screening Process

The screening process used to screen candidates for positions must be job-related and will assess experience, knowledge, abilities and skills needed to perform the job. Selection procedures may include initial screening, secondary screening, employment tests, interviews, reference checking, and any other appropriate procedure used by a hiring manager to assess job-related skills. All screening processes must be reviewed by the Human Resources Department prior to administration.

3.1.5 The Offer

The hiring manager verbally offers a position to the candidate and then follows-up with a written offer letter signed by the department director.

(Additional related links)

- [9.8 Newly Hired Fully Benefited Employees](#)
- [9.9 Merit Date](#)

3.1.6 Promotional Selection

The city encourages employees who have at least one year of service to pursue promotional opportunities. While employees are encouraged to apply for promotional

opportunities, it is also the policy of the city to fill job openings with the people whose qualifications match the requirements of the job. Paid time will be provided so that employees may participate in selection processes. At the time a position becomes vacant the department director or his/her designee and the human resources director or his/her designee determine if the position should be recruited internally or externally. If the department wants to provide a promotional opportunity for employees, then the position can be posted internally for a minimum of five days. Job postings alert employees of a vacancy and give them the opportunity to compete for the vacancy.

(Additional related links)

- [9.4 Pay at Time of Lateral, Upward, or Downward Movement between Job Classifications](#)
- [9.4.1 Upward Job Movement](#)

3.1.7 Reorganization

Recruitment processes are not required for reorganizations. In cases where reorganization results in displaced regular employees, the retention policy will apply. (See [§7.9 Retention Policy](#) of this manual.)

3.2 Employment Tests

Any employment test that is administered for hiring or promotional purposes must be job-related and properly validated based on job content and the knowledge, abilities, and skills needed to perform the job. Hiring managers must not administer an exam without first discussing the exam with the Human Resources Department.

3.2.1 Psychological Tests

A typical battery of psychological tests includes temperament, interests, literacy, aptitude, intelligence, honesty, etc. This type of testing is administered on a limited basis, primarily for civil service positions in the Police and Fire Departments and for some departments for purposes of professional development. The resulting test summaries and career guidance reports are used as a tool by management in making selection and placement decisions.

Psychological testing is not regarded as perfect by either the administering psychologist/consultant or the city. For hiring decisions, test summaries are **one** factor taken into account with other factors. All selection processes will examine multiple factors and multiple skills. Measurement and assessment of a broad range of performance criteria is generally obtained through a variety of different methods including written tests, performance tests, interviewing, and reference/background checking.

When using a psychological test, the hiring manager must contact a human resources analyst for guidance in selecting a test and designing the overall selection process. In general, psychological testing will be administered according to the following guidelines.

3.2.2 Test Selection

The selection of personnel tests and the administering psychologist must be done under the direction of the human resources director.

3.2.3 Test Administration

A psychological test must be administered under the guidance of a trained psychologist. Feedback is mandatory and must be given by the psychologist to the

applicants who are tested. A job offer will be made prior to administering a psychological test.

3.2.4 Test Storage, Retrieval, and Recordkeeping

All summaries of psychological tests are retained in the Human Resources Department in a file that is separate from the employee's personnel file and will be destroyed pursuant to the schedule for retaining city records. Access to these test results is restricted to the city manager, human resources director, and department director, or a designee, or as required by legal process.

3.3 Pre-Employment Medical Examination

Pre-employment medical examinations may be required for certain positions to determine the individual's ability to perform the work of that position. Any pre-employment medical exam must be developed and validated under the direction of the Human Resources Department. A job offer will be made prior to administering a medical exam and job offers will be contingent upon the successful completion of the medical exam.

3.4 Pre-Employment Drug Screening

Pre-employment drug screening is required for certain positions, as determined by the human resources director.

3.5 Recruitment Process Expenses

3.5.1 Recruiting Expenses

Expenses are reimbursable when candidates are invited, in writing, to visit the city for personal interviews. The invitation letter must explain the current meal per diem schedule, the requirement that other expenses be documented, identification of other expenses that will be reimbursed, and instructions regarding how these expenses should be reported to the hiring manager. The written invitation for interview and arrangements for transportation and lodging will be made by the hiring manager.

3.5.2 Moving Expenses

At the discretion of the city manager, reasonable moving expenses may be reimbursable. Moving expenses must be identified and limited in the offer letter. Reimbursement for new hires must be approved in writing by the city manager. A provision must be written into the offer letter that the new hire may be required to reimburse the city all or a portion of the moving expenses if he/she leaves within a period of time designated in the offer letter.

3.5.3 Hiring Bonus

At the discretion of the city manager, a hiring bonus in the amount up to \$5,000 may be offered to a new hire for hard-to-fill vacancies. The new hire will receive half the bonus at time of hire and the other half after successfully completing the trial service period or other established time period as identified in the offer letter. The department director must provide justification for the hiring bonus and obtain approval from the city manager regarding the actual amount.

3.5.4 Employee Referral Bonus

At the discretion of the department director, a referral bonus in the amount of \$500 may be offered to a regular status employee who refers a candidate for a hard-to-fill vacancy and who is subsequently hired. The referral bonus does not apply if the referred candidate is an immediate family member of the referring employee.

3.6 Employment of Relatives

3.6.1 In Regular Positions

The employment of [immediate family members](#) will not be limited unless it is required by business or job-related necessity. For purposes of this section, "business or job-related necessity" includes those circumstances where such limitations are based upon a compelling need to avoid business or job-related conflicts of interest, or to avoid the reality or appearance of improper influence or favor. For example, supervision (directly or indirectly) by an employee of an immediate family member would be considered a conflict of interest.

3.6.2 In Partially Benefited Positions

This policy recognizes that hiring partially benefited employees (variable, seasonal, or part-time) is a less rigorous process than a formal recruitment and that the appearance of favoritism cannot be avoided if relatives are selected.

Therefore, [immediate family members](#) shall not be eligible for employment as partially benefited employees in any city department. Exceptions to this rule may be granted by the city manager or his/her designee if appropriate justification is presented and documented.

3.6.3 In Limited Term (LTE) Positions

When a limited term (LTE) position is filled by a competitive recruitment process, the employment of [immediate family members](#) will be the same as identified in **Section 3.6.1 In Regular Positions**.

Limited term (LTE) positions can also be filled by appointment without a competitive recruitment process. For this circumstance, to avoid the appearance of favoritism, [immediate family members](#) shall not be eligible for employment as a limited term (LTE) position in any city department. Exceptions to this rule may be granted by the city manager or his/her designee if appropriate justification is presented and documented.

Chapter 4: Work Rules

Each department and/or major division is responsible for developing and distributing to its employees specific work rules and procedures to be followed in that department. These work rules must be consistent with applicable human resource policies outlined in this manual and those adopted by ordinance, the compensation plan, federal and state law, and any civil service rules and labor agreements. Department work rules should address issues such as work schedules, breaks, smoking and eating at the worksite, requests for sick leave or vacation, etc. Department work rules should explain which rules apply solely to fully benefited employees, solely to partially benefited employees, or apply to both fully and partially benefited employees. Failure of department rules to designate which rules apply to partially benefited employees, however, does not grant partially benefited employees additional rights, pay, or benefits not expressly provided by this manual.

4.1 Work Hours and Assignments

City offices are open from 8:00 a.m. to 5:00 p.m. Monday through Friday, holidays excepted. The workweek may vary depending on the department and the work assignments. The workweek for all employees will comply with FLSA requirements.

4.1.1 Work Day

Work schedules and hours vary widely between employees in different employment statuses [Link to definition of employment statuses] The workday for many employees is 8:00 a.m. to 5:00 p.m., with one hour for lunch, Monday through Friday. Employees may be required to work other schedules, including varying shifts, weekends, holidays, and overtime as required to meet the needs of the city. Departments and divisions may develop alternative work schedules such as a flexible starting time or a four 10-hour per day workweek, providing that the department will have sufficient staff to ensure delivery of services.

4.1.2 Work Schedules

Work schedules for employees are established by individual managers and supervisors with approval from the department director or his/her designee.

4.1.3 Meals and Rest Periods (For Employees Classified as Non-exempt)

Except as otherwise provided by law, non-exempt employees are entitled to one intermittent rest period of not less than fifteen minutes for each four hours of working time. Employees should not work more than three hours without a rest period, and rest periods should be scheduled as near as possible to the midpoint of the work period.

In accordance with state law, employees shall not be required to work more than five consecutive hours without a meal period of one-half hour in duration.

4.1.4 Work Assignments

All employee work assignments shall be subject to the general control and direction of the city manager or designee.

4.2 Overtime

4.2.1 Overtime (Non-exempt Employees)

(Additional Link: [9.19 Provisions for Overtime Compensation](#))

Non-exempt employees may be required to work overtime when necessary. Overtime is defined as hours worked in excess of forty hours per workweek. All overtime worked by non-exempt employees must be specifically authorized in advance by the employee's supervisor or manager. Efforts should be made to rotate overtime assignments as evenly as possible among employees qualified to do the work. The scheduling of overtime assignments is subject to periodic review by department directors and/or division managers.

4.2.2 Overtime (Exempt)

(Additional Link: [9.19 Provisions for Overtime Compensation](#))

Exempt employees are not entitled to compensation or other benefits as a result of overtime worked unless under special circumstances preauthorized by the city manager, or his/her designee, and as provided by law.

4.3 Attendance, Absenteeism, and Tardiness

(Link to [10.17 FMLA](#))

The city depends on prompt and reliable attendance of all employees. If an employee is going to be tardy or absent due to illness or injury, the employee must notify his or her supervisor at or before the beginning of the employee's work shift, or in accordance with department work rules.

The city reserves the right to require an employee to provide documentation from the employee's doctor or professional health care provider verifying the illness or injury which results in absence from work.

4.3.1 Unusual Weather Conditions

It is the city's policy to continue to provide appropriate levels of vital services to the community during periods of unusual weather conditions. During unusual weather conditions, all employees are expected to report to work in accordance with their regular work schedules. Non-exempt fully benefited employees who arrive at work late or leave work early during unusual weather conditions will be given the option of taking leave without pay or using earned vacation leave. Partially benefited employees may take leave without pay. In some work situations, it may be possible to make up the unscheduled absence, provided the supervisor has granted permission and the proposed make-up schedule is compatible with the department's/division's work schedules and applicable laws. All time must be made up on an hour-for-hour basis. Non-exempt employees must complete this make-up time within the FLSA workweek in which the unscheduled absence occurred.

Each employee is expected to notify his/her supervisor of his/her inability to report for work as scheduled as soon as possible.

4.4 Duty to Report to Work in the Event of a Disaster/Emergency Situation

It is the city's policy to continue to provide vital services to the community during emergency conditions, while maintaining a primary concern for the safety of city employees and their families. In the event of a widespread disaster that necessitates the activation of the Emergency Operations Center, the following procedures shall apply.

4.4.1 During Non-Work Hours

All employees are encouraged to ensure the safety and welfare of their families and homes. After making any necessary arrangements, all employees are required to report to work, pursuant to departmental operating procedures. The Emergency

Operations Board must approve any departmental procedure that is less restrictive than this stated policy and procedure.

4.4.2 During Work Hours

Departments shall make every reasonable effort to allow all employees to check promptly on the status of their families and homes, provided that doing so does not compromise emergency response functions as defined in the City's Emergency Operations Plan.

The city manager will determine the instances when an allowance for time off with pay for unusual circumstances will be made for any employee.

4.5 Abandonment of Position

Any employee's unauthorized absence from work for a period of three consecutive days will be considered as abandonment of a position or a voluntary resignation not in good standing.

Chapter 5: Workplace Policies

5.1 Code of Ethics

Because of the constant interaction between members of the public and city employees, all employees must be mindful of their performance in the conduct of city business and potential conflicts of interest. In accordance with the Code of Ethics (***Bellevue City Code, §3.90***), the following has been adopted as a guideline for the behavior of all employees.

5.1.1 Use of Public Property

No city employee shall request or permit the use of city-owned vehicles, equipment, materials, or property for personal convenience or profit. Use is restricted to such services as are available to the public generally, for the authorized conduct of official business, and for such purposes and under such conditions as are directed by the city manager.

5.1.2 Conflict of Interest

No city employee shall engage in any act which is in conflict with, or creates an appearance of conflict with, the performance of official duties. An employee is deemed to have a conflict of interest if the employee:

1. Receives or has any financial interest in any sale to the city of any service or property when such financial interest was received with the prior knowledge that the city intended to purchase such property or obtain such service.
2. Solicits, accepts or seeks anything of economic value as a gift, gratuity, or favor from any person, firm or corporation involved in a contract or transaction which is or may be the subject of official action of the city; provided that the prohibition against gifts or favors shall not apply to:
 - a. attendance of an employee at a hosted meeting directly related to the conduct of city business or where official attendance by the employee as a staff representative is appropriate; or
 - b. any gift which would have been offered or given to the employee if he/she were not a city employee.
 - c. any city-sponsored or city-hosted event or program in which the city partners with community organizations or businesses for donations.
3. Participates in his or her capacity as a city employee in the making of a contract in which he/she has a private pecuniary interest, direct or indirect, or performs in regard to such a contract some function requiring the exercise of discretion of behalf of the city.
4. Engages in private employment or renders services for private interest when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence or judgment or action in the performance of official duties.
5. Appears on behalf of a private person, other than his or herself or an immediate family member or except as a witness under subpoena, before any regulatory governmental agency or court of law in an action or proceeding to which the city or a city officer in an official capacity is a part, or accepts a retainer or compensation that is contingent upon a specific action by the city.

6. Discloses or uses, without legal authorization, confidential information concerning the property or affairs of the city to advance a private interest with respect to any contract or transaction which is or may be the subject of official action of the city.
7. Has a financial or personal interest in any legislation coming before the city council and participates in discussion with or gives an official opinion to the city council unless the employee discloses on the record of the council the nature and extent of such interest.
8. Holds, directly or indirectly, for purposes of personal financial gain, investment or speculation, any interest in real property situated within the city, if such employee in the course of his or her official duties performs any function requiring the exercise of discretion on behalf of the city in regard to the regulation of land use or development; provided, that this prohibition shall not apply to:
 - a. real property devoted to the personal use or residence of the employee or member of the employee's [immediate family](#); or
 - b. any other interest in real property held by the employee on the date of enactment of this chapter.

5.1.3 Political Activities

No city employee shall use his/her official authority or influence for the purpose of interfering with or affecting the result of an election for a position on the Bellevue City Council.

Nothing in this section shall prevent an employee from fully exercising those rights to participate in political activities granted by the provisions of **RCW §41.06.250**.

5.1.4 Penalties

1. The violation or failure to comply with any of the provisions of the Code of Ethics is declared, by the **Bellevue City Code**, to be a misdemeanor, and, upon conviction, shall be punishable by a fine not exceeding \$350.00, in addition to any other penalties authorized by law.
2. The city, through the authorized agents, may initiate appropriate civil action against any person who violates or fails to comply with any provisions of this chapter.
3. Any employee whose conduct is determined by the city manager or his/her designee to be in violation of this chapter may be terminated from employment and/or temporarily suspended with loss of pay up to, and including, 30 days.
4. Any contract or transaction which is the subject of an official act or action of the city in which there is an interest prohibited by this chapter or which involves the violation of a provision of this chapter, shall be voidable at the option of the city.

5.2 Outside Employment

Employees may hold employment outside the city provided that such employment does not interfere with their assigned duties and responsibilities within the city and does not create a conflict of interest. Employees must notify their supervisor prior to accepting that employment.

All employees will be judged by the same performance standards and will be subject to the city's scheduling demands, regardless of any competing requirements of any outside

employment. If the city determines that an employee's work outside the city is interfering with the employee's job performance or ability to meet requirements of his/her position, the employee may be asked to terminate the outside employment if he/she wishes to remain employed by the city.

Any solicitation of outside employment or volunteer work is not permitted during work hours and must be done outside of the city's premises. Employees may not use city facilities or resources such as telephones, copiers, mailing lists, computers, etc. for such purposes.

5.3 Rules Against Solicitation

Solicitation of non-business-related sales by non-employees of the City of Bellevue, whether for profit or nonprofit causes, is prohibited. This includes sales by Girls Scouts, Boy Scouts, friends or relatives of employees, and church or other nonprofit organizations.

However, sales activities occurring in a department, whether for profit or nonprofit, may be permitted at the discretion of department directors. Except as authorized, employees may not use department/city resources, facilities, or equipment (e.g., lobby areas, conference rooms, lunch rooms, computers, fax machines, copy machines, etc.) for sales activities. Any authorized selling or distributing must be on the employee's own time (e.g., before or after work during lunch hours or breaks) and should **not** disturb the work of other employees.

Employees may post solicitations on the Employee Classifieds section of the intranet or any other area designated by the employer. Employees must adhere to any identified posting requirements.

5.4 Reporting Improper Governmental Action

In accordance with state law, it is the policy of the city to encourage the reporting by its employees of improper governmental action taken by city officers or employees and to protect city employees who have reported improper government actions in accordance with this policy. The city encourages the reporting of improper governmental action taken by any city officer or any city employee and the reporting of retaliatory actions for such reporting. The city encourages initial reporting to the city to allow for expeditious resolution of all such matters and to minimize any adverse impacts of the improper action. Procedures regarding this reporting process are contained in the ***Bellevue City Code, §3.80***.

5.5 Cellular Telephone Policy

5.6 Vehicle Usage Rules (under separate review)

5.7 Employee Transportation Services

[City Hall Parking Handbook](#)

[BSC Parking Handbook](#)

5.8 Intellectual Property (Applies to All Employees)

Commercial software products installed on personal computers (e.g., word processors, spreadsheets, etc.) are generally not the property of the city. Employees must strictly adhere to all constraints or conditions in software licensing agreements. Unless otherwise specified in the license agreement, only one copy of a software product is allowed to be made for backup purposes, and no reproduction or distribution of software or support documentation is allowed.

Any software authored or otherwise developed by any employee on city time or for city purposes is the property of the city, and the city shall hold all rights and privileges

regarding its use and distribution. All such products should bear an inscription designating it as copyrighted by the city.

5.9 Technology Resource Usage Policy

5.10 Smoking in the Workplace

In accordance with the Washington Clean Indoor Air Act, as amended, the following have been adopted to regulate smoking in the workplace:

- Smoking will not be permitted in city-owned buildings, work areas, and any areas under the control of the city which employees are required to pass through during the course of employment. The distance must be at least 25 feet from any entry, exit, doorway, vehicle bay, windows that open, or ventilation air intake that serves enclosed areas where smoking is prohibited.
- Smoking will not be permitted in city-owned vehicles.

5.11 Safety

All employees are responsible for following applicable health and safety precautions on the job. New employees should receive a list of applicable safety rules and procedures as a part of departmental orientation. Each employee is expected to use safety equipment and clothing as required and to comply with safety rules and procedures at all times. Department directors and supervisors are responsible for assuring safe working conditions and compliance with safety standards of each work site.

Any injury sustained on the job, regardless of how minor, must be reported to the supervisor immediately. Report forms should be completed and forwarded to the Risk Management Division. First aid or other treatment required should be administered only by qualified practitioners. First aid courses are offered regularly by the city for any interested employee.

5.12 Accidents

All accidents and/or injuries occurring in the workplace must be reported by any employee immediately, regardless of the nature or severity of the accident or injury. Supervisors and managers shall evaluate any injury, or suspected injury; assist in securing appropriate medical assistance; and contact risk management.

Any employee involved in any job-related accident or suffering a job-related injury or illness is required to promptly report the accident and/or injury/illness to his/her supervisor immediately. Failure to report may be grounds for denying Workers' Compensation, and/or cause for discipline up to and including termination.

5.13 Employees' Committee

In order to have input from individual employees into the development of personnel rules, policies and procedures, and to facilitate sound organizational communication, the city acknowledges there is an Employee Committee. The Employee Committee's structure and purpose is contained in its by-laws.

5.14 Workplace Violence (Applies to All Employees)

The City of Bellevue is committed to providing, in so far as it reasonably can, a safe environment for working and conducting business. The city will not tolerate acts of violence committed by any employee while on City of Bellevue property or while performing City of Bellevue business at other locations. Any unlawful violent actions committed by employees

or members of the public while on city property or while using city facilities will be prosecuted as appropriate.

The word violence in this policy shall mean an act or behavior that:

1. is physically assaultive;
2. consists of a communicated or reasonably perceived threat to harm another individual or in any way endanger the safety of an employee;
3. would be interpreted by a reasonable person as carrying potential for physical harm to the individual;
4. is a behavior, or action, that a reasonable person would perceive as menacing;
5. involves carrying or displaying weapons, destroying property, or throwing objects in a manner reasonably perceived to be threatening; or
6. consists of a communicated or reasonably perceived threat to destroy property.

Violent actions committed by any employee will not be tolerated or ignored. The city intends to use reasonable legal, managerial, administrative, and disciplinary procedures to secure the workplace from violence and to reasonably protect employees.

5.14.1 Goals and Objectives

The goals and objectives of this policy are to achieve the following:

1. reduce the potential for violence in and around the workplace;
2. encourage and foster a work environment that is characterized by respect and healthy conflict resolution; and
3. mitigate the negative consequences for employees who experience or encounter violence in their work lives.

5.14.2 Possession and Use of Dangerous Weapons by Employees

5.14.2.1 Prohibition

In the interest of maintaining a workplace that is safe and free of violence, except as hereinafter provided, possession or use of dangerous weapons is prohibited on city property, in city vehicles or in any personal vehicle which is used for city business.

5.14.2.2 Dangerous Weapons Defined

A dangerous weapon is any instrument capable of producing bodily harm, in a manner, under circumstances, and at a time and place that manifests as intent to intimidate another person or that warrants alarm for the safety of another person. Dangerous weapons are defined by **RCW, §9.41**.

5.14.2.3 Exceptions to the Dangerous Weapons Prohibition

Employees of the City of Bellevue may possess a firearm on city property if:

1. engaged in military or law enforcement activities; or
2. legally in possession of a firearm for which the employee holds a valid permit and said firearm is secured within an attended personal vehicle or concealed from view within a locked unattended personal vehicle while that person is working on city property.

5.14.2.4 Responsibilities

Employees

All employees are responsible for:

1. refraining from acts of violence and for seeking outside assistance to resolve personal issues that may lead to acts of violence in the workplace; and
2. reporting to managers and supervisors any dangerous or threatening situations that occur in the workplace.

Employees are encouraged to report to their managers/supervisors situations that occur outside of the workplace which may affect workplace safety, e.g., instances where protection orders have been issued, etc.

Managers/Supervisors

Managers and supervisors are responsible for responding to reports or knowledge of violence and for initiating the investigation process.

1. Any report of violence will be investigated immediately and confidentially, and appropriate action will be taken, where possible, in order to protect the employee from further violence. Appropriate disciplinary action will be taken when it is determined that City of Bellevue employees have committed acts of violence.
2. Where issues of employee safety are of concern, managers and supervisors should evaluate the workplace and make appropriate recommendations regarding a reasonable response.

The City Manager

Insofar as is reasonably possible, the city manager is responsible for developing procedures that are designed to reasonably achieve:

1. prompt and appropriate response to any act of violence;
2. accountability among employees for acts of violence committed in the workplace;
3. establishment of oversight of investigations of violence;
4. formation of a Crisis Management Team to provide immediate response to serious incidents;
5. avenues of resolution and support for employees who experience violence; and
6. clear communication with employees, managers, and supervisors and distribution of the policy and administrative procedures to all employees.

5.14.3 Achieving Goals and Evaluating Progress

To achieve the goals and objectives of this policy, the city intends to do the following:

1. establish procedures and methods for implementing policies and for addressing violence in the workplace;
2. provide training to managers, supervisors, and employees;
3. evaluate the physical environment for safety and consider modifications; and
4. evaluate progress in achieving the goals and objectives of this policy.

