

SKAMANIA COUNTY

PERSONNEL POLICIES

ADOPTED

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CHAPTER 1- DEFINITION OF TERMS

PREFACE Any terms contained within a specific section may be applicable to that section only. The following is a list of terms found in these Policies that may need general definition. Should further clarification of any item(s) be necessary, a request should be forwarded to the Board of Commissioners.

ACTIVE DUTY: Duty under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.

(<http://www.dol.gov/esa/whd/fmla/fmlaAmended.htm>)

ANNIVERSARY DATE: Date on which an employee was placed in a position as a new hire, reclassification, or promotion. This date becomes the basis for eligibility for subsequent step raises.

CHILD: A biological, adopted, foster, stepchild, legal ward, or a child of a person standing “in loco parentis” who is either under eighteen (18) or eighteen (18) or older who is incapable of self-care because of a mental or physical disability. The child must live with the employee.

CLASSIFICATION DESCRIPTION: Shall set forth a class title, the nature of the work, examples of the work, and a statement of the minimum recruitment and selection criteria. May also be referred to as Job Description.

CLASSIFICATION PLAN: The sum total of all class descriptions in the classified service.

CLASSIFIED EMPLOYEE: An employee whose position is part of the classified service and is covered by the Personnel Policies and associated procedures. Classified employees may either be covered by a bargaining unit or be exempt.

CLASSIFIED SERVICE: The sum total of all budgeted positions that are covered by the classification plan.

COBRA: Consolidated Omnibus Budget Reconciliation Act, a federal law regarding the continuation of employer-sponsored medical benefits. See the COBRA section.

COMPENSATION: Anything of economic value, however designated, which is paid, granted, accrued or transferred to any person in consideration of personal services (e.g., wages, fringe benefits).

CONFIDENTIAL: Information or data, regardless of form, acquired by a public employee or official in the course of duty, which is either not subject to public disclosure under the Open Meetings and Record Act, RCW 42.30, et seq., or prohibited from release to the public by unauthorized County employees under state or federal statute. Examples include:

- a. Information obtained in an executive session of the Board of Commissioners
- b. Private medical information unauthorized for disclosure under the Americans with Disabilities Act as amended (ADA/ADAAA) or Health Insurance Portability and Accountability Act (HIPAA).
- c. Non-conviction data prohibited from release under provisions of the Criminal Records Privacy Act.

CONTINUING TREATMENT:

- a. A period of incapacity or disability lasting more than three (3) consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also includes:
- b. Treatment two (2) or more times by or under the supervision of a health care provider (i.e., in-person visits, the first within seven (7) days and both within 30 days of the first day of incapacity); or
- c. One (1) treatment by a health care provider (i.e., an in-person visit within seven (7) days of the first day of incapacity) with a continuing regimen of treatment (e.g., prescription medication, physical therapy); or
- d. Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; or,
- e. Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at least twice a year) to a health care provider, and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for each absence; or,
- f. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment; or,
- g. Any absences to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three (3) days if not treated.

CORRECTIVE ACTION: An action or series of actions taken by a supervisor, Elected Official, or Department Head to discipline an employee for just cause.

COVERED SERVICE MEMBER: A member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness.

COUNTY VEHICLE: Any automobile, motorcycle, snow-mobile, ATV, jet ski, airplane, boat, truck, tractor, heavy equipment, or any other motorized vehicle which is owned, leased, or in the possession or control of the County.

DAY TRAVEL: Travel outside of the County that exceeds six (6) hours round trip but does not include an overnight stay. Travel outside of the County for six (6) hours round trip or less or travel within the County is not considered day travel.

DEMOTION: The reassignment of an employee from a position in one class to a position in another class with a lower pay range, either for voluntary or non-voluntary reasons.

DEPARTMENT HEAD: Appointed person with jurisdiction over the department but answerable to an Elected Official. In context of management of a department, this definition includes Managers. (Managers are not included in the at-will status of Department Heads for discharge purposes).

DISCHARGE: The removal of an employee from the payroll and the termination of employment with the County.

DOMESTIC PARTNERS: Persons who have registered with the Secretary of State's Office (Corporations Division -<http://www.sos.wa.gov/corps/domesticpartnerships>) of Washington State as domestic partners.

DUE PROCESS: The procedure to process a corrective action.

ELECTED OFFICIAL: A person elected by the public who is in charge of a particular office.

EMERGENCY CONDITION (Washington Family Care Act): A health condition that is a sudden, generally unexpected occurrence or a set of circumstances related to one's health demanding immediate action and is typically very short term in nature.

EMERGENCY: A circumstance that if not immediately addressed may cause damage to persons or property.

EMPLOYEE: One who works for a salary or wages in the employment of the County.

ENTRANCE PAY STEP: Beginning step of the range assigned to the classification.

EQUIVALENT JOB: Is defined as one that:

- a. Is at the same or a geographically proximate worksite (but within 20 miles if the leave is covered by Washington's WFLA);
- b. Has the same pay rate and same shift. If the employer granted a pay increase while the employee was on leave, (e.g., a cost of living increase) the employee is entitled to the increase;
- c. Has the same work schedule; and,
- d. Restores other benefits in addition to group health benefits the employee had before taking leave. For life insurance restoration, the employee may not be required to submit to a physical examination, wait for an open enrollment, etc.

EVALUATION: A written annual review of an employee's job performance completed by an employee's supervisor.

EXEMPT EMPLOYEES: Employees who are classified as exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act, as well as the Washington Minimum Wage and Labor Standards (RCW 49.46).

FTE: Full Time Equivalent. One FTE is one full-time (40 hours per week) position, or any number of part-time positions that add up to 40 hours per week.

FRINGE BENEFITS: All compensation other than wages, including, but not limited to vacation leave, sick leave, holidays, health, dental, vision, and life, retirement, and annuity programs.

FULL-TIME, REGULAR EMPLOYMENT: Employees in classified positions who have completed the probationary period and who are budgeted to work 2080 hours per calendar year and work fifty-two (52) weeks per year and whose weekly work schedule is forty (40) hours per week.

GIFT: Anything of economic value, not including campaign contributions, informational materials exclusively for official or office use, memorials, trophies, and plaques of no commercial value, gifts valued at \$50.00 or less for bona fide, non-recurring, ceremonial occasions, or any gifts which are

not used and which within thirty (30) days after receipt are returned to the donor, or donated to a charitable organization without seeking a tax deduction.

GOVERNMENT RATE: Discounted rates offered to government employees in the course of conducting official business by lodging establishments, rental car agencies, and other providers of services to government employees.

GRIEVANCE: A claim or dispute arising from the interpretation, meaning, or application of these Policies.

GRIEVANCE PROCEDURE: The steps used in a dispute of employer actions.

HARASSMENT: Means discriminatory verbal or physical conduct that demeans or shows hostility or an aversion toward another employee or members of the public. Harassment may be based on protected characteristics including sex, sexual orientation, gender identity, race, color, religion, national origin, pregnancy, age, marital or veteran/military status, medical condition, disability, or any other class or status protected under applicable law, or that of an individual's relatives, friends, or associates. It is characterized by:

- a. Having the purpose or effect of unreasonably interfering with an individual's work performance or creating a hostile, intimidating, or offensive environment;
- b. Otherwise adversely affecting an individual's employment opportunities.

HARASSING BEHAVIOR: Includes, but is not limited to:

- a. Epithets, slurs, negative stereotyping or threatening, intimidating, or hostile acts and
- b. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls, cellular phones, bulletin boards, electronic bulletin boards, e-mail, or elsewhere on the employer's premises, or circulated in the workplace.
- c. In the case of sexual harassment, sexual comments or advances, innuendoes, requests for sexual favors, displays of sexually-oriented material or jokes, unwelcome invitations to sexual activity, unwelcome touches, pressure to engage in sexual activity as a condition of employment or promotion, sexual assault, and other unwelcome verbal or physical conduct of a sexual nature.

In determining whether the conduct is sufficiently severe or pervasive to create an intimidating, hostile, or offensive working environment, the conduct should be viewed from the perspective of a reasonable person of the alleged victim's sex, sexual orientation, gender identity, race, color, religion, national origin, pregnancy, age, marital or veteran/military status, medical condition, disability, or any other class or status protected under applicable law and including an employee's association with relatives, friends, or associates in any protected class.

HEALTH CARE PROVIDER: A person licensed as a physician under chapter 18.71 RCW; an osteopath under chapter 18.57 RCW; a person licensed as an advanced registered nurse practitioner under chapter 18.79 RCW; or any other person determined by the director to be capable of providing health care services (RCW 49.78.020). The definition of health care provider under the FMLA regulations, 29 CFR Part 825, Subpart A, is also applicable in some situations.

HIRE DATE: The date on which an employee was hired in a regular, budgeted position, and which is used in calculating sick leave, vacation and years of service. Employment must be continuous or broken only by approved or protected leave of absence without pay. In cases of unprotected leaves of absence of 30 days or more, the total time spent on leave of absence shall not be credited and the calculations for sick leave, vacation leave, and years of service shall be adjusted accordingly.

HUMAN/CIVIL RIGHTS AGENCIES: Agencies that are authorized by law to accept and investigate employment discrimination complaints such as the Equal Employment Opportunity Commission (EEOC) and the Washington State Human Rights Commission.

HUMAN RESOURCES: Human Resources staff who are designated by the Skamania County Board of Commissioners to assist Elected Officials and Department Heads in HR activities and the investigation of complaints or concerns.