5.14.4 Procedures and Guidelines

When a violent act occurs:

1. If the act or altercation constitutes an emergency, CALL 911. In instances that are not emergency situations, contact your immediate manager or supervisor. When 911 is contacted, contact an immediate manager or supervisor after contacting 911.
2. If possible, separate the parties involved in the violent altercation. If the parties cannot be separated, or it would be too dangerous to the employee or manager to attempt to separate the parties, CALL 911.
3. Contact the appropriate department director.
4. The department director will contact the human resources director, who will take responsibility for coordinating response to the incident.
5. In instances that involve **emergency** situations, or **criminal** activity, the human resources director will contact the city manager and the Police Department. Incidents involving emergency situations and/or criminal activity will be referred to the Police Department for assessment and, if necessary, investigation.
6. In instances when it is not appropriate to refer an incident to the Police Department, the human resources director will evaluate the situation and make a recommendation regarding the need for an investigation. If an internal investigation is recommended, the human resources director will coordinate the investigation process.

5.14.5 Conducting an Investigation

Incidents involving emergency and/or criminal activity will be referred to the Police Department for investigation. Incidents that do not involve an emergency situation and/or criminal activity will be handled by the Human Resources Department. The human resources director, in consultation with the City Manager's Office and the department director, will determine whether an investigation is needed and who will conduct the investigation.

1. Data Collection

There are great liabilities and legal implications associated with violent behavior in the workplace. Therefore, before beginning any investigation, consult with Human Resources Department.

The investigation that you conduct could lead to disciplinary action; please be sensitive to the rights of all persons involved and proceed in a manner that demonstrates objectivity, fairness and a concern for confidentiality. Remember to document all aspects of your investigation.

2. Interview with the Alleged Victim

When talking with the alleged victim, speak clearly and non-judgmentally. Approach the interview in a sensitive, supportive manner. The goal of the interview is to develop a true and accurate account of the incident.

1. Obtain the date/time of the violent incident.
2. Find answers to the questions: who, what, when, and where. Find out what specifically happened in this and any other incidents.
3. Determine the background of the situation, including the relationship between the parties before the incident.
4. Obtain the names of anyone else who:

- a. saw or heard the incident;
 - b. the person has talked with about the incident; and/or
 - c. the person believes has also had encounters with the alleged offender.
- 5. Find out what the person did in response to the violent encounter.
- 6. Find out whether the person has documented the incident, or any other violent encounters that the person has had with the alleged offender.
- 7. Reassure the person that the City is actively responding to the incident and that any retaliation will not be tolerated.

3. Interview with the Alleged Offender

- 1. Approach the interview in a non-judgmental, sensitive manner. Keep in mind that a person is innocent until proven at fault. Unreasonable assumptions of guilt before an investigation has been completed can impede an appropriate investigation.
- 2. If the alleged offender is a member of a city bargaining unit and asks for union representation, allow it.
- 3. Present the incident or incidents described by the victim, or your own observations if you directly saw the incident.
- 4. Get the alleged offender's side of the story.
- 5. Investigate with such questions as:
 - a. Describe the incident that occurred between you and the victim.
 - b. Describe your relationship with the victim and other interactions that you have had.
- 6. Listen attentively as the alleged offender talks.
- 7. Advise the offender of the seriousness of any form of retaliation against the recipient/victim, or any action that might be interpreted as retaliation.

4. Interviews with Observers or Others in the Workplace

In your investigation, realize that observers may also be disturbed by the violent interaction they have witnessed. Investigate with questions such as:

- 1. What type of interaction did you observe between the offender and victim?
- 2. Are there others who might be able to comment, or who observed the same incident?

5.15 Alternative Work Scheduling Options (Applies to Fully Benefited Employees)

The city provides options for flexible and alternative work scheduling. Alternative work scheduling is used to accommodate special needs. While these opportunities are available, implementing or continuing a flexible scheduling option is within the discretion of management. Adopting alternative work schedules enables employees to integrate personal and professional lives, reduces or eliminates travel during certain days of the week in compliance with the Washington Clean Air Act (**RCW 70.94.521-551**), and may enhance the ability of the city to recruit and retain qualified individuals.

5.15.1 Alternative Workweek

Flex-time is a work schedule that permits flexible starting times and quitting times for employees other than the standard work day, with a standard number of core hours which must be worked. The following is the flex-time model adopted for the City of Bellevue:

<u>FLEXIBLE TIME</u>	<u>CORE TIME</u>	<u>FLEXIBLE TIME</u>
6 am - 9 am	9 am - 4 pm	4 pm - 6 pm

A compressed week changes the employee's schedule from a standard eight-hour day. Possibilities include:

1. **9/80** - The 80 hours in a two-week period are scheduled over nine working days. Example: The normal work day is extended by one hour four days one week and four days the next week, with one regular eight-hour day. This produces one extra day off every two weeks.
2. **4/40** - The 40 hours in a one-week period are scheduled over four working days rather than the standard five. Example: The normal work day is extended by two hours four days of the week. This produces one extra day off each week.
3. **14/120** - The normal work day is extended by approximately 30 minutes each day, so that 120 hours in three 40-hour workweeks are worked over 14 work days. This produces an extra day off every three weeks. (Available to exempt employees only.)

5.15.1.1. Eligibility

All fully benefited employees are eligible to request alternative work scheduling options. Final decision for participation will be made by the department director or his/her designee. Approval of alternative work scheduling will be at the discretion of the department director and is not grievable.

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.

An alternative work schedule may be implemented for any eligible employee where the proposed schedule:

1. will not materially interfere with business operations of the department; and
2. will not compromise the city's ability to provide service to the public.

5.15.1.2 Application Process

1. An employee interested in establishing an alternative work schedule will complete a standard written application, which will include the proposed alternative work schedule, the employee circumstances leading up to the request, potential problems identified, and recommended solutions. Additional information may be attached to the standard application.
2. The department, within ten working days of receiving the employee application or as soon thereafter as reasonably possible, will approve or disapprove the application and respond back to the employee.

5.15.1.3 Trial Period

The immediate supervisor may discontinue the alternative work schedule, providing a 30-day written notice is given to the employee. If the alternative work schedule is discontinued, the employee may submit a new application should circumstances (of the employee, the department, or position) significantly change.

5.15.1.4 Accruing and Using Sick and Vacation Leave

Sick Leave and vacation leave will continue to accrue at the regular rate for employees who work flexible or alternative work schedules. When an employee takes a full day of sick or vacation leave, the time charged will be equivalent to the full number of hours the employee was scheduled to work. This compensates for actual time absent for regularly scheduled work hours.

(Additional Related Links)

[10.5 Vacation Leave](#)

[10.10 Sick Leave](#)

5.15.1.5 Standards

For exempt employees, work hours do not include time required for attendance at regularly scheduled evening meetings related to events unless current regularly scheduled work hours coincide with these events. Exempt employees are required to be in attendance at such meetings as part of the regularly scheduled work day.

Employees will provide as much advance notice as possible and will be flexible in working out an alternative schedule.

5.15.1.6 Payroll Processing for Employees on Alternative Scheduling

Alternative Schedules That Fit Within the Standard Workweek

Some flex schedules can be accomplished within the city's standard 40-hour workweek. This is true whenever the employee's scheduled 40 hours of work always fit within the 12:01 a.m. Monday through midnight Sunday period. For example, a four ten-hour day workweek or a workweek with four nine-hour days plus one four-hour day fit within the standard 40-hour workweek. These are the simplest flex schedules to administer. The only complication with these flex schedules occurs when a city holiday falls on a day that the employee is scheduled to work more or less than eight hours. If the employee is scheduled for more than eight hours that day, he/she will need to take vacation for any additional scheduled hours or increase the work hours on another day in the same workweek. If the employee is scheduled to work less than eight hours, they should take the remaining holiday hours (up to eight) off on another day within the same workweek.

Within a Standard 40-hour Work Period:

	<i>Monday</i>	<i>Tuesday</i>	<i>Wednesday</i>	<i>Thursday</i>	<i>Friday</i>
4-day	10	10	10	10	OFF
4.5 day	9	9	4	9	9

Alternative Schedules That Do Not Fit Within the Standard Workweek

Sometimes employees want to establish a flex schedule which results in a day off every other week. In this situation, the employee works one week on the schedule of four days at nine hours each day and one day at eight hours; then the following week on a schedule of four days at nine hours each and one day off. In order to

comply with federal regulations, the workweek must be defined as including half of the day off each of the two weeks. For this reason, the eight-hour work day must be the same day of the week as the day off and the schedule cannot be changed within the two-week work period. If these rules are not followed, a non-exempt employee will earn and must be paid for overtime.

Every Other Monday Off:

	Monday	Tuesday	Wednesday	Thursday	Friday
1st Week	8	9	9	9	9
2nd Week	OFF	9	9	9	9

If a holiday falls on a day that the employee is scheduled to work nine or ten hours, the employee will need to use vacation to cover the missing hours or modify their work schedule during the same workweek. If the holiday falls on the day the employee is scheduled to work eight hours, no adjustment is needed. However, if the holiday falls on the day the employee is scheduled for a flex day off, then four hours must be taken off in each of the two workweeks; the employee cannot be allowed to take the entire day before the holiday or after it as a holiday off. The employee schedule is changed as noted in the following example:

Every Other Monday Off Holiday Schedule:

	Monday	Tuesday	Wednesday	Thursday	Friday
1st Week	8	9	9	9	(Holiday 4) Work 5
2nd Week	OFF	(Holiday 4) Work 5	9	9	9

Overtime When Changing to an Alternative Schedule

When a non-exempt employee first starts on a flex schedule, overtime may need to be paid. Be sure to contact the Payroll Department for determining whether and how much overtime has been earned.

5.13.3 Telecommuting

Telecommuting is the managed, voluntary performance of job duties at a location other than City of Bellevue facilities, usually the employee's residence.

The City of Bellevue is a government organization and exists to serve the public. With advances in technology, there may exist greater opportunities for effectively serving the public through alternative work modes such as telecommuting. Telecommuting may also have a beneficial effect in reducing commute traffic. This policy is intended to encourage managers to consider this option where the following criteria can be met.

5.15.3.1 Telecommuting Criteria

1. The employee's manager determines the position is appropriate for telecommuting and does not negatively impact the delivery of public services and programs.

2. The employee demonstrates the ability to work independently, communicates effectively with managers and other employees, maintains a high degree of self-motivation, and meets the telecommuting criteria.
3. The position has some or all of the following characteristics:
 - a. Face-to-face interactions can be scheduled on specified days.
 - b. The employee's work does not require them to be readily available on a face-to-face basis to address problems that arise or to deliver services.
 - c. Work flow can be controlled and work product measured.
 - d. Quiet or uninterrupted time would enhance employee productivity.
4. The employee can provide a work environment that is free of interruptions and distractions and is safe and healthy.
5. Employee is not: 1) on a trial service period, 2) on a performance improvement plan, 3) under investigation for misconduct, poor performance, or under any type of disciplinary action; and/or 4) has not received formal discipline (e.g., written reprimand, suspension, or demotion) within the preceding twelve months.
6. Further details related to these criteria are contained in the telecommuting agreement.

5.15.3.2 Terms of Employment

Salary level and benefits will not change as a result of a telecommuting agreement.

5.15.3.3 Telecommuting Authority

This policy does not create a right to telecommute. It is within the manager's discretion whether to approve this work mode option. An approval should be consistent with the above criteria. Managers who wish to implement telecommuting for an employee must first have the employee review and sign a telecommuting agreement.

5.15.3.4 Revoking/Not Renewing a Telecommuting Agreement

A manager has the authority to revoke or not renew a telecommuting agreement. Unless exigent circumstances exist, an employee will be given 30 days' notice of the non-renewal or revocation of the Telecommuting Agreement. Relevant factors for non-renewal or revocation can include: the employee has violated the Telecommuting Agreement, no longer meets the criteria in this policy, work could be better performed in a City of Bellevue site, only a limited number of individuals can telecommute and/or others should be given the opportunity to telecommute, or other business-related reasons.

5.15.3.5 No Vested Rights/Inapplicability of Grievance Procedure

An employee has no property or vested right to telecommute and does not acquire such a right by being provided the opportunity to telecommute for any period of time. Telecommuting should not be considered indefinite and should be reassessed annually or on a regular basis by the supervisor. An employee cannot grieve under HRPPM Section 8.3 the decision of the manager to not grant, not renew, or revoke the opportunity to telecommute.

5.16 Substance Abuse Policy (Applies to all employees unless otherwise indicated)

It is the intention of this policy to eliminate substance abuse and its effects in the workplace. While the city has no intention of intruding into the private lives of its employees, involvement with drugs or alcohol off-the-job can influence employee job performance and employee and public safety.

Fully benefited employees (not hourly employees or independent contractors) who think they may have an alcohol or drug usage problem are urged to voluntarily seek confidential assistance from the Wellspring Employee Assistance Program.

Alcohol or drug abuse will not be tolerated where it affects job performance or safety of employees or the public, and disciplinary action, up to and including termination, will be used as necessary to achieve this goal.

This policy provides guidelines for the detection and deterrence of alcohol and drug abuse. It also outlines the responsibilities of City managers and employees. To that end, the City will act to eliminate any substance abuse (alcohol, illegal drugs, prescription drugs or any other substance which could impair an employee's ability to safely and effectively perform the functions of the particular job), which increases the potential for accidents, absenteeism, substandard performance, poor employee morale, or damage to the City's reputation. All persons covered by this policy should be aware that violations of the policy may result in discipline up to, and including termination, or in not being hired.

5.16.1 Policy

It is city policy that fully benefited and partially benefited employees and independent contractors shall not be under the influence, or in possession of, alcohol or illegal drugs while on city property, at work locations, or while on duty or subject to being called to duty. Fully benefited and partially benefited employees shall not sell or provide alcohol or illegal drugs to any other employee or person while on duty. Employees engaged in selling illegal drugs whether on or off duty pose a serious risk to the reputation of the city and to the well-being of fellow employees and the city. Therefore, the city will not tolerate employees engaged in the selling of illegal drugs whether on or off duty.

While use of validly prescribed medications and drugs does not violate this policy, failure by an employee to notify his/her supervisor, before beginning work when taking medications or drugs which could foreseeably interfere with the safe and effective performance of duties, or the operation of city equipment, can result in discipline up to and including termination. In the event there is a question regarding an employee's ability to safely and effectively perform assigned duties while using such medications or drugs, clearance from a qualified physician may be required.

The city reserves the right to search, without employee consent, all areas and property in which the city maintains control or joint control with the employee. Otherwise, the city may search upon obtaining employee consent or notify appropriate law enforcement agencies that an employee may have illegal drugs in his or her possession or in an area not jointly or fully controlled by the city. The city further reserves the right to conduct for cause and/or random drug and alcohol tests as permitted by law in furtherance of this policy.

Refusal to immediately submit to an alcohol and/or drug analysis when lawfully

requested by a manager or supervisor or law enforcement personnel, or refusal to submit to a search of personal properties if requested by law enforcement personnel, may constitute insubordination and be grounds for discipline up to and including termination.

Employees reasonably believed to be under the influence of alcohol or drugs shall be prevented from engaging in further work and shall be detained for a reasonable time until he/she can be safely transported from the work site.

The city is committed to providing reasonable accommodation to those employees whose drug or alcohol problem classifies them as handicapped under federal and/or state law.

The EAP Program has been established to assist those fully benefited employees who voluntarily seek help for alcohol or drug problems. Employees should contact their supervisors, HR or the EAP program counselor for additional information.

5.16.2 Application

The policy applies to alcohol and drugs, including all substances, drugs, or medications, whether legal or illegal, which could impair an employee's ability to effectively and safely perform the functions of the job.

5.16.3 Employee Responsibilities

Any fully benefited or partially benefited employee or independent contractor must:

1. Not report to work or be subject to duty while his/her ability to perform job duties is impaired due to on- or off-duty alcohol or drug use.
2. Not possess or use alcohol or impairing drugs, including illegal drugs and prescription drugs without a prescription, during working hours or while subject to duty, on breaks, during meal periods, or at any time while on city property.
3. Not directly or through a third party sell or provide drugs or alcohol to any person, including any employee, while either or both employees are on duty, or subject to being called to duty.
4. Submit immediately to an alcohol and drug test when lawfully requested by a city representative.
5. Notify his/her supervisor, before beginning work, when taking any medications or drugs, prescription or nonprescription, which may interfere with the safe and effective performance of duties or operation of city equipment.
6. Provide, within 24 hours of request, bona fide verification of a current valid prescription for any potentially impairing drug or medication identified when a drug screen/test is positive. The prescription must be in the employee's name.

5.16.4 Management Responsibilities and Guidelines

Managers and supervisors are responsible for reasonable enforcement of this policy. Managers and supervisors may request that an employee submit to a drug and/or alcohol test when a manager or supervisor has a reasonable suspicion that an

employee is intoxicated or under the influence of drugs or alcohol while on the job, or subject to being called.

"Reasonable suspicion" is a belief based on objective facts sufficient to lead a reasonably prudent supervisor to suspect that an employee is under the influence of drugs or alcohol so that the employee's ability to perform the functions of the job is impaired or so that the employee's ability to perform his/her job safely is reduced. For example, any of the following, alone or in combination, may constitute reasonable suspicion:

1. slurred speech;
2. alcohol odor on breath;
3. unsteady walking and movement;
4. an accident involving city property where it appears employee conduct is at fault;
5. physical altercation;
6. verbal altercation;
7. unusual behavior;
8. possession of alcohol or drugs; and/or
9. information obtained from a reliable person with personal knowledge.

Any manager or supervisor requesting an employee to submit to a drug and/or alcohol test should document in writing the facts constituting reasonable suspicion that the employee in question is intoxicated or under the influence of drugs.

Any manager or supervisor encountering an employee who refuses an order to submit to a drug and/or alcohol analysis shall be advised that the failure to comply with the order will be insubordination and will subject the employee to discipline up to and including termination. Where there is reasonable suspicion that the employee is then under the influence of alcohol or drugs, the manager or supervisor should arrange for the employee to be safely transported home.

Managers and supervisors shall not physically search the person of employees, nor shall they search the personal possessions of employees without the freely given written consent of, and in the presence of, the employee.

Managers and supervisors should notify the appropriate law enforcement agency where this policy is violated with respect to illegal drugs.

5.16.5 Results of Drug and/or Alcohol Analysis

5.16.5.1 Pre-employment Physical

A pre-employment drug and alcohol screen is required for some positions. This requirement is determined by Human Resources and advertised as a requirement of the position. A positive result from a drug and/or alcohol analysis may result in the applicant not being hired where the applicant's use of drugs and/or alcohol could affect requisite job standards, duties or responsibilities.

If a drug screen is positive at the pre-employment physical, the applicant must provide within 24 hours of request, bona fide verification of a valid current prescription for the drug identified in the drug screen. If the prescription is not in the applicant's name, the applicant does not provide acceptable verification, or if the drug is one that is likely to impair the applicant's ability to perform the job duties, the applicant may not be hired.

5.16.5.2 Physical or Alcohol/Drug Tests on Current Employees

A positive result from a drug and/or alcohol analysis may result in disciplinary action, up to and including termination.

If the drug screen is positive, the employee must provide within 24 hours of request, bona fide verification of a valid current prescription for the drug identified in the drug screen. The prescription must be in the employee's name. If the employee does not provide acceptable verification or a valid prescription, if the prescription is not in the employee's name, or if the employee has not previously notified his or her supervisor of the employee's need to take the drug, the employee will be subject to disciplinary action up to and including termination.

If an alcohol or drug test is positive for alcohol or drugs, the city shall conduct an investigation to gather all facts. The decision to discipline or discharge will be carried out in conformance with applicable disciplinary procedures.

5.16.6 Testing Procedures

The city shall utilize urine and/or blood tests for verification by certified medical personnel. The "enzyme-immunoassay" (EMIT) and "gas chromatography-mass spectrophotometry" (GC-MS) test methods shall be used in a laboratory approved by the city. The city shall pay for the costs of all tests and medical examinations carried out under this procedure. The city shall maintain confidentiality of test results. This, however, does not preclude the admission of test results in grievance proceedings.

5.16.7 Confidentiality

Laboratory reports and test results shall not appear in an employee's general personnel folder. Information of this nature will be contained in a separate confidential medical folder that will be securely kept under the control of the Human Resources Director. The reports or test results may be disclosed to city management on a strictly need-to-know basis, and to the tested employee upon request. Disclosures, without patient consent, may also occur when: (1) the information is compelled by law or by judicial or administrative process; (2) the information has been placed at issue in a formal dispute between the employer and employee; (3) the information is to be used in administering an employee benefit plan; (4) the information is needed by medical personnel for the diagnosis or treatment of the patient who is unable to authorize disclosure.

5.17 Substance Abuse Policy for Employees Covered by Department of Transportation (DOT) Drug & Alcohol Testing Regulations

Employees who operate motor vehicles that are considered commercial motor vehicles according to the Department of Transportation rules are required, by federal law, to obtain

and carry a commercial driver's license and are, therefore, subject to federally managed rules and regulations governing interstate vehicle operation. Federal transportation rules require the identification of commercial license holders and the development and administration of a substance abuse program specifically designed for these employees. By law, this program must include drug and alcohol prohibitions, testing processes, and recordkeeping procedures that are different from the program that is administered to city employees in general. This policy is not intended to replace the general substance abuse policy. Commercial drivers must comply with the policy and procedures outlined in city safety procedures, see **§5.11 Safety** of this manual, and applicable labor agreements. The intent of the substance abuse policy for employees in safety-sensitive functions is to ensure compliance with federally mandated rules and regulations, and to recognize the safety-sensitive nature of this type of work by holding drivers to a higher level of accountability for decisions that may impact the safety of the general public.

5.17.1 Prohibitions

5.17.1.1 Alcohol

Employees shall not drive city vehicles while under the influence of alcohol, while in possession of alcohol, or while using alcohol. Drivers will be considered under the influence of alcohol when their blood alcohol level is 0.02 or greater, and shall not be assigned driving duties within four hours of consuming alcohol.

5.17.1.2 Controlled Substances

No employee shall be allowed to operate or drive city vehicles when using controlled substances. If the city becomes aware that an employee is using controlled substances, the employee shall not be permitted to operate city vehicles. When the use of a controlled substance is prescribed by a physician, the employee may be allowed to continue driving if the employee has been advised that the substance will not adversely affect their ability to safely operate a city vehicle. An employee who operates city vehicles must inform their supervisor of therapeutic drug use.

5.17.1.3 Consequences

If an employee tests positive for controlled substances or has an alcohol test that indicates a blood alcohol level of 0.04 or greater, the employee shall not return to responsibilities that require the operation of a city vehicle until after the employee has been evaluated by a substance abuse professional to determine what assistance, if any, is needed to resolve problems associated with alcohol misuse of city vehicles and the use of controlled substances. Return to duties that require the operation of a city vehicle shall be dependent upon compliance with any treatment recommendations and a negative result on a return-to-duty controlled substance and/or alcohol test. Employees who test positive shall be subject to disciplinary procedures, which are outlined in applicable city policies and labor agreements. Follow-up testing may be required to monitor continued abstinence. Follow-up testing shall be conducted at least six times during the 12 months following return to work, and may continue for up to five years, based on the recommendations of a substance abuse counselor.

If results on the alcohol test indicate a blood alcohol level of 0.02 but less than 0.04, the employee shall be removed from any responsibility requiring the operation of city vehicles for at least eight hours, or until the next shift

and a repeat test indicates a blood alcohol level of less than 0.02. Violations between 0.02 and 0.04 shall be treated in accordance with disciplinary procedures outlined in city policies and applicable labor agreements.

Employees selected for random, for cause, or follow up testing, will be accompanied by a supervisor to the test site.

Refusal to submit to a legally required alcohol or controlled substance test shall be treated as a positive test result. Employees who alter samples or dilute samples or provide fake samples shall be subject to disciplinary action as provided 7.4 or applicable labor agreements. Employees testing positive a second time will be terminated.

Fully benefited employees who are notified that they have tested positive will immediately contact the Employee Assistance Program and schedule the first available appointment with a substance abuse professional for evaluation and referral. A substance abuse professional will be available on the same day, or on the morning following notification by the employee of the need to schedule an appointment. Therefore, the period of time that an employee may be on unpaid administrative leave for a positive drug or alcohol test will not exceed eight hours provided the employee has complied with the notification provision described above. After appropriate notification of the substance abuse professional, should the employee's status regarding the need for treatment, and/or counseling, not be determined within the eight hours that the employee is on unpaid administrative leave, the employee will be placed on paid administrative leave until said determination is made.

Employees determined by the substance abuse professional to need treatment and/or counseling, shall be permitted to return to work only after completing any treatment plans and/or counseling recommended by the substance abuse professional, absent any intervening disciplinary action taken by the employer or placement on paid administrative leave for investigation of possible discipline. Employees who are determined by the substance abuse professional to need treatment and or counseling may be eligible to use his/her leave banks.

If the substance abuse professional determines that the employee may return to work prior to completing a recommended treatment and/or counseling plan, absent intervening disciplinary action taken by the employer or placement on paid administrative leave for investigation of possible discipline, at the sole discretion of the city as provided below, the employee may be returned from leave status to paid work duties consistent with applicable law. Assessment of fitness for duty shall be required of employees returning to work following a positive drug or alcohol test.

Employees who test positive for drugs and/or alcohol must be retested and receive negative results prior to returning to work duties requiring operation of any city-owned vehicle, or any work that might involve the use of equipment or procedures that could be potentially dangerous to the public, co-workers, or the employee. It is within the sole discretion of the city whether sufficient alternative work duties exist to warrant returning the employee to paid work duties. If sufficient alternative duties do not exist, the employee will be eligible to use his/her leave banks.

Any alcohol or substance abuse treatment that is required as a result of this policy shall be covered according to applicable medical plans or labor agreements.

5.17.2 Testing

5.17.2.1 Alcohol

Alcohol testing shall be conducted off-site at a designated test facility using an evidential breath testing device and a trained technician. Two tests may be conducted. The first test will be a screening test. Any screening test resulting in .02 or greater shall require a second or confirmation test.

5.17.2.2 Controlled Substance

Controlled substance testing shall be conducted by analyzing urine specimens. Testing shall be done off-site in a certified laboratory. According to federal law, controlled substance testing will consist of split specimen sampling and shall test for the following controlled substances:

1. Marijuana (THC);
2. Cocaine;
3. Opiates;
4. Phencyclidine (PCP); and
5. Amphetamines.

Department of Transportation guidelines will be used to determine thresholds within which tests are positive. In instances where the test results are positive, the employee may request that the split specimen be sent to another laboratory. If an employee elects to have a split sample tested at another laboratory, the test shall be done at the employee's expense.

5.17.2.3 Medical Review

Test results shall be interpreted and communicated to supervisors through a trained Medical Review Officer (MRO). The MRO shall not be a city employee.

5.17.2.4 Medical Review Procedures

When positive results occur, employees shall be contacted by the MRO to discuss the results, and based on these discussions, the officer shall determine if there is an alternative medical explanation for controlled substances found in a urine specimen. The MRO may ask the employee to repeat a test.

Positive results that are determined to be inaccurate by the MRO shall be reported as negative along with all other negative results. The MRO shall be given the name of a contact person for each employee tested, and test results shall be given only to the designated contact in order to ensure confidentiality.

5.17.2.5 Types of Testing

The city is required by law to conduct the following tests:

Pre-Employment Testing

Operators of commercial vehicles must be tested for alcohol and controlled substances prior to operating a commercial vehicle. Test results shall be

confirmed by a medical review officer and job offers shall be contingent upon negative results for controlled substances and alcohol. Alcohol and controlled substance testing also shall be administered to current employees transferring to positions where a commercial driver's license is required.

Post-Accident Testing

Following an accident that results in a citation or death, alcohol and controlled substance testing shall be conducted with any employee whose performance could have contributed to the accident. Post-accident testing administered for alcohol **should** be completed within two hours following the accident, but **MUST** be completed within eight hours. Following an accident that results in a citation or death, the driver shall abstain from alcohol consumption until he/she is tested for alcohol or until eight hours have passed. Testing for controlled substances **should** be conducted within two hours following the accident, but **MUST** be conducted within 32 hours.

Accidents that do not result in a citation or death shall be handled according to applicable city policies and labor agreements. Employees must make themselves readily available for testing following an accident; failure to do so will be deemed a refusal to submit to testing and will be treated in the same manner as a positive test result.

Random Testing

This testing shall be conducted on a random, unannounced basis. The number of random tests per year is determined by federal law and may vary from year to year. Selection for testing will be made by an objective, outside consultant and shall be based upon a computer-generated random number table. All employees who are subject to testing will have an equal chance of being selected for testing. Random testing shall be administered throughout the year in a manner that will not be predictable. When an employee is selected for random testing, the employee shall be tested for controlled substances and/or alcohol.

Reasonable Suspicion Testing

Reasonable suspicion testing shall be conducted when a trained supervisor observes appearance, behavior, speech, or body odors that are characteristic of alcohol or controlled substance misuse. Testing shall be conducted only if the observations are made by a supervisor who has been trained to make this type of determination. Alcohol testing for reasonable suspicion shall be conducted only if the employee is operating a commercial vehicle, is just about to operate a vehicle, or has just finished operating a vehicle, and within eight hours of the determination that testing is justified. Employees who are tested based on reasonable suspicion must have a blood alcohol level of less than 0.02 in order to continue operating a commercial vehicle. If 24 hours elapses following the observations, the employee shall be permitted to operate a commercial vehicle without undergoing the recommended testing. Positive results found through reasonable suspicion testing shall be handled according to the disciplinary process outlined in city policy and appropriate labor agreements.

5.17.2.6 Record Retention

By law, the city must retain records and documentation of alcohol and controlled substance testing. The records associated with alcohol and

controlled substance testing will be kept in strict confidence in the Human Resources Department. These records will be released by the human resources director to potential employers only when receiving written authorization signed by the employee. An employee may receive a copy of his/her records pertaining to use of alcohol and controlled substances, as well as any information regarding alcohol and controlled substance testing, by submitting a request in writing to the human resources director.

Record Retention Schedules

The following records shall be retained for a legally mandated five-year period:

1. employee results indicating a blood alcohol concentration of 0.02 or greater;
2. positive test result for controlled substances;
3. documentation of refusals to take required tests;
4. calibration information for the evidential breath testing device; and
5. employee drug and alcohol evaluations and referrals.

Negative and canceled controlled substance test results shall be retained for one year, along with alcohol test results that indicate a blood alcohol concentration of less than 0.02.

5.17.2.7 Training and Referral

The city will provide employees with educational materials that explain the requirements of this policy, the testing procedures, and information concerning resources available for resolving problems associated with the misuse of alcohol and use of controlled substances.

Chapter 6: Record Keeping

6.1 Personnel Files

The city maintains a personnel file for each employee. The file contains primarily the following information:

1. address and telephone number;
2. application and/or resume, reference letters, or other material submitted with employment application;
3. employment history, including titles and dates of positions held, salaries, dates and amounts of raises, basis for each salary raise, changes in status, basis for each change in status, resignations, and rehires;
4. performance evaluations; and
5. records of disciplinary action (e.g., warnings, terms of probation, and terminations).

Personnel records are the property of the city; copies cannot be made unless specifically allowed by law. Immediate supervisors, human resource professionals, the city attorney or his/her designee, and other managers with a business need to do so, may review individual files. Access is also extended to hiring managers within the city with whom the employee has applied for promotion or transfer. Files must be reviewed in the Human Resources Department with a records custodian present during the review. Employees may review their personnel records during the normal working hours.

6.2 Release of Employee Information (Applies to All Employees)

Employee information is kept confidential (i.e., is not disclosed to the public), except as required by law or as considered appropriate by the city, unless the law requires otherwise. Generally, unless a party seeking such written information receives authorization from the employee, only the following information will be released to inquirers: verification of job title, employment dates, and termination status (e.g., terminated voluntarily, involuntarily, or as a result of a reduction in workforce). Current and former employees who want additional information disclosed should complete the [Release of Information form](#).

Any employee or supervisor receiving inquiries from the public concerning past or present employees should direct the inquiry to human resources.

Chapter 7: Job Performance and Status Changes

7.1 Trial Service Period

The trial service period is an integral part of the selection process for new employees in regular status positions having a trial service period and for employees receiving promotions, demotions, or transfers to regular status positions with a trial service. During this trial service period, a department director or his/her designee will determine the employee's capability to do the work and will observe the employee's adjustment to the department. Each employee in a trial service period should be evaluated in writing by his/her supervisor at the end of his/her first three months and every third month thereafter during the trial service period.

Employees serving in a trial service period are trial employees and are **at will**. Employees in trial service status may be terminated with or without cause at any time during their trial service period except as prohibited by state or federal law. The length of the trial service period for each position will be six to 12 months, depending upon the complexity of the duties performed and other relevant factors and will be determined in advance for the particular employee by the department director. At the time he/she takes the position, the employee will be informed in writing of the length of the trial service period and the job duties he/she is expected to perform.

A trial service period may be extended at the request of the supervisor, with approval from the human resources director. Notification of an extension of a trial service period, or of failure to successfully complete the trial service period, must be provided to the employee prior to expiration of the trial service period.

7.2 Performance Evaluation

Fully benefited employees should be evaluated in writing annually before their merit date. Employee performance evaluations are designed to: 1) ensure that quality services are provided to the public at the least possible cost; 2) motivate and develop employees to their fullest potential; 3) clarify roles and mutual expectations of managers/supervisors and employees; and 4) ensure open and ongoing communication between employees at all levels, including feedback from subordinates to supervisors.

Department directors and managers/supervisors are responsible for:

1. defining the tasks and responsibilities of each position;
2. orienting each employee to these aspects of his/her job;
3. developing performance criteria and expectations for each position and reviewing them with each incumbent regularly (at least annually);
4. developing work plans and objectives with employees which are in line with department and division goals and programs;
5. working with employees to identify individual strengths and limitations and ensuring that employees are properly placed in positions according to their abilities and skills; and
6. objectively identifying and working with employees to develop a plan for correcting performance deficiencies.

Merit increases shall be withheld by a department director for any employee who does not meet one or more essential job standards for the preceding evaluation period. An employee

whose merit increase has been withheld for unsatisfactory performance shall not be entitled to further merit increases until human resources receives a specific recommendation to do so from the department director and should a later merit increase be granted, it shall not be retroactive.

Partially benefited employees may be evaluated on an annual basis. Merit increases for partially benefited employees shall be administered in accordance with **§ 9.9.4** of this manual. Partially benefited employees are eligible for a merit increase as provided in **§ 9.7.1 Conditions for Earning Merit Increases**.

7.3 Performance Review Period

If a regular status employee's performance becomes unsatisfactory, the employee may be placed on performance review. The performance review process is an option available to managers for correcting performance problems. This process is not a required step for correcting performance deficiencies and other options may be explored without implementing a performance review period.

Performance review will consist of the following steps:

1. Identify the Problem. Identify the problem that has warranted the application of a special performance review period.
2. Inform the Employee. The employee should be informed, in writing, of the decision to begin a special performance review process and the anticipated length of that review period.
3. Design Job Goals Consistent with Job Requirements. Work with the employee to design job goals, methods for achieving those goals, and a reasonable time period to adequately assess progress and job performance skills.
4. Make Continued Employment Dependent upon Successful Performance within a Stated Time Frame. Inform the employee that continued employment in their current position is dependent on his/her ability to meet performance criteria.

7.4 Disciplinary Process

Disciplinary procedures are intended as a guide to assist department directors, managers/supervisors, and employees by defining the limits of acceptable conduct and providing for consistency in actions taken when those limits are exceeded.

7.4.1 Causes for Discipline

Regular full time employees are subject to discipline for cause, up to and including termination from employment, where their acts or omissions adversely affect or may adversely affect their ability to perform their job or have an adverse impact on other employees or the city. Causes may include, but are not limited to:

1. insubordination;
2. unprofessional conduct, including disorderly conduct, indecent language, and immoral acts both on and off duty that have a direct impact on the city and/or its' reputation;
3. unauthorized use of city property;
4. unauthorized use, release, or disclosure of confidential information;
5. failure, inability, or refusal to perform assigned duties; or performing job duties in an unsatisfactory, negligent, or careless fashion;
6. verbal or physical abuse or harassment of employees or customers;

7. making malicious, false, or derogatory statements about another city employee;
8. falsification of an employee's application for employment, medical, time, or other records;
9. habitual or unexcused absences or tardiness or abuse of any other leave policies;
10. unauthorized absence from work for a period of three consecutive days (abandonment of a position);
11. theft, deliberate destruction, abuse, or unauthorized possession of city property, or any other malicious or careless acts causing property damage, accidents, or expense while acting in the scope of his/her employment;
12. dishonesty;
13. unlawful discrimination against, or unlawful harassment of, another employee, client of the city or member of the public;
14. possession, sale, purchase, distribution, consumption, or being under the influence of alcohol, or controlled substances while at work locations, or while on duty, subject to being called to duty, or while on stand-by duty;
15. sale or manufacture of illegal drugs off-duty;
16. a positive random or for cause drug test;
17. failure or refusal to submit immediately to an alcohol or drug test or analysis when lawfully requested by a manager or supervisor;
18. failure to comply with safety or security policies and procedures or any conduct endangering the life, safety, or health of self or others;
19. possession or use of unauthorized explosives, unauthorized firearms, or other dangerous weapons on city premises;
20. violation of city policy or procedure;
21. subsequent to being hired, a conviction of a felony or a misdemeanor; and
22. misconduct of any kind not otherwise specified, or any other acts or omissions of an employee that are inimical to the good working order of the city.

7.5 Progressive Disciplinary Process

The level of discipline imposed is left to the discretion of the appointing authority or his/her designee based on a consideration of the totality of the circumstances, including progressive discipline and the severity of the infraction. Only regular full time employees are entitled to be disciplined only for cause. At-will employees may be terminated at any time, with or without cause. The city manager or his/her designee shall develop and implement rules for imposing discipline consistent with this code.

1. oral warning
2. written reprimand or warning
3. suspension without pay
4. demotion
5. discharge

Discharge is warranted for any serious offense or cause or repeated offenses or causes. Repeated offenses or causes need not be similar or related to warrant disciplinary action.

Decisions regarding discharge of employees may be made by a department director after consultation with the Human Resources Department and the City Attorney's Office, where appropriate. Notification of discharge should be given to the City Manager's Office.

7.6 Process for Implementing Significant Disciplinary Actions (Applies to Regular Employees)

Any disciplinary action involving discharge, demotion, or suspension without pay, shall be preceded by the following:

1. **Written notice.** Written notice to the employee of the proposed action. This notice must state the date the intended action is to become effective, the specific grounds, and particular facts upon which the proposed action is based. The employee shall be informed of the right to respond to the proposed action.
2. **Opportunity to respond.** The employee shall have five working days from receipt of the notice of intended disciplinary action to respond informally; either orally, in writing, or both; to the proposed action.
3. **Written notification of final decision.** The employee's response to a notice of proposed disciplinary action, if any, must be given careful, adequate consideration by the manager or supervisor responsible for determining whether disciplinary action is warranted. Once a decision has been made, the employee shall be notified in writing of the final decision regarding the implementation of disciplinary action. This notification shall also inform the employee of the right to appeal within ten days of the effective date of the disciplinary action and the right to a post-disciplinary hearing.
4. **Appeal process.** In response to an appeal, the city will select a hearing officer who will conduct a hearing in accordance with the following rules:
 - a. The city will have the burden of proof on all charges upon which discipline is based.
 - b. Witnesses will testify under oath. The employee and the city will have the right to call witnesses, cross examine adverse witnesses, and to introduce evidence that assists the hearing officer in his/her job.
 - c. Hearsay is admissible, but may not be the basis for a finding unless it is corroborated by non-hearsay evidence.
 - d. The hearing officer will issue a written decision within 30 days of the close of the hearing, recommending to the city manager either to uphold, reverse, or modify the discipline and the reasons.

The city manager will review the record of the hearing officer decision and either uphold, modify, or reverse the hearing officer decision. The decision of the city manager is final.

7.6.1 Garrity Notice (Applies to All Employees)

Where an employee is suspected of a crime and the city decides to proceed with an administrative disciplinary interview of the employee, the employee will be provided with the following notice, in writing, prior to the interview:

1. the employee has the Fifth Amendment right to not incriminate him/herself by remaining silent;
2. however, any statements the employee makes in the administrative disciplinary interview will not be used against the employee criminally; and

3. therefore, should the employee fail to cooperate in the interview by failing to answer all questions posed to him/her related to the investigation, he/she will be deemed insubordinate and will be disciplined up to and including termination from employment.

Prior to conducting an administrative disciplinary interview of an employee suspected of a criminal offense, the supervisor or department director shall contact the City Attorney's Office to discuss the disciplinary interview to be conducted.

7.6.2 Liberty Interest Hearing (Applies to All Employees)

Where any employee is terminated from city employment and the charges upon which the termination is based are made public, if the charges are of such a nature that they stigmatize the employee's reputation in the community for honesty or morality and the accuracy of the charge is contested, the employee is entitled to a public informal name clearing as required by law.

7.7 Resignations

All employees who resign from their employment with the city shall provide the city with at least two weeks' advance written notice of their resignation so that service to clients is not disrupted. The advance notification shall be given to the employee's supervisor and human resources. Written notice shall include the effective resignation date. Prior to the last day of work, regular status employees may, in most instances, have an exit interview with human resources. All city property in the possession of any employee shall be returned to the employee's supervisor on or before the last day worked.

7.8 Reinstatement

Following a layoff, a leave of absence without pay, or a classification reduction for cost savings, a regular employee returning to his/her former position within two years shall be reinstated at the same salary for his/her classification that he/she was receiving at the time of the layoff, leave of absence without pay, or reduction in classification. The employee's salary will be adjusted in accordance with any general salary adjustments granted during his/her period of absence.

In the case of a layoff or leave of absence, the employee's merit date and service credit date will be adjusted to account for the time spent off the city payroll. After a two-year period, should the former employee be rehired, he/she will be subject to the provisions for new hire. Further, an employee rehired to a position not in the same classification as his/her former position will be subject to the provisions for new hires.

If an employee is reduced in classification for a period of two or more years, then returns to the former classification, the employee will be subject to the policies and procedures regarding reclassification as identified in this manual.

7.9 Retention Policy

The city retains the right to manage city operations and affairs in accordance with the responsibilities, powers, and authority which an employer possesses. The city reserves the right to make work assignments, to determine the number of personnel assigned at any time to any function, and to lay off staff.

7.9.1 Objective

To increase efficiency and ensure effective delivery of programs and services, the city continually analyzes and evaluates its operations. Through this process of analysis, it may become apparent that it is necessary to make changes to programs, services, and at times, staff assignments. This policy outlines procedures for layoff or

a redeployment of regular status employees that are no longer needed in their current job assignment due to organizational change, lack of work, insufficient funding, or operational analysis.

It is the intent of the city that all regular status employees focus on innovation without fear of job loss. Although the city cannot provide absolute employment security, this policy establishes a process for employees who experience a change in job status or are affected by a reduction in force. Reasonable efforts will be made to retain affected employees into the workforce. This policy provides guidelines for redeployment and separation.

The retention policy applies to all regular status employees of the city who have completed a trial service period. The retention policy does not apply to at-will employees. The city manager has the discretion to alter the terms of the retention policy where he/she determines it is in the best interest of the city in order to achieve a city-defined commitment.

7.9.2 Development of a Redeployment Plan

Departments initiating organizational change shall initiate a discussion with the human resources director, identifying the need for change and potential impact on regular employees. The department will develop a proposal for implementation. The proposal should be reviewed with human resources and then submitted to the city manager for approval.

For employees impacted by the organizational changes, human resources will assist departments in the development of all aspects of the redeployment plan.

7.9.3 Employee Notification

Affected employees will be notified as required by law, or a minimum of 60 days in advance of the date their position will be eliminated. Employees who are affected will be given information regarding plans for position restructuring and/or proposed transfer options. Transfer proposals will be based upon an appropriate match of the affected employee's experience, abilities and skill, and will not be implemented without a mutual agreement between the employee and the proposed receiving department.

Once an affected employee has been notified of the intent to eliminate his/her position, human resources will assist the department initiating the restructuring initiative and the affected employee for up to 30 days in further assessment of redeployment alternatives.

7.9.4 Separation and Severance

Retention of regular employees will be determined by job performance and qualifications. Related job performance will be determined by the department director on the basis of past performance evaluations. Qualifications will be determined by knowledge, abilities, and skills required for affected positions as stated in the job description and the employee's ability to perform the remaining work without further training.

Regular employees who are separated from service may be offered a severance agreement that includes the following:

- a. one year, but less than five years, of continuous service = 3 months
- b. five years, but less than ten years, of continuous service = 4 months
- c. ten years or more of continuous service = 5 months

Severance is conditioned upon the signing of a release of liability as permitted by law. Severance will be paid out in a lump sum provided employee separates from service. If the employee does not separate but is retained in another capacity, the employee is not eligible for severance. If an employee separates from service (as determined by the city) and receives the lump sum payment and then is rehired, the employee is not obligated to repay the lump sum payment received.

7.9.5 Redeployment

Regular employees accepted into vacancies may be required to serve in a trial service period as provided in Section 9.4 of the HRPPM. The trial service period is to be determined by the department director. If an employee is not successful during the trial service period, he/she will be separated from the position.

When employees are moved to positions in a lower classification as a result of an organizational change initiative and their salary exceeds the range maximum of their new position, they will not be eligible to receive general salary adjustments or merit increases and will be subject to a decrease in pay equal to the general salary adjustment for a period of up to 18 months. At the end of 18 months, if the employee's salary is still above the maximum of the new salary range, the employee's salary will be adjusted downward to the maximum of the new range. If the employee's pay is within the range of the lower classification, the employee's pay will remain unchanged.

If a redeployed employee requires more than on-the-job training, then such training will be paid for with savings gained by the department that is eliminating the position. The training will be limited in scope and duration.

7.9.6 Retention Policy Checklist

Departments and human resources are to follow the below retention policy checklist as reasonably practicable:

- Department identifies the need for an organizational change
- Department discusses changes with human resources
- Obtains city manager approval to proceed
- Employee(s) are notified
- Identifies other potential positions for the affected employee(s)
- If applicable, employee(s) are provided with the separation agreement and information about the action being taken
- If possible, redeploy employee(s)

Chapter 8: Employee Relations

8.1 Open Door Policy

The city has long recognized that employees are a valuable source of ideas for improving operations and is firmly committed to open communication within the organization. Employees are encouraged to bring to management any questions, suggestions, or concerns regarding their job and managers are encouraged to facilitate open discussion with their employees.

8.2 Alternative Dispute Resolution

Conflicts in the workplace which are: 1) interpersonal in nature; 2) miscommunications between managers, supervisors, and employees; or 3) disagreements regarding work performance issues or annual performance evaluations may be handled through an alternative dispute resolution process as determined by human resources and the department. Generally, if a mediator or facilitator is used, this requires agreement from both parties involved in the conflict. However, the city manager and/or the department or division manager may, at times, require two or more employees to participate in dispute resolution when the city manager or the department or division manager determines it is in the best interest of the city to require mediation or facilitation. Departments will bear the cost of alternative dispute resolution services.

Any agreement resulting from a mediation process, and any violation of an agreement reached through mediation is not grievable.