IMMEDIATE FAMILY: Includes the employee's spouse, registered domestic partner, child (biological, adopted, stepchild, foster child, legal ward, or child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status), parent, brother or sister, brother- or sister-in-law, parent-in-law, grandparent, grandchild, grandparent-in-law, but not aunt, uncle, cousin, niece, or nephew unless living in the employee's household.

IMPROPER GOVERNMENTAL ACTION: Any action by an officer or employee that is:

- a. Undertaken in the performance of the official's or employee's official duties, whether or not the action is within the scope of the employee's employment; and/or
- b. In violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety or is a gross waste of public funds.
- c. Improper government action does not include:
 - Personnel actions, including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployment, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or civil service laws, alleged violations of labor agreements or reprimands; or
 - Matters that the employee may disagree with but that are within the discretion of the legislative body or the elected or appointed official.

INSUBORDINATION: An employee's refusal to comply with the reasonable, legal instructions of a supervisor concerning a job-related matter. Deliberate disobedience of a supervisory decision may result in disciplinary action, up to and including termination.

JOB DESCRIPTION: A written description containing the title, nature of work, examples of duties, and job-related minimum recruitment and selection criteria. May also be referred to a Classification Description.

JUST CAUSE: A definite and distinct abuse of the Policy or accepted standards of performance.

KEY EMPLOYEES: Skamania County employees who are salaried and are among the highest paid 10% of all Skamania County employees.

LOCO PARENTIS: The legal doctrine describing a relationship similar to that of a parent to a child. It refers to an individual who assumes parental status and responsibilities for another individual, usually a young person, without formally adopting that person. For example, legal guardians are said to stand in loco parentis with respect to their wards.

LODGING LIMIT: The maximum amount an employee may be reimbursed per day for lodging expenses, excluding applicable taxes, in the respective host county for travel within the State of Washington (as set out by the State of Washington) and in all other respective cities within the continental United States (as set out by IRS) and as hereafter amended by either the state or the IRS.

MAXIMUM PAY STEP: Top step of the range assigned to the classification.

MEDICALLY NECESSARY: Means there must be a medical need for the leave, sometimes evidenced by verification from a health care provider.

MEALS AND INCIDENTAL EXPENSES: Meals, tips, and fees for food and luggage handling type services. Laundry, dry cleaning and pressing for overnight travel.

NON-EXEMPT EMPLOYEES: Employees who are not classified as exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act and the Washington Minimum Wage and Labor Standards (RCW 49.46).

OFFICIAL COUNTY BUSINESS: Business that relates directly to a person's work function and benefits the County.

OPEN COMPETITION: Competition for vacant positions in the classified service which are open to all qualified employees and qualified persons from the general public.

ORAL WARNING: A private discussion with an employee by an Elected Official, Department Head, or supervisor regarding the employee's performance or infraction of a rule.

OUTPATIENT STATUS: The status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient, or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

OVERNIGHT TRAVEL: Travel outside of the County that exceeds twelve (12) hours and includes an overnight stay.

PARENT: Means a biological, adoptive, stepparent, or a parent-in-law, as well as an individual who stood in loco parentis to an employee when the employee was a child.

PART-TIME, INTERMITTENT/ON-CALL EMPLOYMENT: Employees who do not work on a fifty-two (52) week per year basis, who may work forty (40) hours a week (or less), and who are not assigned to work more than one-thousand (1000) hours in a calendar year.

PART-TIME, REGULAR EMPLOYMENT: Employees in classified positions, who have completed their probationary period, who work fifty-two (52) weeks per year, and whose weekly work schedule is less than forty (40) hours per week.

PAY RATE DATE: Date of a pay-rate change due to a promotion, demotion, reclassification, or a leave of absence. This date is to be the first day of the given month.

PER DIEM RATE: The maximum amount an employee may be reimbursed per day for meals, including taxes and tips, and incidental expenditures in the respective host county for travel within the State of Washington (as set forth by the State of Washington) and in all other respective cities for travel within the continental United States (as set out by the IRS) and as hereafter amended for by the state or the IRS.

PERSONAL VEHICLES: Any personally owned vehicle driven by an employee or volunteer while conducting County business.

POSITION: A role comprised of a group of duties and responsibilities which require the services of an employee on a part-time or full-time basis.

POSITION DESCRIPTION: A detailed list of the primary tasks assigned to a budgeted position, as well as the educational and experiential requirements, working conditions, and desired skills and abilities. This document, separate and distinct from a classification description, is used in the orientation process, restructuring and reorganization process, and performance evaluation process.

PROBATIONARY EMPLOYEE: An employee who is working in a position for a trial period of employment generally lasting six (6) months, unless a longer trial period is required.

PROFESSIONAL POSITION: Definition in this policy is used for the step placement on the salary schedule, is a Department Head or an Executive position under Chapter 6.4 (e.g. Lawyer, Assistant Planning Director, County Engineer).

PROMOTION: An assignment of an employee from a position in one class to a position in another class with a higher pay range following the in-house selection process for a vacant or new position to the department.

RANGE ADJUSTMENT: The upward or downward adjustment of a salary range assigned to a classification of positions to recognize changes in the relative ranking of classes and changes in market conditions.

RECLASSIFICATION: The reassignment of a position from one class to a different class to recognize a significant change in the duties and responsibilities of the position.

REDUCTION IN FORCE: A reduction in the number of employees authorized for any department due to insufficient funds or changes resulting from the elimination of services provided by the County.

REDUCED LEAVE SCHEDULE: Means a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

RETALIATION ACTION/ RETALIATION: Any negative actions directed toward an employee or any materially adverse changes in the terms and conditions of the individual's employment because of participation in activities related to a complaint, grievance, or report on improper governmental action.

RETIREMENT: The separation of an employee from County service who is retiring under the regulations of the Washington State Department of Retirement Systems upon eligibility for full age retirement or early retirement benefits under Title II of the Social Security Act, and/or separation from service in good standing after the completion of 20 or more years of service. The employee shall select which of these criteria to use in the determination of eligibility for retirement.

REVENUE SERVICE VEHICLE: Any vehicle owned by the County or the Washington State Department of Transportation that is used in the provision of services under the Senior Services Transportation program.

SAFETY-SENSITIVE POSITION: Any position in which:

- a. A drug impairment constitutes an immediate and direct threat to public health or safety, such as a position that requires the employee to carry a firearm, perform life threatening procedures, work with confidential information or documents pertaining to criminal investigations or confidential juvenile information, or to work with controlled substances;
- b. Mechanics working on safety-sensitive vehicles;
- c. Employees driving safety-sensitive vehicles or employees operating vehicles requiring a commercial driver's license;
- d. A drug impairment constitutes an immediate and direct threat to the employee's health or safety;
- e. The employee has access to a juvenile facility;
- f. The employee is responsible for the well-being of minors; or,
- g. A momentary lapse in attention could result in injury or death to another person.

SELECTION PROCESS: Processes used separately or in combination, as appropriate, to obtain the best matched candidates for vacant positions. Such processes include work sample and performance tests, practical written tests, oral examinations, ratings of training and experience, and the probationary period.

SENIORITY: A measure of the last period of unbroken time served in positions in the classified service of Skamania County. Approved leaves of absence covered by County-provided paid leave are not considered breaks in service, regardless of their length. If an approved leave of absence without pay exceeds 30 days, however, the total time for the leave of absence shall not be credited toward seniority, except when employee is on a protected leave.

SERIOUS HEALTH CONDITION: For WFLA/FMLA purposes means an illness, injury, impairment, or physical or mental condition that involves the inability to perform one (1) or more functions of the employee's position, and one (1) of the following:

- a. Incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice or residential medical care facility; or,
- b. Continuing treatment by a health care provider related to a period of incapacity more than three (3) consecutive calendar days, and either treatment two (2) or more times by a health care provider *or* treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment.
- c. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition.

- d. A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective.
- e. Multiple treatments, including any period of recovery from the treatments, by a health care provider either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment.
- f. A pregnancy-related disability or routine prenatal care.

SEXUAL HARASSMENT: Behavior of a sexual nature that is unwelcome. It can also be non-sexual, abusive behavior that is directed at an individual because of their sex. Sexual harassment includes comments or advances, innuendoes, requests for sexual favors, displays of sexually oriented material or jokes, unwelcome invitations to sexual activity, unwelcome touches, pressure to engage in sexual activity as a condition of employment or promotion, sexual assault, and other unwelcome verbal or physical conduct of a sexual nature which creates an intimidating, hostile, or offensive working environment. See Harassment definition also.

SMART PHONE: Otherwise known as a “PDA – Personal Digital Assistant.” Smart phones usually include internet, calendaring, and other capabilities in addition to those normally included with a cell phone.

SPOUSE: A husband or wife as defined or recognized under state law for purposes of marriage or as defined under federal law for the purposes of protected family and medical leave (FMLA).

STANDBY TIME: A period of time that the employee is expected to be available to respond to County business by phone, and/or travel time to a County job site that is outside the employee’s regularly scheduled work hours, but the employee still has substantial freedom to participate in personal activities. If the employee is restricted to a specific location and cannot substantially participate in personal activities, the time is considered work time and not standby time.

SUPERVISOR: An employee who supervises at least one (1) employee.

SUSPENSION: Temporary termination of an employee from work with or without pay for disciplinary or investigative reasons.

TEMPORARY/SEASONAL EMPLOYMENT: Employment for a specified period of time not to exceed one-thousand hours (1000) in a calendar year, which may be made in case of an unforeseen emergency, during peak periods of operation or when necessary to prevent impairment of County services, or for a specific task which is not ordinarily within the scope of County service.