8.3 Grievance Procedure

Regular employees shall use the grievance procedure to resolve disputes regarding alleged violations of an article in this manual. Basic management rights to assign work and schedules, make layoff decisions, and make reclassification decisions are not grievable. Employees on a trial service period are not able to grieve. At-will employees, including employees serving in the executive level ([E pay plan](#)) or mid-management ([M pay plan](#)), partially benefited, and employees in trial service status are excluded from using the grievance procedure.

Although the city has created a formal grievance procedure, employees and supervisors are encouraged to attempt to resolve problems informally before filing a grievance.

The grievance process should be used only for complaints and issues regarding alleged violation of a section(s) of this human resources manual that cannot be resolved by other methods. Alternative dispute resolution is available for employees and supervisors to whom these methods would be beneficial in resolving disputes outside of the grievance process.

If disputes cannot be handled outside the grievance process, then the employee and supervisor must follow the steps outlined below. The steps of the grievance procedure must be followed in the order in which they appear, unless management determines that the circumstances of a particular complaint warrant commencing the grievance procedure at a different step.

This procedure does not apply to complaints regarding unlawful discrimination or harassment. Complaints regarding unlawful harassment or discrimination shall be filed directly with the department director, human resources director, or city manager. These complaints will be handled according to the procedures outlined in [§8.5 Complaint Procedure for Reporting Illegal Harassment or Discrimination](#) of this manual.

Complaints regarding discharge from employment, demotion, or suspension without pay, should be handled in accordance with [§7.6 Process for Implementing Significant Disciplinary Actions](#) of this manual.

8.3.1 Grievance Process:

Any of the time frames specified for the following steps listed below may be altered by mutual agreement of the parties involved.

Step One: Written complaint.

If an employee and his/ her immediate supervisor cannot resolve a problem informally, the employee shall submit a complaint in writing to the immediate supervisor within 14 calendar days from the date the employee first was, or should have been, aware of the incident giving rise to the complaint. The written complaint shall identify the article in this manual that is violated, the date on which the event(s) occurred, the people involved, and the requested remedy. The immediate supervisor will respond to the employee, in writing, within 14 calendar days of the date of receipt of the written grievance. If the supervisor believes that mediation or facilitation may be beneficial, then the supervisor may recommend in the written response that alternative dispute resolution be considered.

Step Two: Consideration by the division manager/department director

If the grievance is not resolved to the employee's satisfaction at step one of the process, then the employee may proceed to step two. The request to proceed to step two must be made no later than seven calendar days after receiving step one written response or after the time period for the response within 14 calendar days after the time period for response has passed, whichever is earlier. At step two, the division manager or the department director shall investigate the basis of the complaint, make a decision, and respond to the employee, in writing, within 14 calendar days from the date of receipt of the step two grievance.

Step Three: Alternative dispute resolution

If the employee is not satisfied with the response from the division manager or department director, then the employee must file a request in writing to the human resources director to proceed to step three. The written request must be submitted within 14 days after receiving a response from the division manager or department director, or within 14 calendar days after the time period for response has passed, and should include the reasons for dissatisfaction with the response. If a grievance proceeds to step three, the employee and other persons involved in the grievance may choose to resolve the grievance through alternative dispute resolution. Procedures regarding the use of mediation or alternative dispute resolution are described in [\(§ 8.2 of this manual\)](#). If mediation or facilitation is pursued, the process must be completed within 30 days. When dispute resolution is successful, a written agreement will be created between the parties. A copy of the agreement will be placed by the human resources director in a confidential sealed envelope in the personnel files of those persons involved in the agreement. If one, or both, of the parties does not agree to participate in alternative dispute resolution, then the grievance will proceed to step four of the process, "Appeal to the city manager."

Step Four: Appeal to the city manager

An employee who is not satisfied with the decision reached by the division manager or department director at step two, and who has not pursued alternative dispute resolution, may appeal to the city manager. Appeal at step four must occur within the 10 working days of completion of the process at step three. Depending upon the nature of the dispute, the city manager may choose to proceed to step five of the process and appoint a non-city party as a hearing officer to conduct a hearing of the grievance or may elect to personally hear the grievance. If the city manager elects to hear the grievance, he/she will consider the entire record compiled in each of the prior steps, including: 1) the written grievance presented at step one, 2) the written decisions of the division managers and/or the department director, and 3) the information presented by the grievant and other parties that the city manager determines is helpful to the resolution of the grievance. Step four must be completed within 30 days. The written decision of the city manager will be final and binding. A copy will be sent to the employee, manager/supervisor, and department director.

Step Five: Appeal to a hearing officer

If the city manager elects to refer the grievance to a hearing officer, the hearing officer will conduct an informal hearing as soon thereafter as possible pursuant to procedures approved by the city manager and made available to the employee. The hearing officer will consider the entire record, including: 1) the written grievance presented at step one, 2) the written decisions of the division managers and/or the department director, and 3) information presented by the grievant and other parties whose information the hearing officer determines is helpful to a resolution of the grievance. The hearing officer will make a written recommendation to the city manager to affirm, reverse, or modify the department director's ruling within 30 days of the close of the hearing. Copies of the decision from the hearing officer will be sent to the employee, the manager/supervisor, and the department director. The city manager will then make the final decision in writing to affirm, reverse, or modify the recommendation of the hearing officer within 30 days. A copy of the city manager's decision will be sent to the employee, the manager/supervisor, and the department director. The decision of the city manager will be final and binding.

8.4 Equal Employment Opportunity (EEO)

The city believes that every employee or independent contractor has the right to work in an environment free from all forms of unlawful harassment or discrimination and is committed to equal employment opportunity. Employment practices will be implemented as required by local, state, or federal law. The city seeks to achieve, by lawful means, a balanced workforce that is reflective of the gender, ethnic, and cultural mix of the community.

8.5 Complaint Procedure for Reporting Illegal Harassment or Discrimination

Unlawful harassment or discrimination of any employee or independent contractor by a manager, supervisor, or coworker on the basis of his/her race, color, creed, religion, gender, age, national origin, marital status, sexual orientation, or the presence of any sensory, physical, or mental disability is a violation of city policy. The city will provide reasonable accommodation where required by law. This policy applies to all terms and conditions of employment including, but not limited to, placement, promotion, disciplinary

action, layoff, recall, transfer, leave of absence, compensation, and training. Accordingly, it is the responsibility of every employee to cooperate with and assist in the implementation of this policy. Violations of this policy will result in disciplinary action up to and including termination.

Notification

Any employee or independent contractor, who believes he/she has been unlawfully harassed or discriminated against is required to make a complaint orally or in writing with any of the following:

1. immediate supervisor,
2. department director, or
3. director of human resources.

Any supervisor or department director who receives a harassment or discrimination complaint shall notify the human resources director within one work day or as soon thereafter as possible.

Investigation

Harassment and discrimination complaints will be thoroughly investigated by human resources or its designee and a written response will be provided to the appropriate person(s).

Upon notification of a harassment or discrimination complaint, the director of human resources will:

1. Take reasonable steps to protect the victim and other potential victims from further harassment or discrimination. These steps may include mediation.
2. If appropriate, take action to remedy the victim's loss, if any, which resulted from the harassment or discrimination.

If harassment or discrimination occurred, the department or division director will authorize prompt and effective action against the harasser or person who discriminated. The action will be commensurate with the severity of the offense. If the action constitutes discharge, demotion, reduction in pay, or suspension without pay of a regular employee, the procedures outlined in [§7.6 Process for Implementing Significant Disciplinary Actions](#) of this manual will apply.

Any retaliation against a person for filing a complaint of discrimination or harassment is prohibited and shall result in disciplinary action up to and including termination.

Chapter 9: Salary Administration

9.1 Compensation Policy

This compensation policy outlines the city's intentions with respect to compensation of all employees. The city's compensation policy is outlined in the city code 3.79.130.

9.2 Responsibility for Maintenance and Administration

The human resources director is responsible for the development, interpretation and administration of the compensation plan. The finance director is responsible for maintaining records of employee time worked, calculating and paying compensation earned, calculating the accrual and paying paid leaves of absence, determining amounts of deductions and contributions for employee benefits, paying benefits provided for in the compensation plan, conducting the prepayment audit of all expenditures, and developing procedures necessary to carry out these functions.

The city manager has the authority to adjust the provisions of the compensation plan when it becomes necessary in order to carry out sound personnel management and to accomplish objectives within the city's defined commitments. However, the city manager may not adjust the salary range for the class of city manager, nor may he/she adjust the pay of bargaining unit employees except in accordance with procedures established in collective bargaining.

9.3 Position Classification

The intent of the position classification system is to group together positions requiring similar tasks, responsibilities, knowledge, abilities, and skills. The system standardizes titles and terminology used in describing positions, assures essentially market-based pay for similar work responsibilities by conducting periodic external salary comparisons, provides a basis for the recruitment and selection of qualified employees, serves as a tool for departmental managers in managerial planning and budgeting, determines training needs, develops career paths, and serves as a basis for performance evaluation.

9.3.1 Structure of the Classification System

The structure of the classification plan provides for:

1. Classes which are groups of positions of similar responsibility and difficulty, requiring similar general qualifications of incumbents, similar working conditions, and which can be compensated within the same pay range.
2. Class titles generally descriptive of the work of each class.
3. Written specifications for each class which are descriptive but not restrictive and which include a brief job summary; a listing of essential duties and responsibilities; the level of supervision received and exercised; education and experience requirements; knowledge, skills, and abilities requirements; and the physical demands of the position.

In determining the class to which any position will be allocated, the specifications of each class shall be considered in total. Class specifications are to be liberally construed as general work descriptions and not as prescribing what the detailed duties of any position shall be, nor as limiting the authority of the city to assign duties.

9.3.2 Review of Positions

Any position may be reviewed for job description accuracy, salary grade assignment, or reclassification upon the request of a department director, or at the discretion of the human resources director. In addition, all vacant positions which are opened for the recruitment process will be reviewed by human resources prior to advertisement of the position and/or appointment of an individual to fill the vacancy to ensure that the job class assigned to the position continues to be appropriate.

9.3.3 Requests for Reclassification

A reclassification review evaluates the work a regular status employee performs in comparison to job descriptions for specific classifications. The review determines which classification is most appropriate given the work performed and the description of duties for the classification. **All requests for classification reviews must be initiated, approved, and submitted by department directors.**

The Human Resources Department may conduct a classification review when:

1. The department director's documentation shows that significant job duties have changed over time.
2. A classification review request form has been completed.

9.4 Pay at Time of Lateral, Upward, or Downward Movement between Job Classifications

9.4.1 Upward Job Movement

Upward job movement occurs when a regular status employee moves from one classification to another classification in a higher salary range. This type of movement is most often associated with promotion, reclassification or reorganization. The following provides guidance for pay administration:

Merit Date	The merit date does not change. When the employee's normal merit date comes due, the new supervisor obtains input from the former supervisor and completes the review for the entire performance review period. The new supervisor evaluates the employee's eligibility for merit increase at the time of the normal merit date. Merit increases are not prorated at the time of job movement.
Starting Salary for New Job	The starting salary may be at or above the minimum for the new position. All offers above the minimum require a completed Job Offer Worksheet . Job Offer Worksheets provide justification for a salary above minimum and are based on the employee's qualifications to perform the new position. The department director must approve Job Offer Worksheets prior to offer being communicated to candidate. Job offers above the midpoint of the range or that are exceptional require human resources director approval prior to extending the offer.
Prorated Merit Increase Upon Completion of	When a trial service period (TSP) is less than 12 months, the starting salary is at the minimum of the range, and performance warrants, the employee may be eligible to be considered for a prorated merit increase upon successful completion of the TSP.

Trial Service Period	<p>If an increase is granted, it will be prorated for the number of months since the last merit increase and the first of the month following the date the TSP is completed. The merit review date will not change. When the regularly scheduled merit review occurs, it will be prorated for only the remaining months between the end of the TSP and the regularly scheduled merit review date.</p> <p>For an example proration schedule, contact the Human Resources Department, Compensation.</p>
Trial Service Period (TSP)	<p>All upward movement to a regular status position with a trial service period requires serving new trial service period. The trial service period will generally be 12 months, unless a department director (or designee) identifies reasons for a shorter trial service period, but no less than six months.</p> <p>Note: Completion of a trial service period alone does not trigger a change in pay. However, if the starting salary was at minimum and performance warrants, the employee may be eligible for a prorated merit. (See above)</p> <p>*Positions that are at-will do not serve a TSP.</p>

9.4.2 Downward Job Movement

Voluntary: Voluntary downward job movement occurs when an employee voluntarily moves from one classification to another classification in a lower salary range. These types of changes usually occur when an employee seeks out a different classification that happens to be at a lower salary range. The following provides guidance for pay administration:

Merit Date	The merit date does not change. When the employee's normal merit date comes due, the new supervisor obtains input from the former supervisor and completes the review for the entire performance review period. The new supervisor evaluates the employee's eligibility for merit increase at the time of the normal merit date. Merit increases are not prorated at the time of job movement.
Starting Salary for New Job	The starting salary for the new job will be the employee's former salary if it is within the salary range. Otherwise, the employee's salary will be reduced to the maximum of the new salary range effective at the time of the job change.
Prorated Merit Increase At Completion of Trial Service Period	Not eligible
Trial Service Period	If the employee demotes to a regular status positions with a trial service period and reports to a new supervisor, the trial service period will generally be 12 but no less than six months, unless a department director (or designee) identifies business or regulatory reasons for a longer trial service period. If the employee reports to the same supervisor, a trial service period may be waived.

Involuntary: Involuntary downward job movement occurs when an employee involuntarily moves from one classification to another classification in a lower salary range. These types of changes usually occur when there is reorganization, reclassification of duties, or demotion due to inability to perform at the higher level. The following provides guidance for pay administration:

Merit Date	The merit date changes to the effective date of the job change. The employee's former supervisor conducts a performance evaluation at the time of the change. If the employee's salary is within the new, lower salary range and the employee's performance warrants, he/she may receive a prorated increase for the number of months in the performance period.
Starting Salary for New Job	The starting salary for the new job will be one of three things: <ul style="list-style-type: none"> the former salary because it is within the new salary range and the employee's performance does not warrant a prorated merit increase, the former salary plus any prorated merit increase, or the maximum of the new range because the former salary exceeds the new maximum.
Prorated Merit Increase At Completion of Trial Service Period	Not eligible
Trial Service Period (TSP)	All involuntary downward job movements require a trial service period. Trial service period will generally be six months, unless a department director (or designee) identifies reasons for a longer trial service period up to 12 months.

9.4.3 Lateral Job Movement

Lateral job movement occurs when an employee moves from one classification to another classification with the same salary range. The following provides guidance for pay administration:

Merit Date	The merit date does not change. When the employee's normal merit date comes due, the new supervisor obtains input from the former supervisor and completes the review for the entire performance review period. The new supervisor evaluates the employee's eligibility for merit increase at the time of the normal merit date. Merit increases are not prorated at the time of job movement.
Starting Salary for New Job	The starting salary for the new job will be the employee's existing salary.

Prorated Merit Increase At Completion of Trial Service Period	Not eligible
Trial Service Period	<p>If a regular status employee serving in a position with a trial service period reports to a new supervisor, the trial service period will generally be six to 12 months, unless a department director (or designee) identifies business or regulatory reasons for a longer trial service period.</p> <p>If the employee reports to the same supervisor, a trial service period may be waived.</p> <p>Note: Completion of a Trial Service Period alone does not trigger a change in pay.</p> <p>*Positions that are at-will do not require a TSP.</p>

9.5 Salary Ranges

9.5.1 Salary Ranges Established

Salary ranges are established in accordance with market data and council policy and are adopted by the city council. Base salary rates for regular status employees will be determined through the compensation plan. Base salary rates covered by collective bargaining unit agreements will be determined and amended through negotiation and in accordance with council policy.

9.6 Trainee Pay Rate

The human resources director and the department director may establish a general trainee pay rate for any position in the G pay plan. This trainee rate will be set below the minimum rate for the appropriate job classification pay range as determined by the human resources director. When the human resources director and the hiring department director agree the trainee possesses the minimum qualifications for the job class, the trainee will be moved to the minimum rate of the job classification range.

9.7 Merit Increases

Employees may be considered for merit increases on, or after, their merit date. Base pay shall not exceed the range.

9.7.1 Conditions for Earning Merit Increases

Merit increases are not automatic. Such increases are based on an employee's job as documented by the department director or designee with a completed written performance evaluation which has been discussed with the employee.

All departments will use the [Rating Summary](#) as a cover sheet for all performance evaluations (including those employees whose salary is at the top of the range). An employee receiving a 5 rating will be eligible for a full merit increase; a lesser rating will result in eligibility for a lower percentage of merit increase. A rating of less than 3 will result in no merit increase eligibility, and must result in a performance improvement plan (see [Chapter 7.3](#)) or other appropriate performance management step.

Rating Summary	5 = 5% 4 = 4% 3 = 3% A rating of less than 3 results in no merit increase and a Performance Improvement Plan. Percentages represent annual performance periods. Prorated schedules for shorter trial service periods are found in section 9.4.1.
Rating	Performance Standard
5	Performance consistently meets or exceeds all relevant performance standards/expectations. Is performing at a level consistent with experience. If at or above mid-point of range, is a fully independent contributor ("journey" level).
4	Performance occasionally fails to meet relevant performance standards/expectations or requires development in one area. Specific examples are stated and further development in that area is addressed.
3	Performance occasionally fails to meet relevant performance standards/expectations and/or requires development in more than one area. Requires examples of performance issues or development areas and a specific development plan.
2	Performance consistently fails to meet relevant performance standards/expectations and employee has not demonstrated the skills, knowledge, and ability to perform in several key areas. Requires specific examples, a Performance Improvement Plan, and job may be at risk.
0 - 1	Performance consistently fails to meet performance standards/expectations and employee has not demonstrated the requisite skills, knowledge, and ability to perform this job. Requires a Performance Improvement Plan and job is at risk.

9.8 Newly Hired Regular Status Employees

Newly hired employees are those who accept a position with the city, beginning their employment relationship.

Merit Date	The merit date will be set on the anniversary date of hire.
Starting Salary for New Job	The starting salary may be at or above the minimum for the new position. All offers require a completed Job Offer Worksheet . The Job Offer Worksheet provides justification for the salary and is based on the candidate's qualifications to perform the new position. The department director and human resources must approve the Job Offer Worksheet prior to an offer being communicated to the candidate.
Pro-rated Merit Increase At Completion of Trial	When a trial service period (TSP) is required and is less than 12 months, the starting salary is at the minimum of the range, and performance warrants the employee will be eligible to be considered for a prorated merit increase upon successful completion of the TSP.

Service Period	<p>If an increase is granted, it will be prorated for the number of months in the trial service period. The merit review date will not change. When the regularly scheduled merit review occurs, it will be prorated for the number of months remaining in the year. The follow is the pro-ration schedule:</p> <table><tr><th>TSP # of Months</th><th>Prorated Increase at Completion of TSP</th><th>Remaining Performance Period # of Months</th><th>Prorated Increase at Regularly Scheduled Review</th></tr><tr><td>6</td><td>Up to 2.50%</td><td>6</td><td>Up to 2.50%</td></tr><tr><td>12</td><td colspan="3">Not applicable. This is the regularly scheduled review.</td></tr></table> <p>Note: If you need a proration schedule for something other than 6 months, contact HR, Compensation.</p>	TSP # of Months	Prorated Increase at Completion of TSP	Remaining Performance Period # of Months	Prorated Increase at Regularly Scheduled Review	6	Up to 2.50%	6	Up to 2.50%	12	Not applicable. This is the regularly scheduled review.		
TSP # of Months	Prorated Increase at Completion of TSP	Remaining Performance Period # of Months	Prorated Increase at Regularly Scheduled Review										
6	Up to 2.50%	6	Up to 2.50%										
12	Not applicable. This is the regularly scheduled review.												
Trial Service Period	<p>All newly hired regular employees are required to service a trial service period. The trial service period will generally be 12 months, unless a department director (or designee) identifies business or regulatory reasons for a shorter trial service period.</p> <p>Note: *Completion of a trial service period alone does not trigger a change in pay. However, if the starting salary was at minimum and performance warrants, the employee may be eligible for a prorated merit (above).</p> <p>*Positions that are at will and are not required to serve a TSP.</p>												

9.9 Merit Date

An employee's effective date of hire, rehire, or change in employment status from partially benefited to fully benefited will have a merit date established as follows:

Effective Date	Merit Date
Between 1st and 15th of the month	First of that month
Between 16th and last day of the month	First of the following month

The merit date will be used to set within-range pay adjustments.

9.9.1 Changes in Merit Date

An employee who has a break in service due to a change in status (not as a result of layoff), a transfer from a partially benefited to a fully benefited position, or a leave of absence without pay longer than two weeks will have his/her merit date extended by the same length of time (to the nearest whole month) that the employee was on leave without pay.

A regular employee reinstated to the same position or a position in the same classification following layoff from employment will have their merit period extended by the same length of time (to the nearest whole month) as the duration of his/her layoff, to a twelve month maximum. This extended merit period will establish a new merit date which will be used for determining subsequent within-range increases.

There will be no change in an employee's merit date when a merit increase is withheld. An employee who has an involuntary downward job movement will have his/her merit date changed to the effective date of the new job.

9.10 Service Credit Date

Service credit date is the date assigned to each employee based upon his/her most recent date of hire into a fully benefited position. An employee whose effective date of hire, rehire, or change in employment status from partially benefited to fully benefited will have his/her service credit dated established as follows:

Effective Date	Service Credit Date
Between 1st and 15th of the month	First of that month
Between 16th and last day of the month	First of the following month

The service credit date will be used in establishing vacation accrual rate increases and the earning of service awards.

9.10.1 Service Credit Date Adjustment

An employee who has a break in service due to a leave of absence without pay longer than two weeks for any reason (except active duty military service) will have his/her service credit date adjusted by the amount of time he/she was on such leave (to the nearest whole month) to establish an adjusted vacation accrual rate increase date and a service award eligibility date.

A regular employee whose city employment is interrupted by a layoff, and who is subsequently reinstated, will also receive credit for his/her continuous service as an employee immediately prior to the effective date of the layoff where the period of the layoff does not exceed two years.

9.11 Alternate Merit Pay

The city manager may approve implementation of other pay delivery systems within budget limits, such as gain sharing plans, small group incentive plans, and skill/knowledge-based plans, which shall be administered through human resources.

9.12 Special Recognition Award

The city manager or the department director may authorize a lump-sum award. The maximum amount of an award is approved by city council in the compensation plan for special recognition to E, G, S and M pay plan employees. This lump-sum special recognition award will not be incorporated into an employee's base salary rate of pay for the purposes of computing overtime/compensatory time accruals, unless required by FLSA, but will remain a separate, one-time recognition of contribution or innovative ideas put to practice in the organization. An employee may be recommended for such an award for:

1. A project or work product that is specific and identifiable with both start and end dates.
2. A project or work product assignment that may be interdepartmental, with an assigned "total award" which is shared equally by all members of the task group.
3. A demonstrated level of creativity, skill, or conscientiousness that is beyond that normally expected for the position.

4. Individual contribution or leadership without which the project or product results would not have been achieved, and which are beyond what is normally expected for the position.
5. Innovation or conscientiousness that may have resulted in substantial savings or reduced costs.

9.13 Establishment of Pay Rates in Special Circumstances

Special circumstances are changes not covered in [9.4 Pay at time of Lateral, Upward or Downward Movement between Job Classifications](#) of this manual. Pay rates in special circumstances for regular employees will be established as indicated below.

9.13.1 Pay for Acting Status (Temporary Upgrades or Reassignment)

Employees in acting status must handle the daily and ancillary responsibilities of the position and make the major decisions which accompany these responsibilities for a minimum of one month. When considering the use of acting status, the department shall consult with human resources and obtain the approval from the human resources director or his/her designee prior to offering the assignment to the employee. It is expected that an acting status assignment will not exceed six months. In special circumstances, the department director in concurrence with the human resources director may approve an extension.