TERMINAL HEALTH CONDITION: For WFLA/FMLA purposes, means a condition caused by injury, disease, or illness that, within reasonable medical judgment, is incurable and will produce death within the period of leave to which the employee is entitled.

TRANSFER: The assignment of an employee to a position with different responsibilities but within the same pay range.

TWELVE-MONTH PERIOD: For WFLA/FMLA purposes, means a rolling 12-month period measured backward from the date family and medical leave is initiated and continuous with each additional leave day taken.

UNCLASSIFIED EMPLOYEE: An employee that is:

- a. Part of a single purpose project that is not a normal function of County government and the project will not exceed 18 months' duration; and is funded wholly or partially by non-county grants;
- b. A part-time, intermittent employee, a temporary employee, or a seasonal employee.

VACANT POSITION: A position created under the classification plan which is not continuously occupied and for which funds have been authorized.

WORKING OUT OF CLASS: An employee who assumes the full duties and responsibilities of a position in a higher class for a period of two (2) consecutive weeks or more.

WRITTEN ACTION/WARNING: Formal memos or letters to an employee regarding the employee's performance or the infraction of a rule with a copy to the employee's personnel file that is held within the department.

CHAPTER 2 - INTRODUCTION

2.1 PURPOSE OF THE PERSONNEL POLICIES

The Skamania County Personnel Policies shall provide guidelines to management and employees regarding their rights and responsibilities during employment. Nothing contained herein is intended to be part of an employment agreement; the Policies are simply general statements of County policy.

2.2 OBJECTIVES OF THE PERSONNEL SYSTEM

The personnel system will provide a uniform method of personnel administration for the classified service and for unclassified employees; it shall include all existing positions and any hereafter created in the County service which are not specifically exempted. Specific objectives include the following:

- 2.2.1 To assist managers in the development of sound management practices and procedures for the effective utilization of County Human Resources through the use of modern methods of public personnel administration consistent with federal and state laws and guidelines.
- 2.2.2 To provide for open communication between the Board of County Commissioners, Elected Officials, Department Heads, and employees concerning the adoption and amendment of personnel policies and procedures to improve the quality of work in the County.
- 2.2.3 To provide guidelines for the recruitment, selection, and promotion of employees on the basis of their relative knowledge, skills, and abilities, including open consideration of qualified applicants for initial appointment.
- 2.2.4 To provide policy to actively support the County's Affirmative Action Program.
- 2.2.5 To ensure that positions in the classified service are placed in the appropriate classification so those sharing the same or similar duties and responsibilities and those requiring essentially the same or similar recruiting and selection criteria receive the appropriate compensation.
- 2.2.6 To remain competitive with other public agencies of like size. Private employers can be used only when public agencies don't provide a like service.
- 2.2.7 To provide fair treatment of applicants and employees in the selection, promotion, training, and all other aspects of Human Resources administration without regard to sex, sexual orientation, gender identity, race, color, religion, national origin, pregnancy, age, marital or veteran/military status, medical condition, disability, or any other class or status protected under applicable law and including an employee's association with relatives, friends, or associates in any protected class.

- 2.2.8 To provide training for employees, as needed and established by the Elected Official or Department Head, to assure high-quality performance in the County's positions and functions.
- 2.2.9 To aid in the retention of employees based upon the adequacy of their performance, to facilitate the correction of inadequate performance, and to guide the release of employees whose inadequate performance cannot be corrected.

2.3 APPLICABILITY

All classified and unclassified employees are covered by these Personnel Policies. The Personnel Policies do not apply to independent contractors; employees covered by Civil Service Law, but only when these Policies and associated procedures are in conflict with Civil Service Law; volunteer members of Boards and Commissions appointed by the Board of Commissioners; other volunteers; and all individual County Elected Officials, except as specifically stated in an individual policy and in regard to their responsibility to ensure these Policies are followed for employees within their departments.

The discharge provisions within these Personnel Policies shall not apply to Department Heads, since they serve at the pleasure of the Elected Official(s) and can be released from employment without cause. Department Heads are at-will employees.

For employees who are part of a bargaining unit, the Personnel Policies defined herein shall only apply to issues not addressed in the union contract.

CHAPTER 3 - RESPONSIBILITIES FOR ADMINISTRATION, REVIEW, AND REVISIONS OF THE PERSONNEL POLICIES

3.1 POLICY

The Skamania County Personnel Policies shall be uniformly administered in all departments of County government and shall be periodically reviewed in consideration of changes in County needs, goals, and state and federal law.

3.2 PROGRAM

All persons responsible for the implementation of and adherence to these Personnel Policies shall know and understand their responsibilities and effectively administer the same.

The Personnel Policies will be periodically reviewed and updated; Human Resources will solicit input from employees, Elected Officials, and Department Heads for any changes or other recommendations to consider for adoption.

3.3 RESPONSIBILITY FOR PERSONNEL POLICIES AND PROCEDURES

3.3.1 BOARD OF COUNTY COMMISSIONERS

It shall be the responsibility of the Board of County Commissioners to appoint and terminate non-elected Department Heads and other employees under the Commissioners' authority; manage county-wide and departmental budgets; adopt changes in the Personnel Policies and associated procedures by Resolutions; alter these Policies, albeit temporarily or for the future; provide for the efficient operation of the County and to otherwise enhance the overall administration of and operation of the County (this action is not intended to set precedent); and to provide the adopted Personnel Policies to all Elected Officials and Department Heads.

3.3.2 ELECTED OFFICIALS, DEPARTMENT HEADS AND MANAGERS OF ENTIRE DEPARTMENTS

Elected Officials, Department Heads and Managers of entire departments administer the provisions of the Personnel Policies in their respective departments of responsibility. They do so by participating in the recruitment and selection of employees for positions, only making recommendations for appointment in accordance with Chapter 4 of this Manual and the County's Affirmative Action Program; delegating the authority to administer provisions of the Policies to supervisory personnel as appropriate; and establishing and/or maintaining a performance improvement program in their departments.

Elected Officials, Department Heads and Managers of entire departments also have the responsibility of administering provisions of the labor contract and civil service law as it applies in their respective departments, as well as delegating such authority to supervisory personnel as deemed appropriate.

Elected Officials, Department Heads and Managers of entire departments have responsibility for communicating the Policies as well, such as keeping employees in departments informed of current personnel policies and procedures; encouraging open communications between employees, supervisors, Elected Officials, and Department Heads and in relation to the Policies; and periodically reviewing work rules and departmental regulations with employees or doing so on an as-needed basis.

Additional responsibilities include recommending changes in the Policies and associated procedures to the Board of Commissioners and forwarding such proposed changes to the Board with written comments from the requesting supervisors and employees.

3.3.3 SUPERVISORS

Supervisors are responsible for administering the provisions of the Personnel Policies in their respective departments. Such activities include participating in the employee selection process; administering a performance improvement plan (if in use) as it applies to subordinates; recommending hiring, firing, and corrective actions; training and providing orientation to employees; and encouraging open communication between employees, supervisors, Elected Officials, and Department Heads.

Supervisors also recommend changes to the Personnel Policies and associated procedures, in writing, and forward these changes and any proposed by subordinate employees, with written comments, to the Elected Official or Department Head.

Supervisors also administer the provisions of the labor contract and recommend changes to the Elected Official or Department Head, when applicable to their department.

3.3.4 EMPLOYEES

Employees are responsible for reading, understanding, and carrying out provisions of the Personnel Policies and associated procedures, civil service law, and labor agreement, as appropriate; recommending changes to the Personnel Policies and associated procedures, in writing, to the appropriate immediate supervisor; encouraging open communication between employees, supervisors, and managers; training and/or providing orientation to other employees as requested; and following all safety rules prescribed in these Policies and making safety-related suggestions to the County's designated safety representative.

CHAPTER 4 - RECRUITMENT, SELECTION, AND APPOINTMENT

4.1 POLICY

Skamania County shall provide an open, competitive system for filling positions with the best-qualified persons possible, based on job-related factors, and will do so in compliance with all federal and state laws, court decisions, and administrative guidelines regarding the recruitment and selection of personnel.

4.2 PROGRAM

The County will comply with all federal and state laws, court decisions, and administrative guidelines regarding recruitment and selection. To aid in this effort, the County shall develop job-related criteria and include such criteria in the position descriptions to be used in the recruitment and selection of employees. The same procedures for hiring that apply to the classified service shall apply to unclassified positions in regard to the initial hiring process, unless the Board of Commissioners determines that circumstances exist that make it both necessary, and in the County's best interest to waive this provision.

When filling a position, the County will consider promotion or transfer opportunities for classified County employees in order to obtain the best candidate, allow for the upward mobility of employees, and to conform to Chapter 15 of these Policies, the County's Affirmative Action Program. When a position is not filled through a promotional appointment, transfer, or voluntary demotion from within Skamania County's classified workforce, however, the County will recruit from the widest reasonable pool of applicants, including the general public, to comply with the County's Affirmative Action Program.

All new employees, promotional appointments, and transferring personnel shall serve a probationary period as outlined in the Length and Applicability of Probationary Period subsection of this Chapter.

4.3 RECRUITMENT PROCEDURES

4.3.1 PROCESS FOR FILLING A VACANT POSITION

It is an Elected Official/Department Head's responsibility to identify a need to hire for a position and to ensure the position is budgeted. When a budgeted position is vacant due to the separation, retirement, or death of an employee and the responsible Elected Official or Department Head chooses to fill the vacancy, or when a position is newly created, the recruitment process will proceed as follows:

For new or unbudgeted positions, a Pre-hire Request form must be completed and sent to Human Resources, who will complete an agenda commentary and submit this information to the Clerk of the Board of Commissioners. Once the Board of Commissioners has approved the Pre-hire Request form, Human Resources will advertise the position, in consultation with the applicable department, as required under the Personnel Policies and labor contract. Human Resources has the authority to renew advertisements until all vacant positions are filled.