Base salary rate must be in accordance with Chapter [9.4 Pay at time of Lateral, Upward or Downward Movement between Job Classifications](#). All offers above the minimum of the new pay range require a completed Job Offer Worksheet. If the employee is in an acting status during a general wage adjustment, his/her salary will be adjusted accordingly.

There shall be no merit increases while in acting status. When the acting assignment is completed, the department director will then readjust the employee's salary or wage rate to its previous level, or the level it would have attained, including general salary adjustments and merit increases, as if the acting appointment had not been made. The employee's regular merit date will remain unchanged upon the completion of the acting status. **Note:** All paid leaves which occur during the acting status assignment will be paid at the employee's acting status rate.

In the event the employee is appointed to the position, the following shall apply:

1. Effective date of the appointment will be the starting date of the acting status assignment;
2. Salary for the appointment will be the same as the salary paid at the start of the acting status assignment;
3. Merit date will not change, and;
4. The employee will receive retroactive merit increase(s), provided the employee was eligible for merit increase(s) between the time the acting status started and the appointment into the position.

9.13.2 Reinstatement

An employee may be reinstated or returned to a former position and salary following a layoff, a leave of absence without pay, or a voluntary classification reduction for cost savings. Employees are reinstated at the same rate of pay and receive an adjusted merit date and service credit date to account for time spent off the payroll. Reinstatement must occur within two years of the date of layoff, leave of absence

without pay, or voluntary classification reduction for cost savings. The compensation of an employee reinstated will be determined as follows:

1. A regular employee reinstated in their former position or class after layoff will be paid at the same salary for his/her classification that he/she was receiving at the time of the layoff, leave of absence without pay, or reduction in classification. The employee's salary will be adjusted in accordance with any general salary adjustments granted during his/her period of absence. The merit date and service credit date will be adjusted as described in [9.9 Changes in Merit Date](#) of this manual.
2. An employee who is reinstated to their position after an authorized leave of absence without pay will be paid at the same pay step or relative point in the range for his/her class that he/she was receiving at the time he/she began his/her leave of absence without pay. The merit date and service credit date will be adjusted as provided in [9.9 Changes in Merit Date](#) of this manual.
3. An employee who, as a salary saving measure, is reduced in classification and then is reinstated to his/her original classification will be paid at the same pay step or relative point in the range for his/her class (including any applicable GSA) that he/she was receiving at the time of the reduction in classification.

9.13.3 Reemployment

Reemployment occurs when an employee terminates employment and is then subsequently hired to any position. An employee who is reemployed by the city will be paid in accordance with the rules governing new employees and at a rate appropriate to the position to which the employee is reemployed. An employee who is reemployed will serve a new trial service period.

9.13.4 Special Assignment Pay for Exempt Employees in Certain Work Situations

The department director and human resources director may authorize payment of a flat, monthly premium to an exempt employee as defined in [Special Assignment Pay](#). This amount will be paid each pay period during the time the employee is assigned the special function or project. Approval must be in writing, state the circumstances of the request for additional pay, describe and limit the terms under which the premium can be paid, and specify the monthly dollar amount of the special assignment pay.

9.14 Adjustments to Base Salary Rates

9.14.1 Procedures for Correcting Over/Under Payments (All Pay Plans)

In the event the finance director determines an error has been made in payment of compensation and/or benefits to an employee, the finance director or designee shall notify the employee and make arrangements for correction. If the employee was underpaid, the employer shall pay the amount owed as soon as practicable. If the employee was overpaid, the finance director or designee and the employee may negotiate either a lump sum repayment or a monthly payroll deduction over a defined time period. If the employee disagrees that an overpayment has occurred, disagrees with the amount of overpayment, or objects to the method or rate of repayment proposed, and the employee is unable to resolve the problem with the finance director, he/she may request a hearing before the city manager or designee. The decision of the city manager or his/her designee will be final and binding.

Normally, corrections to correct over/under payments must be completed within two years of the date of the over/under payment, unless there is reasonable evidence of fraud. Actions taken to correct over/under payments are not subject to the grievance procedure.

9.15 Garnishment

The City of Bellevue will deduct a \$20 processing fee for the first payment made pursuant to a garnishment order. If the garnishment is a continuing lien on earnings, an additional \$10 will be deducted at the time of the second payment. For an assignment of earnings to satisfy a support debt or obligation the city will deduct \$15 for the first payment and deduct \$1 for each subsequent payment under the assignment.

9.16 Pay Periods

There are two pay periods per month as follows:

Time Period	Pay Warrant Issued or Direct Deposit
1st - 15th day of the month	On or about the 23rd day of the month
16th - last day of the month	On or about the 8th day of the succeeding month

9.16.1 Time Accounting

The timekeeping module attached to the payroll system will serve as the formal record of time worked and leave taken, but there must be written (or electronic) documentation supporting the entries in the timekeeping module to demonstrate that:

1. All time off requests are to be approved, with the exception of sick leave, before the employee takes the time off. Sick leave should also be preapproved if for a planned event, and
2. For overtime, extra hours, or compensatory time earned, there was written (or electronic) authorization in advance, as well as supervisory approval of the time actually worked.

Time accounting must be performed promptly by **all** employees, whether exempt or non-exempt.

9.17 Pay Periods

Wages for partially benefited employees are calculated on an hourly basis. These employees are paid for the actual number of hours worked in each pay period.

Salaries for fully benefited employees are calculated in twelve equal monthly rates, and are paid semimonthly. A fully benefited employee whose compensated time (including hours worked, paid sick leave or compensated leave taken) in a pay period is less than the number of normal work hours in that pay period will be paid as required by law and city policy.

9.19 Provisions for Overtime Compensation

9.19.1 Non-exempt Employees

Employees in a non-exempt position who are authorized and required to work overtime are entitled to one and one-half times their regular rate of pay for overtime worked. The workweek for employees will be determined by the department director

or designee in accordance with federal and state requirements. Eligibility for overtime is as follows:

- A non-exempt employee must work in excess of 40 hours in an FLSA-defined workweek before receiving overtime. Observed holiday(s) count toward the 40 hours worked within the workweek. If an employee takes vacation, sick leave, personal holiday, and/or compensatory time during the week but still works 40 hours that same week, the employee is paid for the hours worked at straight time and no deductions are made to the employee's leave accounts. An employee will not receive compensation for the same hour through more than one pay code. Vacation, sick leave, personal holiday, and/or compensatory time is meant to provide pay equal to 40 hours per week, not increase salary beyond 40 hours paid per week unless the employee actually works more than 40 hours in a workweek. There is no daily overtime.
- Non-exempt employees in specifically approved positions will be paid overtime at time and one-half for all hours compensated in excess of 40 hours in an FLSA-defined workweek. Vacation, sick leave, personal holiday, and/or compensatory time are considered part of compensated hours. Specifically approved positions include:

PARKS and CIVIC SERVICES

Facilities Management and Structural Maintenance:

- Facilities Operations Specialist (G-24)

UTILITIES

Operations and Maintenance:

- Engineering Technician (G-21)
- Senior Engineering Technician (G-24)
- Telemetry Technician (G-24)

GENERAL

- Construction Project Inspector (G-22)
- Senior Construction Project Inspector (G-24)

9.19.1.1 Compensatory Time for Non-Exempt Employees

The department director or designee may offer non-exempt employee, including employees in specifically approved positions as identified in 9.19.1, the opportunity to earn compensatory time credit equal to one and one-half times the overtime hours worked in lieu of overtime pay. Compensatory time credit may be accumulated in a compensatory time bank of up to 40 hours maximum; however, the department director or designee may limit accruals to an amount less than 40 hours.

NOTE: All compensatory time is to be maintained in the payroll/timekeeping system. No "unofficial" compensatory time accruals are allowed.

A fully benefited non-exempt employee working less than 40 hours per week, including employees in specifically approved positions as identified in 9.19.1, may accrue a portion of the maximum 40 hours of compensatory time in the same proportion that his/her regularly scheduled workweek has to 40 hours.

All banked compensatory time hours as of December 31 of each year will be paid in a lump sum, which will be based on the employee's monthly base salary rate as of December 31. The employee will receive this additional pay on the February 8 paycheck of the following year. Compensatory time accumulated by a non-exempt employee in lieu of overtime pay for time worked over 40 hours in the 7-day work period will be paid upon termination, or upon promotion to an exempt position, at his/her monthly base salary if either of these events occur prior to December 31.

An employee may not charge compensatory time on a flex day.

9.19.1.2 Callback for Specifically Approved Non-Exempt Positions As Identified In 9.19.1

An employee holding a position as identified in 9.19.1 above who has completed his/her assigned shift, including extensions and approved leaves, and is called back to work or has a scheduled call back prior to the beginning of the employee's next scheduled shift shall be paid a minimum of three (3) hours at one and one-half times his/her regular straight-time hourly rate of pay; however, if the employee's regular shift starts less than three (3) hours from the time he/she started work as the result of a callback situation, he/she will be paid overtime for only such time as occurs before the start of his/her regular scheduled shift.

An employee may be required to respond to more than one callback within the three (3) hour minimum without being additionally compensated with another (3) hours overtime.

The employer may require work of the employee called back beyond that initially prompting the callback.

Employees providing assistance of at least ten (10) minutes in duration without physically responding to work or the worksite (i.e. addressing the issue by phone, electronically or other means) shall be compensated for one (1) hour at one and one-half times his/her regular straight-time hourly rate of pay. An employee responding to and completing multiple calls, without physically responding to work or the worksite, within the same one hour period will not be entitled to additional compensation beyond the minimum overtime rate. An employee may not be compensated for more than 2 off-site responses at the minimum overtime rate irrespective of the number of off-site assistance provided within the same evening/morning.

Employees eligible for and assigned standby as provided in 9.20.1 who are called back on weekends, holidays or after-hours shall be compensated at the overtime rate which shall be in addition to the hourly Standby pay.

9.19.2 Exempt Employees

An employee in an exempt position is salaried, and is paid a predetermined amount constituting all or part of their compensation. The normal work schedule for a 1.0 full time equivalent exempt employee is 40 hours per week. However, an exempt employee is being paid to perform a job which may not necessarily be completed in their normal workweek and is, therefore, not entitled to extra compensation except as provided below. Exempt classes are designated by an asterisk (*) to the left of the job title in the current pay plan.

9.20 Standby/Premium

9.20.1 Standby Pay for Non-exempt Employees

The department director and human resources director may authorize payment of a standby allowance to the following employees who may be required to be available and subject to call outside of scheduled working hours:

PARKS and CIVIC SERVICES

Facilities Management and Structural Maintenance:

- Facilities Operations Specialist (G-24)

UTILITIES

Operations and Maintenance:

- Engineering Technician (G-21)
 - Senior Engineering Technician (G-24)
 - Telemetry Technician (G-24)
- a. Standby pay may be granted by the department director and human resources director to non-exempt employees in specific job classifications who may be required to be available and subject to call outside of scheduled working hours. Such request for standby pay will be in writing, will state the circumstances that warrant the approval of standby pay, and will describe and limit the terms under which the standby allowance can be paid. An employee will not receive standby pay during any period of time for which they are compensated by salary or overtime pay.
- b. Effective July 24, 2014 and for the remainder of this year, non-exempt employees identified in Section 9.20.1 will receive \$2.93 per hour for each hour they are required to be available and subject to call-out. January 1 of each year the rate shall increase by an amount equal to 90% CPI-W, June, Seattle-Bremerton-Tacoma, Consumer Price Index published by the Bureau of Labor Statistics (or remain constant if there is no increase to said index for the year). The city manager shall have the authority to adjust the hourly standby rate.

9.20.2 On-call Premium for Exempt Employees

Exempt information technology employees who perform public safety support serving in a 24/7 on-call capacity may receive a premium pay. The on-call premium shall be a fixed monthly amount paid in months when an exempt employee is required to provide 24/7 on-call support. Depending upon the level of on-call support, the on-call payment may range from \$200 to \$500 per month as determined by the information technology director and the human resources director. On-call payments in excess of \$500 per month require city manager approval. On-call premiums shall be paid monthly and not hourly.

9.21 Special Compensation

9.21.1 Reimbursement for Expenditures

The following types of expenditures incurred by fully benefited employees and council members in the course of performing their duties may be reimbursed by the city. It is the responsibility of the finance director to prescribe the necessary forms and procedures for making these claims.

9.21.1.1 Statutory Required Professional Memberships, Licenses, and Certificates

The city will pay an annual lump sum payment equal to the current annual dues or fees to each fully benefited employee who, as a condition of employment, is required by ordinance or state or federal law to be a member of a professional organization or to maintain a professional license or certificate. Payment will only be made for dues or fees which are assessed after the employee's date of hire as a regular employee.

Payments made under this provision will be included on the employee's taxable gross income as required under Internal Revenue Code provisions.

9.21.1.2 Professional Memberships, Licenses, and Certificates

Dues or fees for professional memberships, licenses, or certificates not covered in 9.21.1.1 Statutory Required Professional Memberships, Licenses, and Certificates of this manual may be reimbursable according to the "Statement of Policy for Reimbursement of Business Expenses" as adopted and modified by council resolution. All dues or fees reimbursed under this provision must be authorized by the department director.

9.21.1.3 Protective Footwear Allowance

For more information link to risk management site

In the event the employer requires an unrepresented fully benefited employee to wear protective footwear on the job, such employee will be reimbursed for a single pair of protective footwear per year, in the following manner:

1. For every unrepresented fully benefited employee required to wear protective footwear (as required by WISHA), the employer will purchase one pair of protective footwear in March of each year.
2. The footwear should meet one of two alternative standards designed to address the job hazards to which each work group is exposed. An employee's allowance will be either \$150 for the basic standard or \$200 for the enhanced standard. Specifications of all protective footwear will be provided to the employees, as approved by the employer, to assure WISHA compliance.
3. The employer maintains a list of approved vendors who bill the employer directly for the footwear. Employees may, as an alternative, purchase their own footwear and be reimbursed for the actual cost of the footwear up to the level of their work group's allowance, as described in item 2 above. In such cases, reimbursement is conditioned upon the employee submitting a sales receipt and proof of compliance with the appropriate standard for the footwear. Certificates for reimbursement are available through the employee's direct supervisor.
4. Sales taxes are not included in an employee's allowance and will be paid by the employer.
5. Protective footwear is to be worn on the job during activities of any hazard exposure in order for the employee to be allowed to work each day.

9.21.1.3.1 Protective Footwear Allowance for New Hires

New employees are eligible for footwear allowance upon hire as described in 9.21.1.3, paragraph 2. For those employees who fail to

successfully complete their trial service period, the value of the footwear will be withheld from their final paycheck.

New employees hired before October 1 of a year are eligible to receive an additional protective footwear allowance in March of the following year, and each year thereafter, as described in 9.21.1.3, paragraph 1. Employees hired after October 1 of a year are not be eligible to receive an additional protective footwear allowance until March of their second calendar year of employment.

9.22 Police and Fire Middle Management Pay Plans

9.22.1 Deputy Police Chief and Deputy Fire Chief Compensation, Vacation, and Holiday Benefits

- 1. Compensation:** Deputy police chiefs and deputy fire chiefs shall have their base pay rates set according to the M pay plan. A deputy police chief or a deputy fire chief will be entitled to a market premium add-to-pay equal to 8% of their monthly base salary in lieu of education or longevity pay. This add-to-pay premium is calculated solely on the employee's monthly base salary and does not become part of the employee's base salary for calculation of merit increases or general salary adjustments. This add-to-pay market premium is the only add-to-pay for which deputy police chiefs and deputy fire chiefs are eligible.
- 2. Vacation and Holiday Benefits:** Deputy police chiefs and deputy fire chiefs will receive vacation and holiday benefits as follows:

Vacation Accrual (1.0 FTE)

Starting Years of Service	Hours Accrued per Month	Annual Hours
1-4	8.7	104.4
5-9	10.7	128.4
10-14	12.7	152.4
15-20	14.7	176.4
21	15.3	183.6
22	16.0	192.0
23	16.7	200.4
24	17.3	207.6
25	18.0	216.0
26	18.7	224.4
27	19.3	231.6
28	20.0	240.0
29	20.7	248.4
30 or more	21.3	255.6

The maximum number of unused vacation hours an employee may carry forward from one calendar year to the next shall be according to 10.5.3 of this manual.

- a. **Holiday Accruals:** Deputy police chiefs and deputy fire chiefs accrue 96 holiday hours per year.
- b. **Vacation Sell Back:** Will be the same as in 9.23.2.1.

9.22.2 Deputy Police Chief Clothing and Dry Cleaning

- 1. **Clothing Allowance:** Deputy police chiefs shall receive a clothing allowance up to \$400 annually when the employer requires the employee to wear clothing other than a regular police uniform.
- 2. **Dry Cleaning Services:** Deputy police chiefs may receive up to four clothing items, worn in the line of duty, cleaned each week.

9.22.3 Fire Marshal Pay Plan

- 1. **Educational Incentive Pay:** The fire marshal shall receive (4.5% for AA / 5% for BA/BS, based on base pay). Such pay is not included in LEOFF 1 retirement calculations.
- 2. **Administrative Leave:** The fire marshal shall receive 40 hours of administrative leave per year, as administered by the fire chief.
- 3. **Vacation:** The fire marshal will receive vacation as follows:

Vacation Accrual (1.0 FTE)

Starting Years of Service	Hours Accrued per Month	Annual Hours
1-4	8.7	104.4
5-9	10.7	128.4
10-14	12.7	152.4
15-20	14.7	176.4
21	15.3	183.6
22	16.0	192.0
23	16.7	200.4
24	17.3	207.6
25	18.0	216.0
26	18.7	224.4
27	19.3	231.6
28	20.0	240.0
29	20.7	248.4
30 or more	21.3	255.6

The maximum number of unused vacation hours an employee may carry forward from one calendar year to the next shall be according to 10.5.3 of this manual.

9.23 Executive and Middle Management Pay Plans

9.23.1 Definition of the Executive and Middle Management Pay Plans

The executive (E) and middle management (M) pay plans shall include all classifications so designated by the city manager. The city manager's salary, terms of compensation and benefits shall be as established by the city council by resolution or ordinance. Employees in both the E and M plans serve at the pleasure of the city manager.

9.23.2 Benefits

9.23.2.1 Vacation Sell Back

Employees in the E, M, T, or V pay plan may elect to sell up to 112 hours of already accrued vacation per year. However, such election must be made between November 1 and December 31 for the upcoming year. This election is non-revocable, and the employee cannot change that election during the year for which the election was made. The carryover provision limits shall apply.

9.23.2.2 Automobile Allowance

Employees in the following classes are entitled to receive a monthly allowance, the amount to be determined by the city manager, to cover automobile expenses: city attorney, planning and community development director, director of transportation, director of utilities, deputy city manager, finance director, human resources director, director of parks and community services, and other employees at the city manager's discretion.

Chapter 10: Benefits

10.1 Observed Holidays Leave for Fully Benefited Employees (View current city holiday calendar)

10.1.1 Current-year Designated Holidays

- New Year's Day (January 1)
- Martin Luther King's Birthday (3rd Monday in January)
- President's Day (3rd Monday in February)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (1st Monday in September)
- Veteran's Day (November 11)
- Thanksgiving Day (4th Thursday in November)
- The day immediately following Thanksgiving Day (4th Friday in November)
- Christmas Day (December 25)

When one of these holidays falls on Saturday, eligible employees will take the day before the designated holiday as the holiday. When one of these holidays falls on Sunday, eligible employees will take the day after the designated holiday as the holiday, assuming a Monday through Friday workweek.

10.1.2 Payment for Observed Holidays

Any fully benefited employee not covered by the terms of a collective bargaining agreement will be paid his/her regular rate of pay (prorated for fully benefited employees working less than 40 hours a week rounded to the nearest one-tenth hour) for the holidays listed above. An employee not required to work on a holiday will be paid for the holiday at the regular rate of pay for the classification to which he/she was assigned on the last workday before the holiday, unless effective on or before the holiday the employee has been assigned to a different classification causing a change in pay. The observance of holidays for shift work supervisors (see section 10.1.3) shall be the same as other employees for all holidays except Christmas Day, which shall be observed on December 25 and the Fourth of July which shall be observed on July 4.

Except for unpaid holidays as provided in section 10.23.4 [add link], a non-exempt employee will forfeit payment for an official holiday if he/she incurs an uncompensated absence on either the working day immediately before or after the holiday. A non-exempt employee who works on a holiday, provided his/her supervisor has given prior approval, will be paid for the time worked at time and one-half of the regular rate of pay for his/her classification in addition to holiday pay at straight time so that the total time paid equals two and one-half times the employee's regular rate of pay.

If a holiday falls within a workweek in which an exempt employee is being compensated (either due to the time worked or paid leave), his/her weekly salary shall not be subject to reduction. If a holiday falls within a workweek in which an

exempt employee is not being compensated in any capacity, he/she will not be compensated for the holiday. A non-exempt employee whose last day of employment occurs on an official holiday will be paid for the holiday, unless an uncompensated absence occurs on the workday immediately before the holiday and then the non-exempt employee will not be paid for the holiday.

10.2 Personal Holidays

Excluding employees in the J pay plan and employees who work 24-hour schedules and earn eight hours of holiday credit per month, fully benefited employees in the E, G, M, and T pay plans will receive 16 hours of personal holiday credit on January 1 in addition to the 10 designated holidays listed above. Employees hired during the year will be credited with 16 personal holiday hours upon hire, and employees who had previously terminated and are reinstated or reemployed in the same year will receive any personal holiday credit hours that were forfeited at the time of termination. These hours may be used in the same manner as vacation leave with the exception that personal holiday hours must be used in the calendar year in which they are received. An employee leaving the city will not be paid for any unused personal holiday hours.

A fully benefited employee working less than 40 hours a week will receive a prorated number of hours as indicated on the [Fully Benefited Accrual Rate Schedule](#), rounded to the nearest one-tenth hour.

An employee may not charge personal holiday hours on a flex day.

10.5 Vacation Leave

(Additional related information: [5.15.1.4 Accruing and Using Sick and Vacation Leave](#))

10.5.1 Vacation Leave Accruals

Each fully benefited employee working 40 hours a week will accrue vacation leave time at the following rate based upon his/her continuous length of service from his/her most recent service credit date as a fully benefited employee (prorated for regular employees working less than 40 hours a week; see Fully Benefited Accrual Rate Schedule). Accruals are credited and posted to the employee's account at the completion of each calendar month.

Length of Service Change Schedule A:

		Increase at "End of Year" to...	
Start of Year	End of Year	Hours per Month	Days per Year
0 year	4 years	8 hours/month	12 days/year
5 years	9 years	10 hours/month	15 days/year
10 years	14 years	12.7 hours/month	19 days/year
15 years	19 years	14.7 hours/month	22 days/year
20 years		16.7 hours/month	25 days/year

A fully benefited employee working less than 40 hours a week will accrue vacation leave according to this schedule, prorated as indicated on the [Fully Benefited Accrual Rate Schedule](#), rounded to the nearest one-tenth hour.

Unrepresented employees in the Fire Department who work 24-hour shifts will accrue vacation leave according to the schedule specified in the firefighter's

bargaining unit contract, whether or not they are covered by that bargaining unit contract.

A regular employee reinstated from a layoff will begin at the same vacation accrual rate he/she was earning prior to the layoff.

10.5.2 Accelerated Vacation Accruals for Exempt Level Employees

In order to ensure the city is competitive in hiring and retaining the most qualified employees in exempt level positions, accelerated vacation accruals may be granted based upon the chart below and any exceptions require city manager approval.

If the fully benefited exempt employee receiving accelerated vacation is working less than 40 hours a week, vacation accruals will be prorated in accordance with the [Fully Benefited Accrual Rate Schedule](#) (see chapter 2).