For budgeted positions that become vacant, the department must notify Human Resources, who will advertise the position, in consultation with the applicable department, as required under the Personnel Policies and labor contracts. Human Resources has the authority to advertise these positions until filled.

Temporary, seasonal and on-call positions are not required to complete steps 4.3.2 and 4.3.3 below but will be advertised to the public.

4.3.2 IN-DEPARTMENT RECRUITMENT

Promotional selection or transfer shall be open to all classified employees, within the department where a vacancy exists, who meet the minimum qualifications for the position. Notice of a vacant position shall be posted for three (3) working days. Employees within the department may then apply for the position as a promotion, transfer, or voluntary demotion. Probationary employees may only apply for vacancies within their respective department during their probationary period. If the vacancy is not filled from within the department, or if all employees indicate no interest before the three-day (3) period expires, the vacancy will open to classified employees in all other County departments. When there are no candidates within the department who meet the minimum qualifications for the vacancy, or it would not result in a promotion to the applicant, the recruitment effort will be allowed to move to the next step in the recruitment process.

4.3.3 RECRUITMENT FROM OTHER DEPARTMENTS

Promotional selection or transfer shall be open to all classified employees who have successfully passed a County probationary period and meet the minimum qualifications for the position. The exception to this is that an employee who meets the qualifications may apply during the probationary period for a position within the respective department. Notice of a vacant position shall be posted or sent to all County employees, allowing three (3) working days for a response. Employees may apply for the position as a promotion, transfer, or voluntary demotion, if they meet the minimum qualifications. If the department feels it needs more applicants to review for selection, additional applicants may be sought from the general public. Intermittent, on-call, seasonal, and temporary employees (unclassified employees) must apply for the position via the public recruitment, as they are not eligible for internal selection.

4.3.4 RECRUITMENT FROM APPLICATION POOL

Skamania County Human Resources will keep a pool of applicants from previous advertisements for six (6) months. Departments can revisit the pool of applicants and may select from that pool prior to advertising a position to the public. To be selected, however, prior applicants must meet the minimum qualifications for the current position.

4.3.5 RECRUITMENT FROM THE PUBLIC

The Elected Official or Department Head will determine the widest reasonable labor market for a vacant position and notify Human Resources to publicize the vacancy through any

appropriate media to reach that market. Announcements in the local area newspaper, on the Skamania County website, and on the Washington State Employment website are required. Such advertisements will be done to ensure the widest possible applicant pool.

4.3.6 ADVERTISEMENTS

The public shall receive at least a two-week (2) notice of any County recruitment, which includes the advertisements in the local area newspaper of record. Exemptions from this paragraph shall only be allowed with the Board of Commissioners' approval in the event emergency needs arise due to unanticipated circumstances. Part-time, intermittent positions that will exceed ninety (90) calendar days in length must also be advertised in this manner. It is recommended that language is included in position advertisements to indicate that salary adjustments beyond Step 1, but not to exceed Step 3, are possible when applicants demonstrate exceptional qualifications.

Applications are submitted to the department following last date of publication, except when the Board of Commissioners has authorized an exception. Applications shall not be reviewed until all applications have been received. A department shall not contact references, or prior employers on an application prior to interviews being completed and notification has been given to the applicant. Background checks, license checks or drug testing can only be completed on an applicant that has a bonified offer of employment.

4.3.7 COSTS OF ADVERTISEMENT

The department in which vacancies exist will pay for the cost of advertisement. Departments may work with Human Resources for advertising in locations outside of the normal process and those costs will also be paid for by the department in which the vacancy exists.

4.3.8 APPLICATION FORM FORMAT

The Board of Commissioners shall approve application forms which are to be used for all vacancies or new positions. Such forms may require background information including applicants' qualifying training, experience, and all other job-related information.

4.3.9 COMPLETED APPLICATION FORMS

All completed application forms will be submitted to Human Resources. The application of a person hired into a position will be placed into the new employee's personnel file. Unsolicited applications will not be kept on file; all other completed applications shall otherwise be retained for two (2) years.

4.4 SELECTION PROCEDURES

4.4.1 SELECTION PROCESS

Elected Officials or Department Heads will be responsible for determining the selection process to use to obtain the best-qualified candidate for each position. The selection process

shall be job-related and may include, but not be limited to, interviews, work samples, performance tests, practical written tests, and background reference inquiries. In regard to the development of the selection process, an Elected Official or Department Head will confer with Human Resources. Background checks, driver's license abstracts, and drug and alcohol FMSCA and FTA information will only be completed or obtained on a prospective employee that has been conditionally offered a position and has accepted the offer.

4.4.2 SELECTING APPLICANTS

Elected Officials and Department Heads are responsible for screening applicants and selecting those who are best-qualified for vacant or new positions. An Elected Official or Department Head may choose to use a Committee for the selection process. After the selection process, the Committee will forward the recommendation to the Elected Official or Department Head to make a final decision. Following final selection, a request for hire (accompanied by the application and job description) is sent to Human Resources, who will obtain the Board's approval. Upon receipt of the Board's approval, the appropriate Elected Official or Department Head will make a conditional offer to the successful applicant(s) contingent upon passing any background checks, driver's license abstract checks, and any drug and alcohol FMSCA or FTA required checks.

If a candidate turns down the offer, is not physically fit for the job, or does not pass the pre-employment requirements, the department may review other applications from the current pool or re-advertise the vacancy if no other applicants meet the minimum qualifications.

All applications and information pertaining to selection must be referred to Human Resources.

4.4.3 PROMOTIONAL SELECTION

When more than one (1) employee is being considered for promotional selection into a vacant position and all other selection factors are equal, the seniority of the employees will be used to determine the selection.

4.4.4 REJECTION OF APPLICATIONS

The Elected Official or Department Head may reject any application when the applicant does not meet the minimum qualifications established for a position. The following, which is not intended to be a complete list, are additional reasons an application may be rejected:

- a. An applicant has deliberately falsified the application;
- b. After an interactive process is completed it is determined the applicant is physically, mentally, or otherwise unable to perform the essential duties of the position and a reasonable accommodation cannot be made;
- c. An applicant has been convicted of a crime which renders the individual unsuitable for the position to which the application was made.

Based on other job-related factors, the Elected Official or Department Head finds an applicant to be unacceptable for the position.

4.5 APPOINTMENT PROCEDURES

Washington State Law allows certain Elected Officials to make appointments to specific positions such as Superior Court (Superior Court Judge Pro Tem, Superior Court Chief Deputy, Juvenile Administrator) and Sheriff: (Undersheriff, Chief Deputy Jail Administrator, Chief Civil Deputy and Chief Deputy of Patrol).

4.6 SELECTION OR APPOINTMENT OF RELATIVES

Skamania County wants to ensure that selection practices do not create and/or give the appearance of creating a conflict of interest or favoritism. A job applicant may not be hired, promoted, or transferred into a position where a close family member, who is a current County employee, would be responsible for directly supervising the position and/or auditing the position's work. If there is an instance that exists at the time of adoption of this policy, any employee hired prior to this policy's effective date will not be affected unless an issue arises or they are promoted or transferred into another position.

Close family members include a spouse, registered domestic partner, father, mother, grandfather, grandmother, all in-laws, son, daughter, brother, sister, a registered domestic partner's relatives, and any individuals that reside in an employee's home. Additionally, individuals in a dating relationship are considered close family members for the purposes of this Policy.

Should two employees begin a relationship that could at some future date violate this Policy, they are required to advise Human Resources. The responsible official shall make such changes as are necessary to preclude the conflict of interest and the employees will be given a "grace period" of ninety (90) days in which to change work responsibilities, supervisors, or positions in order to comply with the intent of the Policy. Subsequent relationships will be handled through the Board of Commissioners on a case-by-case basis where a transfer, resignation, or termination may be appropriate.

Additionally, all employees are prohibited from attempting to intervene in or influence the County's treatment of other employees or applicants for employment with whom they have a family or personal relationship.

4.7 HIRING UNDER INTERGOVERNMENTAL AGREEMENTS

Notwithstanding any other provisions set out in the Skamania County Personnel Policies, if any person is hired by the County as a County employee pursuant to an intergovernmental agreement, the terms of that intergovernmental agreement shall supersede these Personnel Policies with regard to the hiring of such an employee.

4.8 HIRING AND ONBOARDING PROCEDURES

4.8.1 PRE-EMPLOYMENT SCREENING REQUIREMENTS

Candidates who have been selected to fill a budgeted regular (full- or part-time), intermittent, seasonal, or temporary position with Skamania County may be required to

complete a background check, drug screen, and driver's abstract review prior to being placed on the job, depending upon the position. Internal candidates may also be required to pass a background check, drug screen, and driving abstract record review.

In an emergency situation, the person selected to fill a budgeted regular (full- or part-time), intermittent, seasonal, or temporary position may be placed on the job prior to passing a background check, drug screen, and/or driving abstract review with the understanding that employment is conditioned upon successfully passing these pre-employment screenings.

A negative drug test result and an acceptable driving record are required to pass the screening process. An acceptable driving record is defined as: fewer than three (3) moving violations and no serious violations such as DWI, DUI, vehicular assault, vehicular homicide, driving while license suspended/revoked, hit and run attended/unattended, conviction for drug offenses (VUCSA), etc. in the past thirty-six (36) months. Passing a background check will depend on the nature of the position and the information received.

4.8.2 POST-EMPLOYMENT SCREENING REQUIREMENTS

When a particular position requires ongoing screening, new hires must be informed that their continued employment is conditioned upon passing random periodic drug testing, and, if applicable, maintaining an acceptable driving abstract record. The acceptable driving record requirement only applies to positions which require an employee to drive three (3) or more times a year and will be verified annually. Any position covered under the FMSCA and FTA requirements is subject to random periodic drug test and driving record reviews. All positions with Skamania County are subject to reasonable suspicion drug testing under the Drug Free Workplace Policy.

4.8.3 EMPLOYEE ORIENTATION PROCEDURES

Prior to starting work with the County or starting in a new position, a candidate must meet with Human Resources to complete required paperwork. Those candidates required to complete a pre-employment drug screen will be sent for drug testing the same day.

Newly hired employees will receive an orientation to the County and the individual department to which they are assigned.

County Orientation: The orientation session provided by Human Resources should include an overview of the organization, its programs, and the staffing patterns of all County offices; a review of the duties and responsibilities of Elected Officials and appointed Department Heads; and a review of Personnel Policies and associated procedures as well as any other policies which pertain to employees.

Department Orientation: This orientation, provided by the Department Head or supervisor, shall include but not be limited to:

- a. A review of the job description, including work elements that will be phased into the employee's schedule at appropriate times;
- b. A review of performance criteria for the job;

- c. A review of the department's goals, objectives, programs, and staffing patterns;
- d. An introduction of the new employee to other employees in the department;
- e. A review of the labor contract and an introduction to the union steward, if the employee's position is included in a bargaining unit;
- f. A review of the applicable work rules and department regulations;
- g. A safety training to be conducted by the department.

4.8.4 PROBATIONARY PERIODS

4.8.4.1 LENGTH AND APPLICABILITY OF PROBATIONARY PERIODS

Every person appointed to a classified or unclassified position, either by transfer, promotion, or new appointment will serve a probationary period as stated below:

- a. New or promotional employees generally serve a six-month (6) probationary period. Probationary periods may be extended up to an additional six (6) months, if deemed appropriate by the Elected Official or Department Head.
- b. Employees transferring to a lateral position will serve a three-month (3) probationary period.
- c. Skamania County Sheriff's Office employees will serve probationary periods in lengths dictated by Civil Service law and the labor contract.
- d. Part-time regular employees shall have a probationary period of a minimum of five hundred (500) hours, but no less than six (6) months from the date of hire or date of promotion into the position.
- e. Part-time intermittent, temporary, or seasonal employees shall have a probationary period of a minimum of five hundred (500) hours, but no less than six (6) months from the date of hire or date of promotion into the position.

4.8.4.2 EVALUATION AT THE END OF THE PROBATIONARY PERIOD

Each new or promoted employee shall be evaluated at ninety (90) days and again at thirty (30) days prior to the completion of the six month (6) probationary period. Employees with longer probationary periods will be evaluated every ninety (90) days. The employee must have satisfactory evaluations in order to achieve regular status.

4.8.4.3 RESPONSIBILITY OF EVALUATORS

The employee's immediate supervisor shall be responsible for completing a performance evaluation report on the probationary employee. Once completed, the evaluation report shall be reviewed by the Elected Official or Department Head, if applicable. The supervisor will then provide a copy of the evaluation report to the probationary employee and discuss the outcome of the evaluation with the employee, who will have an opportunity to attach written comments.

4.8.4.4 TERMINATION DURING THE PROBATIONARY PERIOD

Any employee may be disciplined or terminated by the Elected Official or Department Head during the probationary period for any reason, without cause and without recourse to exercise the appeal process.

CHAPTER 5 - POSITION CLASSIFICATION PLAN

5.1 POLICY

Skamania County shall maintain a classification plan which groups all positions in the classified service into classes based upon written descriptions of duties and responsibilities.

The following categories of employees occupy unclassified positions and are therefore not part of the classification plan:

- 5.1.1 Part-time, Intermittent: Employees on an on-call list or who only work periodically during the year for short durations and who do not exceed one thousand (1000) continuous hours of work in a calendar year.
- 5.1.2 Seasonal Employees: Employees hired for a specified period of time, not to exceed one thousand (1000) continuous hours in a calendar year, to provide additional assistance during high peak needs.
- 5.1.3 Temporary Employees: Employees hired for a specified period of time, not to exceed one thousand (1000) continuous hours in a calendar year. Temporary employees are hired in the case of an unforeseen emergency, when necessary to prevent impairment of County services, for a specific task not ordinarily within the scope of County service or to take the place of an employee temporarily on leave.

5.2 PROGRAM

A classification plan that includes a classification description for each class shall be reviewed and adopted by the Board of Commissioners. Each classification description shall set forth a class title, the nature of the work, examples of the work, and a statement of the minimum recruitment and selection criteria. Classifications may be subdivided, and classes may be grouped and ranked in an appropriate manner. The addition or deletion of a class or changes to a class description may be proposed, as necessary, to reflect changes in County programs and staffing needs, duties, authority, responsibility, and qualifications. Any change to the classification plan must be adopted by the Board of Commissioners.

Each position in the classified service shall have a position description and will be assigned to a specific class based on a review of the position description and the classification description. New positions may be proposed by Elected Officials or Department Heads based on the department's goals, objectives, and work program, but must be approved by the Board of Commissioners during the budget process. New positions are created only when job restructuring, work simplifications, reorganization, time utilization, and other factors demonstrate the necessity for a new position. Newly generated positions can be assigned to an existing classification or a new classification will be created as necessary.

An existing position may be reclassified when an increase or decrease in duties justifies the reclassification. Any reclassification will be based on an analysis of the duties assigned to the position and not on the tenure or performance of the employee. Adding additional duties to a

position which require the same or a similar level of knowledge, skill, and ability as those presently assigned is not sufficient cause to warrant a position reclassification.

In addition to assignment within the classification plan, positions are reviewed for their status as exempt or non-exempt. The Board of Commissioners or its designee shall review any position proposed to be exempt from the overtime and minimum wage provisions of the FLSA and the Washington Minimum Wage and Labor Standards (RCW 49.46) for exempt status eligibility. The Board shall make a final determination as to whether or not the position meets the exemption criteria specified in applicable law and will make a designation by resolution. If a position is designated as an exempt position, the position description shall indicate the FLSA status as exempt.

The Board of Commissioners shall initiate and establish a program for the periodic review of the entire classification plan or any part thereof. The purpose of the review shall be to ascertain whether or not the plan accurately reflects existing conditions; to determine the accuracy of the class descriptions; and to assure that positions are properly classified and have an appropriate exemption status.

5.3 CLASSIFICATION PLAN PROCEDURES

5.3.1 MAINTENANCE OF THE CLASSIFICATION PLAN

Classification descriptions will be used as a basis for determining to which classification a position in the classified service shall be assigned.

5.3.2 MODIFICATION OF THE CLASSIFICATION PLAN

The Board of Commissioners may modify the classification plan to reflect changes in County programs and responsibilities or changes in the nature of the work and requirements for specific classes. All modifications, including revisions to existing class descriptions, deletions of existing classifications, or the addition of new classifications, will be reviewed and approved by the Board. Elected Officials and Department Heads may propose modifications to the classification plan, with justifications.

5.4 POSITION CLASSIFICATION PROCEDURES

5.4.1 MAINTENANCE OF POSITION CLASSIFICATIONS

Each position in the classified service shall have a position description that describes the position's essential functions, required knowledge, skills, and abilities, the minimum qualification requirements, working conditions, and physical requirements of the position. Position descriptions are used as a basis for determining the classification plan, by management as an aid in the recruitment and selection of employees, to orient an employee new to the position, and to assist in the evaluation process. Elected Officials or Department Heads are responsible for periodically reviewing position descriptions for accuracy.

All positions in the classified service shall be assigned to a specific class based upon a review of the position description and the class descriptions. Positions will also be evaluated against other positions in the classification plan based upon various job-related factors to determine their relationship. While all positions will be assigned a class title, working titles that more accurately describe the work in a particular organization may be used on official correspondence, if approved by a supervisor.

5.4.2 RECLASSIFICATION OF AN EXISTING POSITION

A position may be reviewed for reclassification to a higher or lower class while it is vacant or occupied. Any request to reclassify an existing position must be submitted to the Board of Commissioners, in writing, by an Elected Official or Department Head no later than the submission date of the preliminary budgets to the Auditor for inclusion in the following year's budget. The request should include a statement of rationale for the reclassification, a fiscal impact statement, an updated position description questionnaire showing the duties prior to and after an assignment of revised duties, and the Elected Official's or Department Head's analysis of various job-related factors used to evaluate the positions.

If the Board of Commissioners decides to consider the reclassification request, it will review the documentation, audit and/or discuss the position with the Elected Official or Department Head and develop findings. If the Board agrees with the revised position description and evaluation of the position, the Board shall adopt the position description and/or pay range. If the Board disagrees with the proposed position description and/or evaluation of the position, the Board will discuss any concerns with the Elected Official or Department Head. The decision of the Board shall be final.

Reclassifications will be effective upon the date specified in the Board of Commissioners' approval and must occur within the limitations of the budget.