Exempt Group	Banked Hours (weeks)	Max Monthly Accrual Rate	Accrual Rate Schedule
Leadership Team Members			
	80-120* (2-3 weeks)	10 hours	Length of Service Change Schedule C (See below)
Exempt Employees			
Option 1:	40-120 (1-3 weeks)	8 hours	Length of Service Change Schedule A (See Section 10.5.1 for schedule)
OR			
Option 2:	Up to 40** (1 week)	10 hours	Length of Service Change Schedule B (See below)

*City manager discretion to authorize up to an additional 1 week (40 hours) for a new hire required to relocate.

**City manager discretion to authorize up to an additional 1 week (40 hours) along with the 10 hours accrual rate. Justification will be required.

Length of Service Change Schedule B – Exempt Employees

		Increase at "End of Year" to...	
Start of Year	End of Year	Hours per Month	Days per Year
0 year	9 years	10 hours/month	15 days/year
10 years	14 years	12.7 hours/month	19 days/year
15 years	19 years	14.7 hours/month	22 days/year
20 years		16.7 hours/month	25 days/year

Length of Service Change Schedule C – Leadership Team

		Increase at "End of Year" to...	
Start of Year	End of Year	Hours per Month	Days per Year

0 year	4 years	10 hours/month	15 days/year
5 years	9 years	12.7 hours/month	19 days/year
10 years	14 years	14.7 hours/month	22 days/year
15 years		16.7 hours/month	25 days/year

10.5.3 Limits on Vacation Accruals

The maximum number of unused vacation hours an employee may carry forward from one calendar year to the next is limited to 240 hours, prorated for fully benefited employees working less than 40 hours a week in accordance with the [Fully Benefited Accrual Rate Schedule](#).

Any leave accruals exceeding the maximum carryover on December 31 of each year will automatically be forfeited, however, there will be no forfeiture of the vacation hours earned after November 30 and credited on January 8. Request to carryover vacation hours above 240 hours must be made to and approved by the department director, reviewed by Human Resources, and approved by city manager or designee. Carryover requests should be submitted by November 1 and will be approved no later than December 1 to be effective the following year.

10.5.4 Using Vacation Leave

An employee may take vacation leave only after obtaining permission from his/her department director or his/her designee according to the department's work rules. Vacations must be scheduled to meet the operating requirements of the city, and, as far as practicable, the preferences of the employee. The maximum number of hours an employee may take is the number of hours posted to his/her account at the time the vacation leave is taken; an employee may not "borrow" from vacation accruals not yet earned.

An employee may not charge vacation hours on a flex day.

An exempt employee will not be charged for vacation time for **any** partial day absences. Failure to comply with department procedures for obtaining permission to take time off may result in disciplinary action.

10.5.5 Payment of Vacation Accruals at Termination

When leaving city service, an employee will be paid at his/her base hourly rate in a lump sum for all unused vacation accruals which have not been forfeited as described in ***§10.5.3 Limits on Vacation Accruals*** of this manual.

NOTE: An employee who is terminating from the city may not stay on the city payroll by using accrued vacation time. All vacation accruals must be paid as a lump sum as of the employee's last day of actual work.

10.10 Sick Leave (Additional Related Information 5.15.1.4 Accruing and Using Sick and Vacation Leave)

The provisions for sick leave benefits outlined below do not apply to any member of the Washington Law Enforcement Officers and Fire Fighters Retirement System Plan 1 (LEOFF 1).

10.10.1 Sick Leave Accruals

Each fully benefited employee working 40 hours a week will accrue sick leave at the rate of eight hours for each calendar month of service completed since his/her most recent service credit date as a fully benefited employee.

A fully benefited employee working less than 40 hours a week will accrue a prorated number of hours as indicated on the [Fully Benefited Accrual Rate Schedule](#) rounded to the nearest one-tenth hour.

Fire Department employees who work 24-hour shifts and who are entitled to sick leave benefits will accrue sick leave at the rate of 12 hours per completed calendar month of service.

10.10.2 Limits on Sick Leave Accruals

The maximum number of hours an employee may carry in his/her sick leave balance is 1,440, prorated for fully benefited employees working less than 40 hours a week in accordance with the Fully Benefited Accrual Rate Schedule. If an employee's FTE is reduced, his/her sick leave accrual will be frozen until the usage reduces the balance to the adjusted number of hours.

A regular status employee reinstated following a layoff will be credited with the number of hours of unused sick leave he/she had accumulated as of the effective date of the layoff.

10.10.3 Sick Leave Usage

Use of sick leave is permitted only when an employee, or someone on the employee's behalf, has notified the employee's supervisor of the impending absence within a reasonable time of the employee's scheduled starting time in accordance with department work rules. The maximum number of hours of paid sick leave an employee may take is the number posted to his/her account balance at the time the sick leave is taken; an employee may not "borrow" sick leave before it is earned.

An employee may not charge sick leave hours on a flex day.

An **exempt** employee will not be charged for using sick leave for **any** partial day absences unless the partial day deduction is permitted under FMLA (e.g., for intermittent or reduced schedule FMLA leave) (see **Section 10.17.3 Payment of FMLA**) and/or used in conjunction with vacation leave to accommodate a full day of absence. Failure to comply with department procedures for obtaining permission to take time off may result in disciplinary action up to and including termination.

10.10.3.1 Allowable Uses of Sick Leave

An employee may use his/her sick leave accruals while he/she is absent from work due to:

1. Employee's own health condition due to illness, injury, or physical or mental disability, including disability due to pregnancy or childbirth.
2. Use of a prescription drug which impairs job performance or safety.
3. Medical or dental appointments for the employee or dependent child, provided that the employee must make a reasonable effort to schedule such appointments at times which have the least interference with the work day.
4. To participate in educational classes recommended or approved by his/her physician to learn how to effectively manage a medical condition.
5. Exposure to a contagious disease where on-the-job presence of the employee would jeopardize the health of others.

6. **FMLA and FCA Approved Leaves** - For the care of certain [immediate family members](#). (See 10.17 Family Medical Leave (FMLA) and see 10.18 Family Care Act (FCA))
7. **Non-FMLA and Non-FCA Approved Leaves** - A fully benefited employee may use up to 40 hours of accrued sick leave in the event of a serious illness of an [immediate family member](#) that does not qualify for leave under FMLA or FCA.
8. **Manager-Mandated Sick Leave** – When any employee exhibits symptoms of a contagious illness and/or presents other obvious health risks to the workplace, a manager may require an employee to leave work early. [Non-exempt](#) fully benefited employees would take sick leave for the remainder of the day. Partially benefited employees would be on unpaid leave for the remainder of the day. After leaving work, employees can contact human resources if they have questions about the directive.

The department director may require an employee to obtain a physician's certificate when an employee has requested accommodation or has been absent longer than three consecutive work days, has a series of frequent sick leave absences, wishes to attend educational classes related to his/her medical condition, or if there is suspected abuse of the sick leave privilege. The physician's certificate may be needed to: 1) indicate medical approval for the employee to return to work, 2) establish that an employee actually suffered a medical problem requiring sick leave use, or 3) indicate medical approval for the employee to attend educational classes. Misrepresentation of any material fact in connection with the use of paid sick leave is grounds for discipline, up to and including, termination.

10.10.3.2 Maternity/Paternity Leave

An employee may use up to 80 hours of his/her accrued sick leave in any two-year period for the care of a newborn or newly adopted child. This leave is in addition to leave taken by a mother for a medical disability related to pregnancy or child birth. An employee who anticipates the need for paid and/or unpaid maternity/paternity leave is required to notify his/her supervisor at least 30 days prior to the expected start of the leave so that suitable arrangements for temporary replacement staff can be made.

10.10.4 Payment for Sick Leave Accruals at Time of Retirement or Separation from Service

Upon retirement, as defined in [Chapter 2](#), or upon separation of service with at least 20 years of employment with the City of Bellevue, a regular status employee is entitled to receive a cash payment equal to ten percent of his/her current total unused sick leave hours, multiplied by the employee's current base hourly rate.

10.10.5 Bonus for Non-use of Sick Leave

A fully benefited employee in a *non-exempt* position will be entitled to a bonus of eight hours added to his/her vacation balance (prorated if employee is working less than 40 hours a week) if he/she uses eight hours or less of sick or unscheduled compensatory leave in the calendar year (January 1 through December 31), as long as the employee is in an active status the entire calendar year.

10.11 On-the-Job Injuries and Time Loss Claims

Whenever a fully benefited employee initially takes time off work for a claimed Workers' Compensation injury or illness that time is charged to the employee's sick leave or other accrued leave, if any. When the employee begins receiving time loss payments as required by the Workers' Compensation laws, then the employee's sick leave or other leave used will be restored as required by law.

If the employee is receiving time loss payments, the city will supplement time loss using accruals available in the following order until such leave accruals are exhausted: sick leave, personal holiday or holiday bank, vacation leave, and comp-time. The employer will not pay the employee from such leave balances an amount that when combined with the time loss payments for the same period is greater than employee's regular rate of pay.

Receipt of time loss payments does not necessarily signify that a claim has been approved. Thus, later denial of a claim may result in cessation of time loss payments, time loss reimbursement obligations, and/or adjustments to paid leave. During the Workers' Compensation process, the city's Workers' Compensation administrator or Labor and Industries will notify the employee of the status of claim processing/determinations and entitlement to time loss payments. If the injury or illness is not covered by Workers' Compensation, the employee will be charged sick leave or other paid leave for absence from work. If the employee exhausts all his/her sick leave, then the employee shall use other paid leave banks in the order as prescribed above before being placed on leave without pay.

10.12 Long-term Disability

The Municipal Employees' Benefit Trust (MEBT) provides fully benefited employees with a long term disability benefit when the employee is disabled from performing his/her job. This benefit could begin as early as 180 days after the employee's last day worked if his/her condition meets the program definition of disability. Please refer to the MEBT Summary Plan Description (SPD) for further information about this coverage.

10.13 Shared Leave Policy

10.13.1 Purpose

To establish a policy for sharing vacation, personal, and compensatory leave time.

10.13.2 Policy

A leave sharing program is established for the purpose of permitting employees to come to the aid of other City of Bellevue employees suffering from an illness or injury which is life-threatening or severe, and absent this policy the ill or injured employee would need to take leave without pay or terminate employment. This program is not intended to be a disability insurance program and should not be relied upon by employees when deciding whether to participate in short-term disability programs.

10.13.3 Eligibility Criteria

With the approval of the human resources director, a fully-benefited employee may receive shared leave if:

1. The employee is suffering from an illness or injury which is life threatening or severe, and without this policy the employee would need to take leave without pay or terminate employment.
2. The employee has exhausted all vacation leave, sick leave, personal leave, and compensatory leave time.

3. The employee has applied for state industrial insurance benefits or any other disability benefits to which that person is entitled. In instances where an employee is eligible to receive financial assistance from such other sources in lieu of salary, the amount received from the other sources will be deducted from the amount of leave transfer which the employee would otherwise be eligible to receive from the shared leave account. The net amount (after required payroll deductions) an employee may receive from the shared leave account and such other source(s) may not exceed, in total, 60 percent of the employee's gross salary, plus an amount equal to any insurance premiums that will have to be deducted from the employee's gross pay during the period of use of shared leave to provide the same insurance coverage that the employee had been receiving before the illness or injury.
4. The employee has provided appropriate medical documentation that the employee qualifies for shared leave.

10.13.4 Amount of Leave Transferred and Received

The human resources director will have responsibility for determining employee eligibility, processing leave donations, and approving leave transfers. The program will be administered under the following guidelines:

1. The net amount (after required payroll deductions) an employee may receive from the shared leave account and such other source(s) may not exceed, in total, 60 percent of the employee's gross salary, plus an amount equal to any insurance premiums that will have to be deducted from the employee's gross pay during the period of use of shared leave to provide the same insurance coverage that the employee had been receiving before the illness or injury.
2. Donations of leave will be made in no less than one-hour increments.
3. Shared leave may be requested in anticipation of, and prior to, exhausting leave balances. However, approval of shared leave for eligible employees will be made in the order of receipt of requests from employees with existing needs for the leave.
4. An employee may not receive more than six months of shared leave during any 24-month period.

10.13.5 Transfer Process

Only vacation, personal and compensatory leave time will be eligible for transfer. Leave transfers will be made in accordance with the following rules:

1. While an employee is receiving shared leave, that employee shall continue to be classified as a city employee and shall receive the same treatment in respect to employee benefits as he/she would normally receive if using accrued vacation leave, personal leave, or compensatory leave time. Employees receiving transfers of shared leave will not accrue additional vacation or sick leave when using shared leave.
2. All payroll adjustments and transfers will be administered by the Human Resources Department.
3. Shared leave may be transferred without regard to the city department and/or fund to which donating employees and recipient employees may be assigned.
4. All leave donations are voluntary and nonrefundable.

10.13.6 Value of Leave

Shared leave donations will be converted to a dollar value based on the donating employee's hourly rate of pay. Transfers from the shared leave account will be converted to sick leave hours based on the recipient employee's hourly rate of pay.

10.13.7 Monitoring

The human resources director will have responsibility for monitoring the use of shared leave.

1. Employees shall have no right to use or receive payment for shared leave for any time period that occurs after termination of their employment with the city or their return to active work status with the city.
2. Shared leave donations are not refundable to the donating employee.
3. The Human Resources Department will periodically request donations to the shared leave account.
4. Since donations are completely voluntary, the city does not guarantee that there will be sufficient leave in the shared leave account for eligible employees to use or to continue to use at any time.
5. This policy and its implementation are not grievable.

10.13.8 Continuation/Termination of the Shared Leave Policy

The city retains the sole discretion to terminate this policy at any time and for any reason, including during the time that an employee is using shared leave. This policy does not establish any right, entitlement, or property interest of any kind or nature whatsoever in any employee to use shared leave or continue to use shared leave. The city makes no warranties or promises by establishing this policy that any individual employee will have the right, entitlement, or ability to use shared leave or to continue to use shared leave. Termination of this policy will not result in a duty to bargain.

10.14 Adjusted Work Schedules for Medical Reasons

An employee experiencing a prolonged medical treatment or convalescence may request an adjustment in work hours to accommodate treatment schedules or may request to return to work on a reduced work schedule. Such requests must be accompanied by a physician's certificate which: 1) gives medical approval for the employee to return to work; 2) lists all restrictions and conditions on that return; and 3) indicates when the employee will likely be able to return to his/her normal work schedule and assignment. The department director will explore possible options for accommodating the employee's request consistent with the needs of the city and applicable laws.

10.15 Bereavement Leave

A fully benefited employee may use up to a total of 40 hours of paid administrative leave *per occurrence* in the event of death in the employee's *immediate family* (prorated if fully-benefited employee is working less than 40 hours per week). It is expected that such leave will be taken during or within 60 days of death, or longer, with human resources director or designee review and approval.

10.16 Furlough Leave

Furlough leave is unpaid for the purpose of cost saving measures associated with various budget issues. The city manager has the discretion to initiate either a mandatory or a voluntary furlough leave program, or both, and must declare the period of time it will be

effective. Employees can only take furlough leave during the period of time the city manager has declared it is effective. The city manager or his designee may also supplement this policy with specific procedures as needed for the furlough leave declaration period. This policy applies to all fully benefited employees.

10.16.1 Eligibility

For each furlough leave declaration period, the city manager will designate the employees subject to furloughs consistent with applicable laws.

10.16.2 Approval

Specific approval procedures will be issued by the city manager for a designated furlough leave period. Employees must obtain prior approval from their department director or designee for taking furlough leave hours. Generally, the employee should provide at least one week's notice prior to taking furlough leave. There is no appeal process for denied furlough leave requests.

10.16.3 Restrictions and Conditions

1. Furlough leave must not create or result in any additional labor costs. During designated furlough periods, mandatory furlough leave requirements must be fulfilled first before an employee may request a voluntary furlough leave.
2. For mandatory furlough leave, the city manager will designate the number of days that must be taken within the time period declared and any special provisions to ensure compliance.
3. For voluntary furlough leave, up to five working days or a maximum 40 hours of voluntary furlough leave may be granted per calendar year (January 1 to December 31) or other designated period as declared by the city manager.
4. Employees do not need to exhaust paid leave before going into an unpaid furlough leave status.
5. Employees may not support a request for year-end vacation carryover based solely on taking furlough leave.
6. Seniority will not be affected by mandatory or voluntary furlough leave.
7. Employees must not perform work for the city while on furlough leave or work additional days/hours during the workweek to make up for the furlough leave. During the workweek while on furlough leave, overtime or extra hours cannot be worked and employees cannot be on-call or on stand-by. Should unforeseen circumstances require the employee to work overtime, extra hours, be on-call or stand-by (with the prior approval of the supervisor), non-exempt FLSA employees (eligible for overtime) shall be paid for the unforeseen additional hours as required by law.
8. An FLSA exempt employee (not eligible for overtime) is considered an FLSA non-exempt employee (eligible for overtime) for each week in which the employee takes furlough leave and must follow standard non-exempt work hours reporting practices.
9. Furlough leave can be taken before or after an observed holiday and the employee will still be paid for the observed holiday.
10. Employees cannot exchange an observed holiday for furlough leave.
11. Furlough leave can be used in conjunction with FMLA.

10.16.4 Benefits

Employees must continue to meet benefit eligibility thresholds and must ensure they have enough paid time to cover all deductions taken out of their paychecks. Provided these conditions are met, the following are not affected by furlough leave: health benefits, vacation leave accruals, sick leave accruals, personal holiday, merit and step increases, and city-paid life insurance and long-term disability.

10.17 Family Medical Leave (FMLA)

10.17.1 FMLA Eligibility

FMLA provides up to 12 weeks of job-protected leave every 12-month rolling calendar period to eligible employees for certain family and medical reasons. To be eligible, employees must have worked for the city at least one year and must have worked at least 1,250 hours over the previous 12 months.

10.17.1.1 Domestic Partner FMLA-Like Leave

The Family and Medical Leave Act does not cover all employees' domestic partners as defined by the city or the children of such domestic partners. However, the city will allow those employees with domestic partners FMLA-like leave. The intent is to treat employees with domestic partners and their children the same as employees with spouses and their children under the FMLA, to the extent permitted by law. This means that the city grants employees with domestic partners 12 weeks of FMLA-like leave to care for a domestic partner or the domestic partner's children. An employee's use of his/her FMLA will reduce the amount of FMLA-like leave available (e.g., 12 weeks) to be taken during the 12-month period. However, until the law is further clarified, use of FMLA-like leave will not reduce the employee's 12-week bank of FMLA.

10.17.2 Reasons for Taking FMLA

1. The birth of a newborn child of the employee and/or spouse or domestic partner.
2. To care for a newborn child after birth or placement of a child for adoption or foster care with the employee and/or spouse or domestic partner. FMLA to care for a child after birth or placement for adoption or foster care must be concluded within 12 months of the birth or placement.
3. To care for a spouse, domestic partner, child (as defined under [Immediate Family](#)), or parent who has a serious health condition.
4. For a serious health condition that makes the employee unable to perform the essential function(s) of his/her job.
5. **Exigency Leave** - For any qualifying exigency arising from the employee's spouse, domestic partner, child, or parent of a regular or reserve member of the armed forces on covered active duty as provided by law in Section 565 of the Family and Medical Leave Act. Qualifying exigencies are to:
 - a. address any issue due to short notice deployment (seven calendar days or less);
 - b. attend sponsored military event;
 - c. attend military- or allied-sponsored family support or assistance programs and informational briefings;

- d. arrange or provide childcare;
 - e. enroll or transfer to new school or daycare facility or to meet with staff;
 - f. make financial or legal arrangements related to the covered military member's absence or act as the member's representative for military benefit purposes (including 90 days following termination of the member's active duty status);
 - g. attend non-health care provider related counseling;
 - h. spend up to five days with a member who is on rest and recuperation leave during deployment (applicable for each R&R);
 - i. attend or address post deployment activities or issues such as military-sponsored events, ceremonies and briefings, or death of a service member; or
 - j. attend other activities the employer and employee agree qualify as an exigency, including agreeing to the timing and duration of such leave.
6. **Military Caregiver Leave** - An employee who is the spouse, domestic partner, child, parent, or next of kin of an eligible service member or veteran, may take up to 26 workweeks of military caregiver leave under the following circumstances:
- a. for a covered service member (including National Guard and reservist) with a serious injury or illness incurred in the line of duty; or
 - b. for a veteran (including National Guard and reservist) who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who left service within the preceding five years.

The leave described in this paragraph shall only be available during a single, 12-month period.

10.17.3 Payment of FMLA

Fully benefited employees must use paid leave before going into an unpaid status. FLSA exempt employees working less than their normal weekly work schedule while still under FMLA will be charged paid leave or if paid leave is exhausted, have their pay reduced consistent with the hours worked.

10.17.4 Advance Notice and Medical Certifications

Where foreseeable and practicable, an employee is required to provide his/her department director with at least 30 days' advance leave notice for a leave related to a serious health condition as described in Section 10.17.2. If not foreseeable, notice must be given as soon as practicable. The employee's request for FMLA must be supported by a medical certification from a health care provider whenever the leave is expected to be four or more consecutive working days or will involve intermittent or part-time leave. Failure to provide the medical certification within 15 days and/or without adequate justification may result in the leave not being designated as FMLA. In addition, the department director or human resources director may require second or third opinions, at the expense of the employee's department.

The employee will be notified that he/she may be required to provide medical certification of his/her fitness for duty to return to work after a medical leave. Failure to provide a required fitness for duty evaluation may result in the delay of restoring employment or may result in termination from employment.

10.17.5 Couples Employed by the City

If both an employee and his/her spouse/domestic partner work for the city and request leave for the birth, adoption, or foster care placement of their child, to care for their new child, or to care for his/her sick parent; 12 weeks total (rolling calendar method) is the combined annual FMLA available to them as a couple for those purposes.

10.17.6 Periodic Reporting

An employee on FMLA for his/her own medical treatment or convalescence or to care for a family member, may be required to submit periodic medical reports to substantiate the continuing need for time off. An employee who fails to return from FMLA on the date indicated may be terminated.

10.17.7 Health Insurance

If an employee is covered by city-paid medical, dental, and vision insurance, the same coverage will continue during FMLA on the same basis as during his/her regular employment. (See 10.25.2 Coverage Requirements)

Employees should contact Human Resources to ensure that newborn or newly adopted children are added to the appropriate health insurance plan.

10.17.8 Continuation of Other Insurance

If a fully benefited employee is covered by other city-paid insurance plans, such as life or disability insurance, coverage will continue during FMLA on the same basis as during his/her regular employment. (See 10.25.2 Coverage Requirements)

10.18 Family Care Act (FCA)

10.18.1 FCA Eligibility

FCA applies to fully benefited employees who have available paid leave. Employees with accumulated sick leave, vacation leave, personal holiday hours, and/or holiday credit hours are eligible to use their paid leave to care for a sick family member. Paid leave may not be used until it has been earned and the employee must comply with the city's applicable leave policies.

10.18.1.1 Domestic Partner FCA

The Family Care Act does not cover an employee's domestic partner or their children. However, the city will allow employees with domestic partners to take FCA leave. The intent is to treat employees with domestic partners and their children the same as those with spouses and their children under the FCA, to the extent permitted by law.

10.18.2 Reasons for Taking FCA

The fully benefited employee is entitled to use sick leave, vacation, personal holiday hours, and/or holiday credit hours to care for a:

1. Child, as defined under [Immediate Family](#) of the employee with a health condition that requires treatment or supervision, and includes:
 - a. A medical condition requiring treatment or medication that the child cannot self-administer;
 - b. Any medical or mental health condition which would endanger the child's safety or recovery without the presence of a parent or guardian; or

- c. Any condition warranting treatment or preventive health care when a parent must be present to authorize such care.
- 2. Spouse, domestic partner, parent, parent-in-law, domestic partner's parents, or employee's grandparent with a serious health condition or emergency condition, which means:
 - a. Serious Health Condition – An illness, injury, impairment, or physical or mental condition that involves any period of incapacity or treatment connected with inpatient care in a hospital, hospice, or residential medical care facility; or that involves continuing treatment by a health care provider.
 - b. Emergency Condition – A health condition that is sudden and generally unexpected, which may demand immediate action and is typically very short-term.