5.4.3 DETERMINING THE CLASSIFICATION OF A NEW POSITION

Elected Officials and Department Heads will notify the Board of Commissioners in writing of any request to create a new position. The request and required documentation shall be submitted no later than the submission date of the preliminary budgets to the Auditor for inclusion in the following year's budget. Exceptions to the submission deadline will only be made when a new program is added to County services other than at the beginning of the budget period. The documentation associated with the request should include a rationalization for the position, a position description, a fiscal impact statement, and any other information requested by the Board of Commissioners.

If the Board decides to consider the new position request, it shall review the documentation, audit and/or discuss the position with the Elected Official or Department Head and develop findings. If the Board agrees with the proposed position description and evaluation of the position, the Board shall approve the request in writing and designate the appropriate classification for the new position. If the Board disagrees with the proposed position description and/or evaluation of the position, the Board shall

discuss its concerns with the Elected Official or Department Head. The decision of the Board shall be final. Classifications of new positions will be effective upon the Board of Commissioners' approval and must occur within the limitations of the budget.

CHAPTER 6 – SALARY ADMINISTRATION

6.1 POLICY

The salary plan for Skamania County shall accomplish the following: provide fair and reasonable wages to employees consistent with the level of job responsibilities, regardless of gender in accordance with the Washington Equal Pay and Opportunities Act (EPOA) and any other protected class in accordance with the Washington Law Against Discrimination (WLAD) and federal law (Equal Pay Act; Title VII); permit Skamania County to be competitive within the appropriate labor market(s) to effectively recruit and retain employees; and to encourage and reward employees for excellent performance while being responsive to budgetary restraints.

6.2 PROGRAM

The County shall bargain collectively with employee representatives concerning wages, hours, and working conditions in good faith, as required by RCW 41.56. The Board of Commissioners shall be responsible for establishing the fiscal limitations for salaries and benefits and for conducting negotiations on behalf of the County or assigning negotiation responsibilities to a labor relations professional.

In regard to the labor market, Skamania County uses the following counties as market comparators: Adams, Asotin, Douglass, Ferry, Jefferson, Klickitat, Lincoln, Pacific, Pend Oreille, and San Juan. In the event that a position is not normally utilized by other counties, the County will contact outside agencies that provide that same service within the market comparator counties.

The County shall recognize the right of Elected Officials and Department Heads to refrain from awarding step increases to employees, providing that the decision is based on documented proof of unsatisfactory performance.

6.3 ASSIGNING SALARY RANGES

6.3.1 NON-MARKET CLASSIFICATIONS

A salary range for such classifications shall be assigned on the basis of:

- a. The level of job responsibility, knowledge, skills, and abilities; and
- b. An internal ranking of the classes.
- c. External market factors.

6.3.2 MARKET POSITIONS

The Board of Commissioners may designate a position as a market position as recommended by Human Resources and assign a salary range based on comparable total compensation (salary and benefits) in the local governments of market comparator counties when any of the following conditions is met:

- a. The position is a Department Head.
- b. The position requires the incumbent to be an attorney admitted to the bar in Washington State.

- c. The position requires significant and advanced technical skills that are highly paid in the public and private marketplace in relation to other highly skilled positions.
- d. Other unique circumstances affecting the County's ability to recruit and retain personnel, as determined by the Board of Commissioners.

6.4 PROGRESSION THROUGH THE RANGES PROCEDURES

6.4.1 ORIGINAL APPOINTMENT

All employees will be appointed at the minimum step of the range for that position class, unless hired at the exceptional qualification rate. The first of the month nearest to the hire date will become the employee's anniversary date for subsequent step increases.

6.4.2 EXCEPTIONAL QUALIFICATION RATE

With budgetary authority, Elected Officials and Department Heads may hire a person up to Step 3 within the assigned range, provided that two (2) or more of the following criteria are met and approved by Human Resources:

- a. The difficulty level of the recruitment is high; there is a limited source of applicants that meet the requirements of the position,
- b. The applicant was making more money at the previous employment they left to accept the offer of employment with Skamania County; and,
- c. The applicant demonstrates exceptional qualifications; the person is in possession of knowledge, skills, and abilities pertaining to the position's job description, which are necessary to the position and have been acquired through substantial specialized training or experience.

When approving appointments above Step 1, Human Resources and the Board of Commissioners will use the guide below when the conditions above have been met:

- Step 2 - At least two (2) years' experience or education beyond the minimum requirements of the job description.
- Step 3 - At least three (3) years' experience or education beyond the minimum requirements of the job description.
- Requests above Step 3 are for professional positions or situations where the applicant has demonstrated substantial similar experience doing the same work in another public entity/agency and must be approved by the Board of Commissioners prior to an offer.

6.4.3 PROBATIONARY PERIOD

Upon successful completion of a six-month (6) probationary period as set forth in Chapter 6, an employee is eligible to receive a one-step pay increase, if the Elected Official or Department Head determines satisfactory performance was achieved. If the probationary period is extended, the employee will receive a one-step pay increase when it is completed.

Those employees that have a one (1) year or longer probationary period will be eligible to receive a one-step pay increase after six (6) months, if the Department Head or Elected Official determines satisfactory performance was achieved.

6.4.4 PROGRESSION WITHIN THE RANGE

6.4.4.1 Regular Full-time and Part-Time Classified Employees: Following the probationary period and first step increase, all full- and part-time regular classified employees are eligible to receive a one-step performance increase annually. No employee may be advanced beyond the last step in the range for the class. The step increase is not a longevity increase, but an increase based on continued successful performance in the position. Elected Officials and Department Heads shall be responsible for evaluating employee performance and may delay the effective date of the next step increase until any deficiencies noted in an evaluation have been remedied.

6.4.4.2 Part-time Intermittent, On-call, Seasonal, and Temporary Unclassified Employees: Following the probationary period [five-hundred (500) hours of employment, but not sooner than six (6)-months] and the first step increase, unclassified employees who return to work the following year (i.e., with less than a year's break in service) are eligible to receive a one-step increase after the accumulation of one-thousand (1000) hours since the last increase. Hours worked after a step increase is awarded during the probationary period or in any given 12-month period shall not be carried over into the next 12-month interval; all hours worked during a 12-month period during which no step increase was awarded will carryforward and contribute to the next increase, assuming the break in service is less than one (1) year. No intermittent, on-call, or temporary employee shall be given a step increase unless the requirement for minimum hours has been met. The pay raise shall be effective the first day of the month following the month in which the minimum hours requirement is met. In no event will an employee be advanced beyond the last step in the range for the class, however.

6.5 OTHER SALARY ADMINISTRATION PROCEDURES

6.5.1 FULL-TIME, REGULAR EMPLOYMENT

Employees are paid a monthly salary based on 2080 annual work hours. Hourly rates apply for overtime purposes under the FLSA and state law as established for the classification.

6.5.2 PART-TIME, REGULAR EMPLOYMENT

These employees will be paid at an hourly rate of pay established for the classification. Part-time, regular employees receive a monthly salary prorated based on the percentage of a full-time schedule worked. If an employee works part-time in a position that is classified as a regular part-time position and is intended to work on a full calendar year basis in two different departments, the employee's time will be combined for the

purposes of being considered a benefited employee. If the employee is hired by different departments on separate dates, the employee will have different dates for probation completion. Once an employee meets the specified time for an increase in accrual rates, it will be for both positions at the same time based on time met.

6.5.3 UNCLASSIFIED POSITIONS – INTERMITTENT, SEASONAL, OR TEMPORARY EMPLOYEES

Employees will be paid at an hourly rate of pay established for the classification and based upon the number of hours worked. If an intermittent, seasonal, or temporary employee is hired into a regular position, the status as a classified County employee begins on the date of hire for the regular position.

6.5.4 PROMOTIONAL APPOINTMENT

Employees who are promoted, in accordance with Chapter 4 of the Personnel Policies, will receive an increase in salary which is equivalent to one (1) step higher than present salary or the minimum step of the new range, whichever is greater. Employees promoted on their anniversary date will receive both the performance increase and the promotional increase. This increase will be effective at the beginning of the pay period or on the date determined by the Board of Commissioners. In either case, the first day of the month nearest the promotion date shall become the employee's new anniversary date for subsequent step increases. A promoted employee is eligible for a performance step increase six (6) months after the promotion. Promotional appointments do not include a current employee position in which the job description has been amended to include additional duties and level of responsibility that has been assigned over the course of time to an existing employee and a change in class title occurs.

6.5.5 TRANSFER

An employee who is transferred from one position to another position in the same pay range shall receive the same salary. The anniversary date of the employee does not change.

6.5.6 UPWARD JOB RECLASSIFICATION

When an existing employee's job description is amended due to additional duties and level of responsibility that have been assigned over the course of time and the class title may or may not be changed as a result, the employee will be reclassified to an existing or new class with a higher pay range on the date specified by the Board. The employee will be assigned to the step in the new range which is equivalent to one (1) step higher than present salary or to the minimum step of the new range, whichever is greater. The date of reclassification becomes the employee's new anniversary date for subsequent annual performance step increases. A reclassified employee is not eligible for a step increase six (6) months after reclassification.

6.5.7 DOWNWARD JOB RECLASSIFICATION

An employee whose position is reclassified to a class with a lower pay range will move into that class on the date specified by the Board of Commissioners. The employee will be placed at the step in the classification group which coincides with the employee's present salary, or at the maximum step in the lower pay range, whichever is closest. Downward job reclassification does not affect the employee's anniversary date.

6.5.8 SALARIES ABOVE THE TOP OF THE RANGE - Y-RATES

Employees whose positions were reclassified, or whose range was adjusted to a lower pay range, and who are currently paid above the top of the assigned range for their position will continue to receive cost of living increases, but will otherwise be frozen at their current range and step until their range is increased to the point that exceeds their current salary. When the position is vacated and filled with a new employee, the salary will be adjusted to the appropriate assigned range for the position.

6.5.9 DEMOTION

An employee being demoted to a previously held position or through due process procedures will be placed at the step of the new, lower range which most closely coincides with the employee's present salary, unless the demotion is voluntary and some other salary adjustment and/or step placement has been approved by the Board of Commissioners. Demotion does not affect an employee's anniversary date.

6.5.10 SALARY RANGE ADJUSTMENTS

Salary ranges are assigned to classifications based upon their ranking in comparison to other classifications in the County's Classification Plan, as well as the results of a salary survey of similar classifications in the appropriate labor market. Changes to salary ranges are only made in response to significant changes in internal class relationships and/or external salary data; adding additional duties to a position that are at the same or a similar level of duties presently assigned to the position is not sufficient cause to increase the salary range. A request to change a salary range assignment will follow the procedure for reclassification of an existing position, as described in Chapter 5. An employee whose job is reallocated under salary range adjustments to a new range will move, effective on the date specified by the Commissioners, to the same step in the new range as the employee is in the current range. Range adjustment does not affect an employee's anniversary date.

6.5.11 TRAINEE PAY RATE

For Affirmative Action purposes, or for when the applicant does not meet the minimum qualifications for the position, appointments may be made at the trainee pay rate which shall be no less than two (2) ranges below the salary established for the position and at least the federal minimum wage. When an Elected Official or Department Head documents that the trainee possesses the minimum qualifications for the position,

within three (3) years of the appointment, the trainee converts to a regular employee and will then be placed at the entrance step for the classification or the step closest to the salary in the step of the trainee at the time of conversion to regular employee.

6.5.12 EMPLOYEES ASSIGNED TO FILL IN FOR ANOTHER EMPLOYEE

Regular employees assigned to assume the duties and responsibilities of another regular employee, whose position is assigned to a higher pay range, shall be paid at a higher rate of pay. The rate shall be that which is closest to one (1) step higher in the higher pay range. The substitute employee's anniversary date is not affected by this reassignment.

On-call or Emergency employees hired to assume the duties and responsibilities of a regular employee for more than thirty (30) days shall be paid at a rate equivalent to the first step of the regular employee's salary range, unless that rate is not higher than the Emergency employee's current pay. If that is the case, then the Emergency employee will be paid at a rate that represents one (1) step higher than previous pay.

6.5.13 ADMINISTRATION OF THE RANGE AND STEP PROCEDURES

The Board of Commissioners will coordinate the following:

- a. Any across-the-board salary increases will be applied to all salary ranges. The salary range number will remain the same, but the dollar amounts at both the high and low ends of the salary range will be increased to reflect the change.
- b. A classification can be assigned to a higher or lower salary range if this is negotiated and agreed upon during the collective bargaining process.

6.5.14 TEMPORARY SHIFT DIFFERENTIAL PAY

Upon the specific approval of the Elected Official or Department Head, a regular employee who, for the County's benefit, has been directed to change from a regular schedule to a shift-work schedule shall receive additional compensation. Additional compensation will be equal to no more than 3% of current base pay, excluding benefits for a "swing shift" schedule, and not more than 5% of base pay, excluding benefits for a "graveyard shift."

For purposes of this section, shift work shall be defined as at least an eight-hour (8) shift starting within the following hours:

| | | | |
|-----------|------------|----|------------|
| Days | 6:00 a.m. | to | 2:29 p.m. |
| Swing | 2:30 p.m. | to | 10:29 p.m. |
| Graveyard | 10:30 p.m. | to | 5:59 a.m. |

This section shall not apply to employees who are regularly or by their job description required to work “swing” or “graveyard” shifts. Split shifts will not be allowed, except in the case of an emergency.

6.5.15 CALL-BACK PAY

6.5.15.1 Call-back work by telephone or other communication device: A non-exempt employee who must receive a call, make a telephone call, or send other communication related to official County business outside of the employee’s assigned workweek shall receive a minimum of fifteen (15) minutes’ pay for the time spent resolving the issue. If the employee works more than fifteen (15) minutes as a result of making and/or receiving telephone calls or other communications on official County business, the employee shall receive pay for the actual amount of time worked. If more than one phone call is needed to resolve an issue, an employee shall not receive 15 minutes for each phone call but will receive a minimum of 15 minutes for the first phone call and the actual time spent resolving the issue over 15 minutes after the initial call.

6.5.15.2 Call-back work on a County job site during a regularly scheduled workday: A non-exempt employee who is called back to the normal workplace or another County job site, within the employee’s regularly scheduled workday, shall receive a minimum of two (2) hours’ pay. If the employee works more than two (2) hours as a result of being called back to work, the employee shall receive pay for the actual time worked.

6.5.15.3 Call-back work on a County job site on a non-assigned workday: A non-exempt employee who is called back to the normal workplace or another County job site outside of the employee’s assigned workday shall receive a minimum of three (3) hours’ pay. If the employee works more than three (3) hours as a result of being called back to work, the employee shall receive pay for the actual time worked.

6.5.15.4 Unclassified temporary, on-call, or part-time, intermittent employees are not eligible for these benefits. These employees will be paid for the actual hours worked in quarter hour (15-minute) increments.

6.5.16 ON-CALL PAY

On-call pay is available to regular, classified employees who are required to carry a cell phone and be accessible and available for a specified period of time (*i.e.*, a Juvenile or Adult Probation custody decision to book or release via the jail and/or return to the County to process paperwork for warrants; runaways and new crimes) or Mental Health Counselors.

Employees placed in an “on-call” status for twenty-four (24) hours by a supervisor are entitled to compensation of three hundred dollars (\$300.00) per month, which covers

the two (2) weeks they are on-call; such assignments shall be specified every other week.

6.5.17 STANDBY PAY

Employees placed on Standby time are required to rotate crisis calls on a weekly or twice per week schedule for weeknight and weekend crisis face-to-face behavioral health coverage. The requirements for call back include one (1) hour or less response time to the Skamania County Jail or other mutually agreed upon location, to be coordinated with the Skamania County Sheriff's Department and/or any mutually agreed upon request.

Compensation for Standby time will be \$350.00 per week or \$150.00 for three (3) days and \$200.00 for four (4) days, when employees are placed on a rotating schedule for call back in emergency situations. Employees are only compensated for the week(s) and/or partial weeks in which they are on a crisis/emergency rotation/schedule.

6.5.18 LONGEVITY PAY

Each regular full-time or part-time employee who completes the minimum continuous length of service requirement with Skamania County will be eligible for longevity pay. For the purposes of qualifying for this benefit, continuous length of service is a period of employment during which an employee received at least one (1) paycheck during the month.

Length of service determines the applicable rate of longevity pay and this rate will increase over time, as shown below.

- a. Seven (7) to fourteen (14) years of service (starts after eight-four [84] months) employees shall receive thirteen dollars and fifty-four cents (\$13.54) per pay period, with a maximum of three hundred and twenty-five dollars (\$325.00) per year.
- b. Fifteen (15) to nineteen (19) years of service (starts after one hundred and eighty [180] months) employees shall receive twenty-seven dollars and eight cents (\$27.08) per pay period with a maximum of six hundred and fifty dollars (\$650.00) a year.
- c. Twenty (20) to twenty-four (24) years of service (starts after two hundred and forty [240] months) employees shall receive fifty-four dollars and sixteen cents (\$54.16) per pay period with a maximum of thirteen hundred dollars (\$1,300.00) a year.
- d. Twenty-five (25) or more years of service (starts after three hundred [300] months) employees shall receive one hundred and eight dollars and thirty-three cents (\$108.33) per pay period with a maximum of twenty-six hundred dollars (\$2,600.00) a year.

Longevity pay will be issued in the month following when each rate tier is achieved, on a semi-monthly basis with regular payroll.

6.6 PAYROLL PAYMENT POLICY

Except as required by law, payroll checks, including final checks, shall be paid on the 25th of each month paid for time worked on and between the 1st and 15th or on the 10th day of the succeeding month for time worked on and between the 16th through the last day of the month. If the 10th or 25th day falls on a Friday, Saturday, Sunday, or a banking holiday, employees will be paid on a date set by Board of Commissioners. Employees are encouraged to use direct deposit for payroll. All payroll will be paid through direct deposit including the final paycheck if the employee has chosen direct deposit. Any final paycheck not directly deposited will be given to Human Resources to provide to the employee on payday. The employee must pick up the paycheck on payday prior to 10:00 a.m. All final paychecks not picked up prior to 10:00 a.m. will be mailed.

6.7 PAYROLL DEDUCTIONS

Mandatory deductions are made from paychecks as required by law, such as for federal and state taxes or garnishments; elective deductions will be made as authorized by an employee.

Beginning January 1, 2019, the County shall deduct from employees' wages the required premiums for the Paid Family and Medical Leave Program, as permitted by and specified in RCW 50A.04.115(3)(b) and (c).

Effective February 1, 2019, each employee shall have deducted from pay the amount set by the Washington State Labor and Industries as the employee's share of medical and supplemental pension benefits within each risk classification.

6.8 PAYROLL CHANGE NOTICE PROCEDURES

6.8.1 NEW EMPLOYEES, PROMOTIONS, AND TRANSFERS

Once the applicant has accepted the position, a Payroll Notice must be completed by the department and sent directly to the Human Resources Department to initiate the approval process. A copy should also be sent to Payroll as a notification of the new hire, promotion, or transfer. Human Resources will audit the Payroll Change Notice and obtain the designated Commissioner's approval and signature as soon as possible.