10.18.3 Advanced Notification

The fully benefited employee is required to notify his/her department director or designee as soon as possible that he/she will need to utilize FCA. A medical certification may be required indicating the need to take leave associated with a health condition, serious health condition, or emergency condition. The human resources director may require a second or third opinion at the expense of the employee's department.

10.18.4 Periodic Reporting

A fully benefited employee using FCA may be required to submit periodic medical reports substantiating the continuing need for time off. An employee who fails to return from approved FCA on the date indicated may be terminated.

10.18.5 Insurance

FCA is paid and if the employee is covered by health and life insurance, the same coverage will continue as provided in 10.25 Health and Life Insurance of this manual.

10.19 Exempt Leave

10.19.1 Employees in Executive (E) and Middle Management (M) Pay Plans

It is recognized that employees in the executive (E) and middle management (M) pay plans are required and expected to work beyond the normal work day/week to carry-out the duties of their position and are not compensated for overtime regardless of the time required to perform assigned tasks.

- 1. Paid exempt leave may be granted/approved up to a maximum of 80 hours per year on a rolling 12-month basis at the discretion of the department director and/or city manager or designee to exempt employees in pay plans E and M.
- 2. Exempt leave is not intended to be balanced hour-for-hour with extra time worked.
- 3. Exempt leave can be awarded at any time during the year. The request for awarding of the leave shall be made using the e-form designated for special recognition and will require the designation of requested hours and a brief justification for the award.

4. Exempt leave may be taken for any purpose but must be requested and approved in advance via leave request and entered into the timekeeping system as exempt leave.
5. It is the responsibility of the department director or city manager to award the leave.
6. Actual job duties, schedule, attendance, performance, and unscheduled absences will be considered prior to awarding exempt leave.
7. Exempt leave neither accrues nor accumulates. It does not carry over from one 12-month period to the next, is not converted to other leave, and is not paid upon separation from city employment. Exempt leave has no cash value. Conferring or denial of this benefit is not subject to the HRPPM grievance procedure.

10.19.2 Non-Represented, FLSA Exempt Employees in the G and S Pay Plans

In recognition of the performance of professional responsibilities of non-represented employees in the general (G) and police support supervisor (S) pay plans who work beyond the regularly scheduled work day, who are not compensated for overtime regardless of the time required to perform assigned tasks, and who are classified as exempt under the Fair Labor Standards Act, the following applies:

1. Paid exempt leave may be granted/approved up to 40 hours of leave per year on a rolling 12-month basis at the discretion of the department director and/or city manager.
2. Exempt leave is not intended to be balanced hour-for-hour with extra time worked.
3. Exempt leave can be awarded at any time during the year. The request for awarding of the leave shall be made using the e-form designated for special recognition and will require the designation of requested hours and a brief justification for the award.
4. Exempt leave may be taken for any purpose but must be requested and approved in advance via leave request and entered into the timekeeping system as exempt leave.
5. It is the responsibility of the department director or designee to award the leave. Actual job duties, schedule, attendance, performance, and unscheduled absences will be considered prior to awarding exempt leave.
6. Exempt leave neither accrues nor accumulates. It does not carry over from one 12-month period to the next, is not converted to other leave, and is not paid upon separation from city employment. Exempt leave has no cash value. Conferring or denial of this benefit is not subject to the HRPPM grievance procedure.
7. The 40 hours of exempt leave would not apply to the fire marshal who already receives 40 hours of administrative leave under 9.22.3 of the Human Resources Policies and Procedures Manual.

10.20 Military Leave

Any employee may take up to 21 work days per year (said year to be counted from October 1 through September 30) for active duty or for taking part in active training duty, if he/she is a member of one of the following:

1. Washington National Guard;
2. Army, Navy, Air Force, Coast Guard, or Marine Corps Reserves of the United States; or
3. Any of the Armed Forces of the United States.

The employee will continue to receive his/her normal pay during the 21 work days per year of such duty, provided: 1) he/she has submitted a written copy of his/her orders and a request for leave to his/her department director prior to the leave; and 2) he/she submits a certified copy of the orders showing the date of his/her report and date of release upon return from the active duty training. The employer is not in any way responsible for adjusting the employee's work schedule to avoid conflicts between work schedule and such duty or to guarantee the employee an opportunity to make up missed hours to ensure full pay.

NOTE: An employee exhausts one day of military leave for each scheduled day the employee is required to miss work because of active duty or active duty training, irrespective of the number of hours the employee normally works for that day. (For example, an employee who normally works a 10-hour day is entitled to 21 days of leave being paid at 10 hours for each day. By comparison, an employee who normally works a 4-hour day would be entitled to 21 days of leave being paid at 4 hours for each day.)

10.20.1 Benefits While on Leave

If the active duty or active training duty and related travel time exceeds 21 work days, the employee can take the excess time as vacation, personal holiday, compensatory, and/or leave without pay, at the employee's discretion. Any unused vacation or sick leave accruals remaining at the time the unpaid leave begins will be held for the employee until his/her return to active city employment or separation from city employment. The employee will not earn additional vacation or sick leave accruals during the time of the unpaid leave. As provided under federal law, an employee performing service in the uniformed service is eligible to continue his/her same health insurance benefits as follows:

1. For military leave fewer than 31 days, the employee is not required to pay more than the employee's portion of the premium through payroll deduction, if any, for his/her medical, dental and/or vision coverage. If the employee is in an unpaid status, see 10.25.3 Premium Payments.
2. For military leave 31 days or longer:
 - a. While the employee is utilizing city-accrued paid leave, the employee is eligible for continuation of benefits as provided under HRPPM 10.25.2 and will only pay his/her employee portion of the premium through payroll deduction, if any, for his/her medical, dental and/or vision coverage;
 - b. While the employee is on unpaid leave, the plan must allow the employee to elect to continue coverage* for a period of time that is the lesser of:
 - i. A 24-month period starting from the first day of military leave; or
 - ii. The period starting from the first day of military leave and ending on the date on which the employee fails to return from service or

apply for a position of employment as provided under USERRA regulations.

*This continued coverage will be offered under COBRA.

3. Employees may be entitled to employer assistance with premium payments as provided in HRPPM 10.25.3.

10.20.2 Reinstatement Following Active Duty Service

An employee who wishes to return to city service must apply for reemployment within 31 days of discharge if the active service was for 90 days or less, or within 90 days after separation from active duty of more than 90 days. The returning employee must furnish a receipt of honorable discharge, report of separation from military service, or certificate of satisfactory service to be reinstated.

10.20.3 Reinstatement Following Rejection for Active Duty Service

An employee who takes an unpaid leave of absence in order to volunteer for military service, but who is rejected for such service, must reapply within 30 days of the date of rejection. An employee returning following rejection for military duty must furnish proof of order for examination and rejection.

10.20.4 Reinstatement Following Hospitalization

An employee who is hospitalized while on active duty, and who is released from active duty or is placed on inactive duty due to that hospitalization, is entitled to all the benefits of this section, provided that: 1) the hospitalization does not exceed one year from the date of his/her release or separation, and 2) the employee applies for reinstatement within 90 days after discharge from the hospital.

10.20.5 Terms of Reinstatement

A returning veteran will be reinstated to his/her prior position or to a position of like seniority, status, and pay as if his/her work had not been interrupted by the military service. The returning veteran will receive service credit for his/her military service time, and will earn vacation and sick leave credits at the level he/she would have attained had his/her city service not been interrupted by the military duty.

If a returning veteran is not able to perform his/her former job because of a military-connected disability, then the employee will be placed in another vacant position for which he/she is qualified and able to perform, if such a position exists. This new position will be as close in seniority, status, and pay as possible to the employee's former city job.

The employer will not be required to reinstate an employee as described in this section if circumstances have changed to the extent that it is impossible, unreasonable, or against the public interest for the employer to do so.

10.20.6 State Spouse/Domestic Partner Military Leave

During a period of military conflict, an employee who works an average of 20 or more hours a week may take up to a total of 15 days of unpaid leave (or substitute accrued paid leave) per deployment for his/her spouse's or domestic partner's impending call or order to active duty before deployment or when the military spouse is on leave from deployment.

10.21 Domestic Violence Leave

10.21.1 Eligibility

Applies to any employee who is a victim of domestic violence, sexual assault, or stalking, or has a family member who is a victim of such abuse. For the purpose of this leave, family members include the employee's spouse, domestic partner, children, parents, parents-in-law, grandparents, and "a person with whom the employee has a dating relationship."

10.21.2 Reasons

Domestic violence leave can be full days off, intermittent days off, or partial days off in order to engage in specified remedial activities relating to domestic violence abuse, including:

- participating in legal proceedings;
- seeking medical treatment or mental health counseling;
- obtaining social services; or
- taking other actions to increase the safety of the employee and her/his family members.

10.21.3 Notice

The employee must give at least 14 days' advance notice of her/his intent to take leave where possible. If advance notice cannot be given due to an emergency or unforeseen circumstance, notice must be provided no later than the end of the first day leave is taken.

10.21.4 Verification and Confidentiality

The employee must provide human resources with verification that he/she or the family member (as identified in 10.21.1) is a victim of abuse and that the leave is for one of the covered remedial activities. Verification is satisfied by one or more of the following:

- a police report indicating the employee or family member was a victim of abuse;
- a court order protecting the employee or family member;
- documentation from an attorney, clergy member, medical provider, or other professional from whom assistance was sought; or
- the employee's own written statement that he/she or a family member is a victim and needs the leave to seek assistance.

If necessary, human resources may also request verification of the familial relationship. Where reasonable, the verification will be provided to human resources at least five business days before taking leave. If this is not possible due to emergency or unforeseen circumstances, the verification must be provided as soon as possible before leave commences, during leave or after leave, but in no event longer than ten working days after leave commences or return to work - whichever is earlier.

Documentation related to the verification of the leave will remain confidential and not shared with the employee's supervisor, as provided by law, unless disclosure is requested or consented to by the employee.

10.21.5 Duration

Actual duration of domestic violence leave shall be reasonable based upon verification document(s) received, needs of the employer, and other relevant factors as permitted by law. Leave shall be approved by the human resources director or designee. An employee shall not be subject to retaliation for exercising his or her right to request and/or obtain domestic violence leave.

10.21.6 Pay

Employees may take paid (e.g., sick leave, vacation, compensatory time off or other accrued leave) or unpaid leave at their option for domestic violence leave. Exempt employees taking intermittent or reduced leave shall be paid as required by law.

10.22 Jury Duty and Other Civic Duty

Each employee who is called to jury duty or as a nonparty witness is strongly encouraged to fulfill his/her civic responsibility. A fully benefited employee will be granted leave at his/her regular rate of pay and benefits on those days he/she is waiting at the court's direction to be available for jury duty, is actually serving on a jury, or is subpoenaed as a nonpareil witness. Days during the period of summons for jury duty on which the employee is not required to report to the court are not covered by this leave; the employee is expected to report for his/her normal work assignments if such "days off" occur during the employee's regular work shift.

Compensation received for jury duty or witness fees, except mileage reimbursement, must be reimbursed to the employer.

EXCEPTION: Any compensation received for jury duty, witness fees, or mileage reimbursement by shift workers who report for jury duty on their normal days off may be retained by the employee, thereby acknowledging these nominal fees as payment for expenses incurred.

10.22.1 Other Civic Duty

An employee required to testify in court proceedings as a part of his/her regular city job will receive his/her normal pay for the time spent testifying. Any witness fees received must be reimbursed to the city.

10.23 Other Types of Leave

10.23.1 Medical Leave (Not FMLA)

A fully benefited employee who has exhausted all his/her paid leave and/or FMLA (whether paid or unpaid) may request the department director approve additional leave. The leave will not exceed six months. Such leave will only be granted when:

1. the employee is undergoing prolonged medical treatment or convalescence;
2. there is medical evidence the employee is likely to be able to return to work by the end of the leave; and
3. the employee does not have a history of sick leave abuse.

An employee on leave for his/her own medical treatment or convalescence, or to care for a family member, may be required to submit periodic medical reports to substantiate the continuing need for time off. An employee who fails to return from a leave on the date set by the department director may be terminated.

10.23.2 Personal Unpaid Leave

Personal unpaid leave may be taken for personal reasons on behalf of the employee, which, in the opinion of the department director, would be in the best interest and welfare of the city, and are not solely for the employee's personal gain or profit. Personal unpaid leaves must be approved by the department director prior to the leave being taken, it cannot be intermittent, and cannot last longer than three calendar months within a two-year period of time.

10.23.3 Vacation and Sick Leave Accruals

An employee on unpaid leave not covered by FMLA (10.17 Family Medical Leave (FMLA)) does not accrue vacation and sick leave during the period of leave.

10.23.4 Unpaid Holidays for a Reason of Faith or Conscience

Employees may take up to two unpaid holidays per calendar year for reasons of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization, as provided by state law.

The employee may request the days on which he/she desires to take the two unpaid holidays after consultation with his/her supervisor and/or department director. If the employee's absence would impose an "undue hardship" on the employer or the employee is necessary to maintain public safety, the request may be denied. The term "undue hardship" has the meaning contained in the rule established by the State Office of Financial Management.

The employee should submit a written request for an unpaid holiday provided for by this section to the employee's supervisor or department director a minimum of two weeks prior to the requested day. Denial of a request for an unpaid holiday shall be in writing after consultation with human resources.

The days must be taken in full day increments.

If an employee chooses to use an approved paid leave day for religious observance/activity purposes, the number of unpaid holidays will not be reduced.

The two unpaid holidays allowed by this section must be taken during the calendar year, if at all; they do not carry over from one year to the next.

10.24 Retirement

The city and employee will make contributions to the appropriate employee pension plan which covers the respective job classification as authorized by state law or city ordinance. The city offers fully benefited employees the option of allocating a portion of their pay into deferred compensation plans.

10.24.1 Retiree Rehires

Hiring a Department of Retirement System (DRS) retiree can impact the retiree's retirement benefits. As such, managers must work directly with human resources before starting any hiring actions or entering into any agreements with the retiree. Before accepting employment, retirees must contact DRS to determine how their pension benefits will be affected.

10.25 Health and Life Insurance

The employer will make contributions toward medical, dental, vision, and group life insurance. The human resources director has the authority to act as the agent of employees in making group insurance available within the fiscal limitations of the city's budget appropriation for employee benefits. Upon proper authorization from the employee, the

finance director will deduct the premiums beyond the city's contribution rate from the employee's salary.

10.25.1 Eligibility Criteria

Available to fully benefited employees not included in a bargaining unit unless otherwise required by law. Medical, dental, and vision coverage are effective the first day of the calendar month immediately following the date the employee satisfies plan eligibility requirements. Eligibility for other insurance, such as life insurance or disability insurance, shall be in accordance with the criteria established by the insurance vendor.

10.25.2 Continuation of Benefits

Employees who are enrolled in benefits are eligible for continued medical, dental, and vision insurance in the following circumstances:

1. **Family Medical Leave (FMLA)** - While on approved FMLA or FMLA-like leave, either in a paid or unpaid status.
2. **Paid Leave** – Fully benefited employees not eligible for FMLA or FMLA-like leave but who have accrued paid leave as of the last day of the calendar month for eligibility for the following month.

10.25.3 Premium Payments

In the event the employee is unable to pay his/her portion of the medical, dental, and vision premium through payroll deduction, the city will make the payment for the employee's portion of premium and collect it back from the employee upon his/her return to work. If the employee fails to return from a leave of absence, for reasons other than circumstances beyond the control of the employee, the employer may recover the premiums paid for medical, dental, and vision insurance during the unpaid leave.

10.25.4 End of Coverage

City-paid coverage for medical, dental, vision, and group life insurance ceases on the last day of the calendar month in which an employee terminates or changes to an ineligible status.

Fully benefited employees not eligible for FMLA or FMLA-like leave and who do not have accrued paid leave as of the last day of the calendar month will lose coverage effective the first day of following calendar month.

10.25.5 Reinstatement of Coverage

In the event the employee's medical, dental, and vision insurance ended, coverage will be reinstated effective the first day of the calendar month immediately following the date the employee satisfies the plan eligibility requirements.

10.26 Service Award Program

A regular status employee who has completed the years of employment since the most recent service credit date with the city indicated below will receive the following service awards. A regular status employee working less than 40 hours a week will receive his/her vacation award based upon his/her accrual leave rate at the time of service award eligibility.

10.26.1 Service Awards

Years of Service	Service Award

5	A letter of appreciation from his/her department director, a certificate of service signed by the city manager and the mayor, and one additional day of vacation
10	A letter of appreciation from the city manager, a certificate of service signed by the city manager and the mayor, two additional days of vacation leave, and a \$100 bonus
15	A letter of appreciation from the city manager, a certificate of service signed by the city manager and mayor, two additional days of vacation leave, and a \$150 bonus
20	A letter of appreciation from the city manager and mayor, a certificate of service signed by the city manager and the mayor, two additional days of vacation leave, and a \$200 bonus
25	A letter of appreciation from the city manager and mayor, a plaque of service signed by the city manager and the mayor, two additional days of vacation leave, and a \$250 bonus
30	A letter of appreciation from the city manager and mayor, a gift presented by the city manager and the mayor, two additional days of vacation leave, and a \$300 bonus
35	A letter of appreciation from the city manager and mayor, a gift presented by the city manager and the mayor, two additional days of vacation leave, and a \$350 bonus
40	A letter of appreciation from the city manager and mayor, a gift presented by the city manager and the mayor, two additional days of vacation leave and a \$400 bonus

10.27 Tuition Reimbursement Program

10.27.1 Purpose

Subject to budgetary funding, the tuition reimbursement program provides financial assistance to regular status employees enrolled in college degree programs, college or technical courses, technical certification programs, or other programs which enhance the employee's ability to accomplish one or more of the following:

1. Learn project organization, management techniques, and/or communication or interpersonal skills which enhance the employee's ability to take on more responsibility in a work group;
2. Learn new technical skills, acquire cross-training, and/or explore new public service-related fields, or explore personal career development options which allow the city more flexibility in assigning work to the employee; and/or

3. Stay abreast of new concepts, developments and/or technology, or obtain certificates or college degrees in the employee's general occupational field.

10.27.2 Eligibility Requirements

Any city employee who has been a regular status employee for at least 12 months since his/her most recent date of hire is eligible to participate in the tuition reimbursement program.

10.27.3 Approval Process

All requests for tuition reimbursement must be made and approved prior to the quarter/semester in which the class/courses will be taken. The Human Resources Department is responsible for reviewing and approving all requests for tuition reimbursement. A regular status employee who wishes to participate in this program must work with his/her supervisor in order to:

1. Identify the specific knowledge and/or skills the employee wants to gain from the class/program;
2. Describe a specific short- or long-term benefit to the city the employee will be able to provide because of the new knowledge/skill; and
3. Write a brief memo covering these two points which is attached to the Reimbursement Request Form.

Upon receiving a request for tuition reimbursement from an employee, the department director will forward the request to human resources along with a written statement as to the relevance of the requested class(es) to the employee's job.

10.27.4 Approval Categories

Since the number and size of requests for tuition reimbursement may exceed the budgeted funds available, it is required that regular status employees submit their requests well in advance so that the requests may be reviewed and approved or denied based on the approval categories established. The following four categories have been provided to assist applicants in classifying the nature of their tuition reimbursement requests. Reimbursement dollars will be available in each category, with the highest priority given to requests in the first category. Actual allocations given to each category will be dependent upon the total number and amount of requests submitted for the tuition reimbursement program.

- **First Category:** Individual classes, degree, and certificate programs directly related to an employee's current assignments or to assignments which can be added to the employee's job as a result of new skills or which prepare employees for internal promotion/lateral transfer opportunities.
- **Second Category:** Degree programs leading to an associate or bachelor's degree in the employee's current occupational field.
- **Third Category:** Degree programs leading to a master's degree in any occupational field represented in the city's service.
- **Fourth Category:** Degree programs leading to an associate or bachelor's degree in any occupational field represented in the city's services; preference will go to degree programs where at least some of the new skills can be applied to potential assignments in the employee's current department/field.

Where a degree program has been approved, reimbursement can be made for any course in the program, subject to the limits below, except for courses deemed to be

in sports or hobbies or elective courses that do not contribute to the skill development described under "Purpose" above.

10.27.5 Reimbursement Amounts

The maximum amount of tuition reimbursement any regular employee may receive for classes taken in a calendar year is \$2,000. Costs covered by this program will include the course fee and associated lab fees (subject to the limits listed below). This reimbursement program does **not** cover the cost of books, parking, administrative fees, or other miscellaneous costs.

The maximum level of reimbursement per class or course will be based on current tuition charges for classes at Seattle metropolitan area state-supported colleges, universities, or technical schools as determined by the human resources director. However, where the only available option for taking a course is from a private institution and where the difference between reimbursement at the public tuition rate and the private one causes a financial hardship, employees may request a hardship exemption. The request must be in writing, approved for consideration by the department director, and meet all other requirements of this policy. Final decisions will be made by the human resources director who will consider the individual merits of the request as well as the impact on other program participants. In no case will the amount paid by the employer exceed the actual cost of the course taken.

10.27.6 Payments

In order to receive reimbursement, a regular status employee must:

1. Receive approval for reimbursement prior to starting a class by completing the tuition reimbursement program application form and all process steps required by his/her department and human resources.
2. Upon satisfactory completion of the class, submit the following documentation to the Human Resources Department:
 - a. A copy of his/her pre-approved request form;
 - b. Proof of expenses paid as required by the employer's general reimbursement policies;
 - c. Proof of a passing grade ("C" or better for undergraduate classes; "B" or better for graduate classes; "Pass" in pass/fail classes).

Monies received by an employee under the tuition reimbursement program may be subject to income tax withholding, and may be included in the employee's taxable gross income as required under Internal Revenue Code provisions.

Any disputes regarding eligibility or the level of reimbursement will be settled by the human resources director. This program is not subject to the grievance procedure.

Chapter 11: Employee Development and Training

The City of Bellevue is committed to making systematic investments in employee job-related knowledge and skills in order to foster a partnership of continual learning on the part of both the employee and the organization.

11.1 Training Goals

1. Support the city's core values and purpose and fulfill the needs, goals, and strategies determined by the Council and the Leadership Team, thus enabling the city to better serve the community.
2. Enhance the quality and efficiency of city services and better enable employees and the city to manage technological and organizational change.
3. Support the city's performance management system by providing training opportunities to assist employees in meeting their performance goals. However, this training policy is not intended to obligate the city to provide training to address cases of poor or unsatisfactory job performance.
4. Meet all training requirements mandated by statutory authority or job-related professional certification.
5. Promote continued employability and improve employee retention.

11.2 Prioritization of Training

In order to provide for an equitable distribution of city and departmental resources, contingent upon availability, training expenditures generally will be allocated in the following priority order:

1. Mandatory training - This includes legally and statutorily mandated training, training necessary for job-required licensing or certification, and training required by city policy.
2. Job-related training - This includes training designed to enable employees, supervisors, and managers to enhance job proficiency, productivity, safety, and performance.
3. New initiatives/unique training - This includes training in areas and services that are new to the city, training necessary for successful implementation of new technology, and training required to support city initiatives.
4. Career-related training - This includes training designed to assist in the development of career potential and to prepare employees for career movement opportunities within the city consistent with the achievement of departmental and/or citywide missions and goals.

11.3 Funding Mechanisms

1. Citywide funding (residing in the Human Resources Department and Risk Management Division budgets). Departmental funding (residing within each department).
2. Tuition reimbursement (residing within the Human Resources Department budget).
3. Employee resources (e.g., personal time and financial investment).

11.3.1 Training Budget

Training budgets should be based on needs identified in both the centralized and departmental training plans. Training budgets provide a base level of funding. To supplement this base allocation, departments may reallocate other operating line items to meet their training needs or they may request additional funding by submitting training decision packages through the budget process. Although resources generally are allocated in priority order, the intent is that all priorities should be considered in developing departmental training plans. This does not restrict departments from obtaining funding from outside sources, such as grants, partnerships, etc.

11.4 Responsibilities

11.4.1 City Manager and Leadership Team

1. Formally recognize the importance of training and employee development and promoting a clear budgetary commitment linking investments in training and employee development to the city's core values and purpose.
2. Articulate the current policy regarding training expenditures and communicating that policy to the departments.

11.4.2 Department Directors and Managers

Enable employees to gain and maintain proficiency in their current jobs, adapt to changes in those jobs, and to prepare, when appropriate, for other opportunities in their departments and throughout the city.

11.4.3 Centralized HR Training

1. Design, develop, and deliver centralized citywide curriculum such as new employee orientation; leadership, management and supervisory skills; core competency development; discrimination/violence prevention; valuing diversity; and other non-technical skills development.
2. Monitor and evaluate the effectiveness of the city's training and employee development efforts in meeting the organization's needs, goals, and strategies and making adjustments as warranted.
3. Ensure a consistent approach to training and employee development across all city departments while retaining the flexibility for individual departments to address their specialized requirements and unique situations.
4. Consult with departments, managers, and individuals in meeting their organizational and employee development needs.
5. Coordinate, monitor, and maintain training records for all classes sponsored by human resources.
6. Serve as an information resource regarding career development paths and career development opportunities.
7. Manage the tuition reimbursement program.
8. Develop a biennial centralized training plan and budget.
9. Market and communicate development opportunities and information across the organization.

11.4.4 Departments

Develop a biennial departmental training plan. The biennial departmental training plan should be developed in a format and level of detail that is useful and meaningful to the individual department based on its needs and situation. All departmental training plans should include the following elements:

1. The department's training priorities
2. Specific training activities and programs
3. A method for involving employees to obtain their input
4. An approval process for granting training requests
5. A method for tracking training
6. A method for evaluating the effectiveness of training

Implement a consistently applied process for recommending and approving requests for training. Each department's approval process should include the following elements:

1. Documentation of the employee's request or supervisor's recommendation for training. Such documentation should include the cost of training (e.g., registration, travel, etc.), indicate whether the training request is an outcome of the employee's performance evaluation, and describe how the training ties to the department's and the city's priorities.
2. A clear procedure, evaluation criteria, and tracking system for processing training requests and recommendations. Plan, implement, communicate, and evaluate the success of its training program as to its effectiveness and efficiency. The department's training budget, in turn, should be based on the training needs identified in its biennial training plan.
3. Departments are encouraged to develop and implement cross-training programs for employees to provide back-up capabilities within the department and career growth opportunities for staff.

11.4.5 Employees and Supervisors Shared Responsibility

1. Ensure that the learning necessary for maintaining and improving job performance takes place.
2. Prepare individual development plans specifying needed training, consistent with the departmental training plan and the city's performance management program.
3. Define the objectives of recommended or requested training and determining how the accomplishment of those objectives is to be measured.

11.4.6 Each Employee

To further his/her own career development:

1. Help identify developmental needs
2. Research courses/programs/resources appropriate to the needs
3. Work with his/her supervisor to create an Individual Development Plan (IDP)
4. Commit his/her own resources (e.g., personal time and financial investment) where training resources are not available through the city

5. Actively request and then participate in developmental opportunities
6. Apply knowledge/skills gained during training on the job

11.5 Communication

City employees should have equal access to information regarding the training opportunities for which they may be eligible. Accordingly, departments will communicate information on training provided under their biennial plans to those employees eligible for such training. Departments that provide citywide training (e.g., Human Resources, Risk Management, etc.), will likewise communicate information about such training to the departments and to city employees.

Chapter 12: Emergencies and Disasters

It is the city's policy to continue to provide vital services to the community during emergencies while maintaining a primary concern for the safety of city employees and their families. An emergency can be a natural or manmade disaster, unusual weather condition, health crisis such as a pandemic, or any other significant event that affects a broad area of the city and/or region. Chapter 12 shall apply during an emergency, as designated by the city manager or designee or when the Emergency Operations Center is activated.

12.1 Duty to Report to Work

Managers should communicate to employees, and employees are expected to know their department's specific policy or direction for reporting to work in emergencies. Absent such department policy or direction, employees are expected to report to work in accordance with their regular work schedules.

12.1.1 During Non-Work Hours

All employees are encouraged to ensure the safety and welfare of their families and homes. After making any necessary arrangements, employees are required to report to work if this can be done safely, pursuant to their departmental operating procedures.

12.1.2 During Work Hours

Departments shall make every reasonable effort to allow employees to check promptly on the status of their families and homes, provided that doing so does not compromise emergency response functions as defined in the city's Emergency Operations Plan. Employees must obtain approval from their supervisor before leaving their scheduled shift.

12.1.3 Employees Unable to Report to Work as Required

Employees must notify their supervisor as soon as possible if they are unable to report to work as scheduled or required. Employees unable to physically report to work for their entire shift or make arrangements to work off-site, must use vacation, personal holiday, and/or compensatory time before going into an unpaid status.

Non-exempt fully benefited employees who arrive to work late or leave work early must use vacation, personal holiday, and/or compensatory time before going into an unpaid status. Partially benefited employees will take leave without pay. In some work situations, it may be possible for non-exempt employees to make up the unscheduled absence, provided the supervisor has granted prior permission and the proposed make-up schedule is compatible with the department's and/or division's work schedules. All time must be made up on an hour-for-hour basis and made up within the FLSA workweek in which the unscheduled absence occurred.

For unusual circumstances, such as the closure of city buildings, etc., the city manager or designee will determine when an allowance for [paid administrative leave](#) will be made.

12.2 Emergency Duties and Pay

During a prolonged emergency, it may be necessary to adjust work schedules and job assignments. In instances where the employee is handling different job duties to meet service demands for one month or longer, the employee may be temporarily placed in an

acting status, even if no vacancy exists. If the employee is placed in an acting status, it must be in a higher classification and all acting status provisions in section 9.13.1 apply.

Employees assigned to perform duties in **the same or lower classification** will not be placed in an acting status and will not have an increase or decrease in base pay.

Employees handling different job duties for less than one month are eligible for Special Recognition Awards (Section 9.12), Special Assignment Pay for Exempt Employees (Section 9.13.4), and Provisions for Overtime (Section 9.19).

12.3 Emergency Work Schedules

When a department and/or manager needs to implement mandatory alternative work schedules and/or telecommuting, the following apply:

1. Managers will try to give 24 hours' notice of work schedule changes, although less than 24 hours' notice can be given.
2. If feasible, supervisors will first ask if there are employees willing to work hours other than their usual schedule or to telecommute. If this cannot be accomplished, managers may direct staff to work assigned schedules.
3. Alternative work schedules and telecommuting can be requested via the regular process located on HR Actions under "Alternative Work Schedule/Telecommuting" or if timing is critical, can be designated by the manager via email to the employee with a cc: to Payroll.
4. If an employee makes a request for an alternative work schedule or to telecommute and the request is denied, no written explanation of why the request has been denied is required during the emergency.
5. After the emergency is over, employees will return to their normal schedules, unless otherwise directed.

12.4 Rescinding Approved Non-Medical Leave

If an emergency causes staffing shortages or other problems, managers may need to rescind previously approved non-medical leave such as vacation, personal holiday, and compensatory leave.

If an employee is on approved FMLA, FCA, or other approved medical leave, this leave will not be rescinded. Policy provisions regarding approved medical leave must be followed regardless of an emergency.

The following apply for rescinding leave:

1. The supervisor will notify the fully benefited employee as soon as possible of the need to rescind approved non-medical leave.
2. The supervisor may rescind a fully benefited employee's approved non-medical leave already in progress only when an employee can reasonably report to work. For example, it would be reasonable to require that an employee who is on vacation at home report to work, but unreasonable to require that an employee report to work who is on vacation out-of-state or country, or would cause undue hardship on the employee as discussed between the employee and supervisor.
3. Should the need for a fully benefited employee to work during an emergency result in the employee exceeding the maximum vacation carryover amount, the employee may submit a request for carryover through HR Actions (between November 1 and December 31). The city manager or designee will review all requests and make the

determination to approve or deny the request. Human resources will notify the employee of the decision.

4. Fully benefited employees who are unable to use their compensatory time by year end will be paid the compensatory time in accordance with section 9.19.1.1.

12.5 Closure of Schools and Daycare Facilities

Healthy employees may need to remain at home to care for healthy children or other healthy dependents if schools and daycare facilities are closed due to an emergency as designated by the city manager or designee or when the Emergency Operations Center is activated. Fully benefited employees may use up to 40 hours of their sick leave per such emergency, if no telecommuting or alternative work schedule options exist. After that, they must use vacation, personal holiday, or compensatory time before going into an unpaid status.

If schools and daycare centers are closed, employees must not bring sick children to work. At management discretion and provided employees obtain prior approval from their supervisor, healthy children may be allowed to accompany employees to work.

12.6 Volunteer Services

12.6.1 Volunteering for Outside Organizations

During an emergency, employees who desire to volunteer for organizations other than the City of Bellevue must do so outside their normal work schedule and would not be paid. Fully benefited employees who would like to volunteer during their normal work schedule must obtain prior supervisor approval.

1. **Non-exempt employees** are not entitled to compensation for hours spent volunteering for organizations other than the City of Bellevue, where they are volunteering of their own free will.
2. **Exempt employees** who volunteer for an entire workday must use vacation or personal holiday before going into an unpaid status. Exempt employees who volunteer for a partial work day will be paid for the entire day.

12.6.2 Volunteering for the City of Bellevue

Employees who volunteer for the City of Bellevue must obtain prior supervisor approval. As approved by their supervisor, employees who volunteer during their normal scheduled shift and perform duties that are not part of their regular assignment will be paid their regular salary. As approved by their supervisor, non-exempt employees who volunteer outside their normal shift will be paid for these extra hours unless a shift trade is arranged. Exempt employees will not be paid extra for volunteering for the City of Bellevue outside their normal shift.

12.7 Employee Assistance Program (EAP)

The EAP is normally available only to fully benefited employees. During an emergency EAP services may also be available to partially benefited employees, solely at the discretion of the human resources director.

Chapter 13: Grandfathered Benefited Part-Time Employees

On March 3, 2014 Council approved Ordinance 6153 amending the Bellevue City Code to align with the federal Patient Protection and Affordable Care Act (Affordable Care Act). Included were changes to employment status definitions in City Code Chapter 3.79.040 effective April 1, 2014.

The Bellevue City Code states:

CC. "Part-time employee" means a partially benefited employee who is appointed to serve in a part-time position that is regularly scheduled to work less than a fully benefited employee. Partially benefited, part-time, temporary employees shall receive no other compensation or benefits except as expressly provided herein. ***All current regular part-time benefited employees below 0.75 FTE shall be grandfathered into that status and keep all the benefits that apply to that status prior to the adoption of the revised code.***

Grandfathering means that an employee who held a part time regular position as of March 31, 2014 will continue to be treated as a regular employee and eligible to receive regular employee benefits as long as he/she remains in the same position held as of March 31, 2014. If the employee vacates the position held on March 31, 2014 for any reason, grandfathered status as a regular part-time employee will be lost. Thereafter, if the employee remains an employee of the city, he/she will be entitled to the status and benefits, if any, for the new position.

All applications of the term "regular employees" contained within this document apply to these grandfathered regular part-time benefited employees below 0.75 FTE.

The highlighted passages below solely apply to these grandfathered regular part-time benefited employees below 0.75 FTE:

13.1 Definitions

Calendar Month of Service: The minimum number of hours in a calendar month (e.g., January, February, etc.) for which an employee must be in a paid status (time worked, compensated leave) in order to earn and accrue sick leave and/or vacation credit for that month. A regular part-time employee must be in a paid status for at least 75 percent of his/her regular work schedule in a calendar month to earn service credit.

Job Share: Two regular employees with the same job classification, sharing one budgeted FTE position in the same department within the city. Medical and dental benefits will be on a per employee basis. Such employees are required to participate in PERS and are MEBA-eligible under existing MEBA plan document definitions. Job share agreements are made at the discretion of management and require a 50/50 time split between the two employees involved in the agreement.

Part Time Accrual Rate Schedule: The following schedule in which part time employees will accrue vacation, sick leave, and personal holiday:

FTE Range	Accrual Rate
.50	.50
.56 - .59	.56
.60 - .64	.60
.70 - .74	.70

Prorated Accruals: Proration of vacation and sick leave accruals and holiday credits for a regular status part-time employee; determined by dividing the employee's regular weekly work schedule by 40 hours.

Regular Employee Part-time: An employee who has successfully completed a trial service period as defined in these policies and who regularly works less than 30 hours a week but at least 22.5 hours a week in a regular position. A regular part-time employee may only be disciplined for cause.

13.2: Salary Administration

13.2.1 Benefited Part-time Employees

Non-exempt Employees

The monthly salary for a benefited part-time employee in a non-exempt position is calculated in the same proportion to the appropriate full-time monthly rate that the employee's regular weekly work schedule bears to 40 hours. Work performed in excess of a part-time non-exempt employee's regularly scheduled workweek will be compensated according to the procedures in Section 9.19.1 Non-exempt Employees of this manual. Sick leave and vacation accruals and holiday credit will be earned in the same proportion that the employee's regularly scheduled workweek bears to 40 hours.

A benefited employee who accepts an additional assignment for at least one month in duration will receive an adjustment to his/her vacation and sick leave accruals, in addition to the appropriate salary adjustment in the same proportion that the employee's regularly scheduled workweek bears to 40 hours.

Exempt Employee

The monthly salary for a benefited part-time employee in an [exempt](#) position is calculated in the same proportion to the appropriate full-time monthly rate that the employee's regular weekly work schedule bears to 40 hours. A part-time exempt employee will NOT receive additional compensation for work performed in excess of the employee's regular work schedule; absences of less than the employee's regular work day will NOT result in loss of pay or reductions in the employees accumulated paid leave balances. Sick leave and vacation accruals and holiday credit will be earned in the same proportion as the employee's regularly scheduled workweek bears to 40 hours.

13.2.2 Provisions for Overtime Compensation

Non-exempt Employees

Employees in non-exempt positions, who are authorized and required to work overtime, are entitled to one and one-half times their regular rate of pay for overtime worked. The workweek for employees will be determined by the department director or designee in accordance with federal and state requirements.

Eligibility for overtime is as follows:

- Part-time Employee – Part-time non-exempt employees are not entitled to the overtime rate of compensation until they have worked more than 40 hours per week. Hours worked in excess of the employee's normal part-time schedule, up to 40 hours, will be paid at straight time of the employee's regular hourly rate. Part time non-exempt employees in specifically approved positions are not entitled to the overtime rate of compensation until they have been compensated more than 40 hours per week.

Compensatory Time for Non-Exempt Employees

The department director or designee may offer the non-exempt employee (including employees in specifically approved positions as identified in 9.19.1) the opportunity to earn compensatory time credit equal to one and one-half times the overtime hours worked in lieu of overtime pay. Compensatory time credit may be accumulated in a compensatory time bank of up to 40 hours maximum; however, the department director or designee may limit accruals to an amount less than 40 hours.

NOTE: All compensatory time is to be maintained in the payroll/timekeeping system. No "unofficial" compensatory time accruals are allowed.

A benefited part-time non-exempt employee (including employees in specifically approved positions as identified in 9.19.1) may accrue a portion of the maximum 40 hours of compensatory time in the same proportion that their regularly scheduled workweek has to 40 hours.

All banked compensatory time hours as of December 31 of each year will be paid in a lump sum, which will be based on the employee's monthly base salary rate as of December 31. The employee will receive this additional pay on the February 8 paycheck of the following year. Compensatory time accumulated by a non-exempt employee in lieu of overtime pay for time worked over 40 hours in the 7-day work period will be paid upon termination or upon promotion to an exempt position, at his/her monthly base salary if either of these events occur prior to December 31.

An employee may not charge compensatory time on a flex day.

Exempt Employees

An employee in an exempt position (full-time or part-time) is salaried, and is paid a predetermined amount constituting all or part of his/her compensation. The normal work schedule for a full-time exempt employee is 40 hours per week. However, an exempt employee is being paid to perform a job which may not necessarily be completed in his/her normal workweek and is, therefore, not entitled to extra compensation except as provided below. Exempt classes are designated by an asterisk (*) to the left of the job title in the current pay plan.

13.3 Benefits

13.3.1 Payment for Observed Holidays

Any fully benefited employee not covered by the terms of a collective bargaining agreement will be paid his/her regular rate of pay (prorated for part-time employees rounded to the nearest one-tenth hour) for the holidays listed above. An employee not required to work on a holiday will be paid for the holiday at the regular rate of pay for the classification to which he/she was assigned on the last workday before the holiday, unless effective on or before the holiday the employee has been assigned to a different classification causing a change in pay. The observance of holidays for shift work supervisors (see Section 10.1.3) shall be the same as other employees for all holidays except Christmas Day which shall be observed on December 25 and the Fourth of July which shall be observed on July 4.

A non-exempt employee will forfeit payment for an official holiday if he/she incurs an uncompensated absence on either the working day immediately before or after the holiday.

A non-exempt employee who works on a holiday, provided his/her supervisor has given prior approval, will be paid for the time worked at time and one-half of the regular rate of pay for his/her classification in addition to holiday pay at straight time

so that the total time paid equals two and one-half times the employee's regular rate of pay.

If a holiday falls within a workweek in which an exempt employee is being compensated (either due to the time worked or paid leave), his/her weekly salary shall not be subject to reduction. If a holiday falls within a workweek in which an exempt employee is not being compensated in any capacity, he/she will not be compensated for the holiday.

A non-exempt employee whose last day of employment occurs on an official holiday will be paid for the holiday, unless an uncompensated absence occurs on the workday immediately before the holiday and then the non-exempt employee will not be paid for the holiday.

13.3.2 Personal Holidays

Excluding employees in the J pay plan and employees who work 24 hour schedules and earn eight hours of holiday credit per month, employees in a regular status in the E, G, M and T pay plans will receive 16 hours of personal holiday credit on January 1 in addition to the 10 designated holidays listed above. Employees hired during the year will be credited with 16 personal holiday hours upon hire. Employees who had previously terminated and are reinstated or reemployed in the same year will receive any personal holiday credit hours that were forfeited at the time of termination. These hours may be used in the same manner as vacation leave, with the exception that personal holiday hours must be used in the calendar year in which they are received. An employee leaving the city will not be paid for any unused personal holiday hours.

A part-time regular employee will receive a prorated number of hours as indicated on the [Part Time Leave Accrual Rate Schedule](#), rounded to the nearest one-tenth hour.

An employee may not charge personal holiday hours on a flex day.

13.3.3 Vacation Leave

Vacation Leave Accruals

Each regular full-time employee will accrue vacation leave time at the following rate based upon his/her continuous length of service from his/her most recent service credit date as a regular employee. Accruals are credited and posted to the employee's account at the completion of each calendar month.

A regular part-time employee will accrue vacation leave according to this schedule, prorated as indicated on the Part-Time Accrual Rate Schedule, rounded to the nearest one-tenth hour.

Limits on Vacation Accruals

The maximum number of unused vacation hours an employee may carry forward from one calendar year to the next is limited to 240 hours, prorated for part time employees in accordance with the Part Time Leave Accrual Rate Schedule.

Any leave accruals exceeding the maximum carryover on December 31 of each year will automatically be forfeited, however, there will be no forfeiture of the vacation hours earned after November 30 and credited on January 8. Request to carry over vacation hours above 240 hours must be made to and approved by the department director, reviewed by human resources, and approved by the city manager or designee. Carryover requests should be submitted by November 1 and will be approved no later than December 1 to be effective the following year.

13.3.4 Sick Leave Accruals

Each regular full-time employee will accrue sick leave at the rate of eight hours for each calendar month of service completed since his/her most recent service credit date as a regular employee.

A part-time regular employee will accrue a prorated number of hours as indicated on the Part Time Leave Accrual Rate Schedule rounded to the nearest one-tenth hour.

Limits on Sick Leave Accruals

The maximum number of hours an employee may carry in his/her sick leave balance is 1,440. Part-time employee sick leave is prorated in accordance with the Part Time Leave Accrual Rate Schedule. If an employee's FTE is reduced, his/her sick leave accrual will be frozen until the usage reduces the balance to the adjusted number of hours.

A regular status employee reinstated following a layoff will be credited with the number of hours of unused sick leave he/she had accumulated as of the effective date of the layoff.

Bonus for Non-use of Sick Leave

A full-time regular employee in a *non-exempt* position will be entitled to a bonus of eight hours added to his/her vacation balance if he/she uses eight hours or less of sick or unscheduled compensatory leave in the calendar year (January 1 through December 31), as long as the employee is in an active status the entire calendar year. The bonus program also applies to part-time regular employees in *non-exempt* positions, with the hours prorated to reflect the employee's normally scheduled workweek as compared to 40 hours.

13.4 Long-term Disability

The Municipal Employees' Benefit Trust (MEBT) provides regular full-time and regular part-time employees with a long term disability benefit when the employee is disabled from performing his/her job. This benefit could begin as early as 180 days after the employee's last day worked if his/her condition meets the program definition of disability. Please refer to the MEBT Summary Plan Description (SPD) for further information about this coverage.

13.5 Shared Leave Policy

Purpose

To establish a policy for sharing vacation, personal, and compensatory leave time.

Policy

A leave sharing program is established for the purpose of permitting employees to come to the aid of other City of Bellevue employees suffering from an illness or injury which is life-threatening or severe, and absent without this policy the ill or injured employee would need to take leave without pay or terminate employment. This program is not intended to be a disability insurance program and should not be relied upon by employees when deciding whether to participate in short-term disability programs.

Eligibility Criteria

With the approval of the human resources director, a regular employee may receive shared leave if:

1. The employee is suffering from an illness or injury which is life threatening or severe, and without this policy the employee would need to take leave without pay or terminate employment.

2. The employee has exhausted all vacation leave, sick leave, personal leave, and compensatory leave time.
3. The employee has applied for state industrial insurance benefits, or any other disability benefits to which that person is entitled. In instances where an employee is eligible to receive financial assistance from such other sources in lieu of salary, the amount received from the other sources will be deducted from the amount of leave transfer which the employee would otherwise be eligible to receive from the shared leave account. The net amount (after required payroll deductions) an employee may receive from the shared leave account and such other source(s) may not exceed, in total, 60 percent of the employee's gross salary, plus an amount equal to any insurance premiums that will have to be deducted from the employee's gross pay during the period of use of shared leave to provide the same insurance coverage that the employee had been receiving before the illness or injury.
4. The employee requesting donation is a regular part-time or regular full-time employee.
5. The employee has provided appropriate medical documentation that the employee qualifies for shared leave.

13.6 Health and Life Insurance

The employer will make contributions toward medical, dental, vision, and group life insurance. The human resources director has the authority to act as the agent of the employees in making group insurance available within the fiscal limitations of the city's budget appropriation for employee benefits. Upon proper authorization from the employee, the finance director will deduct the premiums beyond the city's contribution rate from the employee's salary.

Eligibility Criteria

Available to regular, limited term, training pool, and transitional full-time or part-time status employees not included in a bargaining unit. Medical, dental, and vision coverage is effective the first day of the calendar month immediately following the date the employee satisfies plan eligibility requirements. Eligibility for other insurance, such as life or disability insurance shall be in accordance with the criteria established by the insurance vendor.