Once approved by the designated Commissioner, Human Resources will send a signed copy of the notice to the department that placed the request. A copy will also be sent to the Payroll Department for processing after the employee has completed all required paperwork, the change will only be added to the system after a signed copy of the Payroll Change Notice has been sent to the Payroll Department.

6.8.2 STEP INCREASES, TERMINATIONS, RETIREMENTS & OTHER CHANGES

The Department Head will first identify the need for an employee change.

The Payroll Notice is used for new hires, promotions, terminations, retirements, transfers, and probations. It must be fully completed, including the name, department, job, range, step and amount, and any special conditions (i.e., time limits, other than regular employee status) and sent to Human Resources at the beginning of the pay period the change is effective (an exception applies to terminations).

Terminations of any kind (lay off, resignation, involuntary separation) must be sent to Human Resources immediately with a copy going to Payroll as well. This notice requires both Human Resources' and the Board's approval.

The Payroll Change Notice is used for annual performance step increases after probation is completed, for longevity changes, for vacation accrual changes, and for address changes, etc. A notice generated for these reasons only requires the Elected Official's or Department Head's approval and certification. A department's failure to submit the Payroll Change Notice at least five (5) days prior to payroll may result in the change not showing until the following pay period (excluding terminations). Termination-related notices will be submitted to Human Resources prior to the employee's last day of employment, if possible, with a copy going to payroll as well.

Human Resources will audit the Payroll Change Notice and notify the requesting department and Payroll of any necessary changes.

Human Resources will obtain the appropriate signatures and forward certified notices to the Payroll Department for processing. Final paychecks will be issued based on the employee's current pay method unless requested otherwise.

CHAPTER 7 - EMPLOYEE TRAINING, DEVELOPMENT & COMMUNICATION AND PERFORMANCE EVALUATION SYSTEM

7.1 POLICY

Skamania County shall encourage employee training and development and foster open communications between all employees, in order to facilitate the delivery of quality services to the public at the least possible cost; assist supervisors, managers, and employees in meeting program goals and objectives in their respective departments; provide opportunities for upward mobility; motivate employees and develop them to their greatest potential; and to acknowledge the excellent work done by employees.

7.2 PROGRAM

7.2.1 TRAINING

7.2.1.1 FUNDING TRAINING

Each County department shall be encouraged to budget funds for training purposes, as approved requests for training will be financed exclusively from the funds budgeted for training.

7.2.1.2 DETERMINING TRAINING NEEDS

It will be the responsibility of Elected Officials, Department Heads, and supervisors to identify employees' training needs for the budget. Elected Officials and Department Heads will provide employees with training on the skills necessary for their current positions and those necessary to effectively achieve the department's objectives. If the training is considered necessary for all County Employees, Human Resources will gain approval from the Board of Commissioners to provide for such training. Departments may also choose to work with Human Resources to identify training needs. Once training needs have been identified, Elected Officials and Department Heads will be responsible for developing and/or choosing training programs to meet these needs.

7.2.1.3 TYPES OF TRAINING PROGRAMS

Available forms of training shall include, but not be limited to, on-the-job training, in-service training (including staff retreats), and seminars or classes other than those sponsored by Skamania County.

7.2.1.4 REQUIREMENTS FOR EMPLOYEES AFTER TRAINING

An employee or supervisor who attends a training session may be expected to prepare a summary of the training session and may be expected to train other County employees on the subject covered. No employee will be reimbursed for training sessions, travel, or per diem for a training session that was not approved by the appropriate Elected Official or Department Head.

7.2.1.5 REIMBURSEMENT OF EDUCATION COSTS

The County does not reimburse employees' full costs to obtain educational degrees (e.g., associate, bachelor's, or master's) in any field. The County may, however, allow an employee time to take classes during work hours, if the class is related to and beneficial to County/department functions. Additionally, if educational coursework is necessary for the job performed for the County, approved by an Elected Official or Department Head, and if money is available in the budget, certificates or certain educational classes may be paid for by the County.

For reimbursements which exceed \$1000, if an employee separates within the two (2) year period directly following the completion of any coursework, that individual will be responsible for reimbursing the County the full costs associated with the education.

7.2.2 PERFORMANCE EVALUATION

7.2.2.1 EVALUATION GUIDELINES

To keep the evaluation process as consistent and objective as possible, the Board of Commissioners will establish an evaluation form and process to be used with all employees. The form should focus on how well the employee has performed the various duties of the job. When conducting an evaluation, an employee's immediate supervisor, or the Elected Official or Department Head, as applicable, shall consider the following guidelines:

- a. Feedback should be an ongoing process. The written evaluation should be a culmination of the feedback given throughout the year.
- b. Across the measurement or observation period, a balanced picture of the employee's strengths and weaknesses should be given;
- c. Performance must be evaluated objectively. Sound and defensible decisions must be made relating to retaining or dismissing employees, awarding step increases, and identifying employees' promotional potential.
- d. Examples of where or when the employee has not met expectations or has exceeded or fallen short of expectations should be included;
- e. Examples of where or when an employee has met or exceeded expectations, if any, should be identified to reinforce satisfactory performance and/or identify areas which could improve further.
- f. Performance-specific behavioral deficiencies, if any, must be identified to provide an employee with the opportunity to correct those deficiencies. The performance areas where improvement is needed should also be identified. Objective, measurable goals should be set for the employee to meet;
- g. Where an employee's overall performance is substantially below average, a date should be set to meet with the employee again to review progress toward performance improvement.

7.2.2.2 FORMAL EVALUATION PROCESS

- a. Immediate supervisors of personnel shall be responsible for completing a written performance evaluation report on each employee annually.
- b. Once completed, the evaluation report shall be reviewed by the Elected Official or Department Head, if applicable.
- c. The supervisor will then provide a copy of the evaluation report to the employee and discuss the outcome of the evaluation with the employee, who will have an opportunity to attach written comments.
- d. If performance is substantially below average, a follow-up date will be set to review performance improvement with the employee.

7.2.3 COMMUNICATION PROCEDURES

7.2.3.1 EMPLOYEE COMMUNICATION BULLETIN BOARD

Position openings and other information pertaining to these Personnel Policies and associated procedures will be posted on department bulletin boards. Information provided from the Union to Union-covered employees will be posted here as well.

7.2.3.2 COUNTY MANAGEMENT STAFF MEETINGS

Elected Officials and Department Heads are encouraged to meet quarterly (or more frequently) to discuss topics concerning county-wide or department operations. It will be the responsibility of the Elected Official or Department Head to inform managers, supervisors, and employees of topics covered at management staff meetings, except when such matters pertain to contract negotiations.

7.2.3.3 DEPARTMENT STAFF MEETINGS

Elected Officials, Department Heads, and supervisors are encouraged to conduct quarterly (or more frequent) meetings with employees and supervisors to discuss topics of interest to managers, supervisors, and employees. Topics may include, but are not limited to:

- a. Department goals, objectives, programs, and procedures;
- b. Reorganization and restructuring of the department;
- c. Project timelines, current caseloads, scheduling;
- d. Training needs; and
- e. Reports from Management Staff Meetings.
- f. Opportunities for communication between employees, as well as between employees and managers, will be encouraged.

If departments provide an all-employee meeting or training to discuss topics of interest to managers, supervisors and employees which extends through the lunch period, the department may provide lunch up to the allowed per diem rate no more than monthly.

CHAPTER 8 - HEALTH AND SAFETY

8.1 POLICY STATEMENT

Skamania County shall encourage safety practices that protect employees, the public, and County facilities.

8.2 PROGRAM

- a. A health and safety manual adopting rules and regulations that will preserve safe working conditions and meet state and federal regulations will be established and periodically reviewed not less than every three (3) years.
- b. An ongoing safety education program that will bring about safety awareness in all employees shall be implemented.

8.3 DEPARTMENTAL SAFETY PROCEDURES

Elected Officials and Department Heads shall familiarize themselves with standard safety practices for their departments, establish adequate safety rules and regulations, review all safety rules for the department with new employees, and implement an ongoing safety education program, which shall raise safety awareness among department employees.

8.4 COUNTY SAFETY AND REPORTING

Skamania County citizens have placed the utmost trust and confidence in County staff to manage and protect County property and other assets. The County depends on personnel to do this on a continual basis while they are performing their work. Required by statutory law and policy, employees must promptly report and investigate any conditions that may result in the loss of public funds or assets. Events that have the potential to expose Skamania County or its employees to liability must be reported.

In summary, Skamania County requires that employees immediately fix or report any unsafe situations or conditions that could cause harm to persons or property or expose an employee or the County to a potential loss.

Potential loss exposures include worker injuries, property loss, liability and personnel losses, or business interruption potentials. The Accident/Incident Report form or Occurrence Report form should be used for reporting, as appropriate.

Examples of what employees should report include, but are not limited to:

- a. A pothole on a County road discovered while driving to an appointment;
- b. Vegetation that is causing a blind spot when entering a roadway;
- c. A raised edge on the courthouse sidewalk or a hole in the concrete or asphalt, which should be reported to Risk Management, Buildings and Grounds department or Road department, whichever is responsible;

- d. A door in a County building is suddenly much heavier than it used to be. Report this to Buildings and Grounds;
- e. Items stacked in hallways, broken lights or a broken or cracked plug in receptacle, which should be reported to Buildings and Grounds;
- f. An office which has been broken into or vandalized. Employees should call law enforcement, an immediate supervisor, and Risk Management; or
- g. An accident involving a County vehicle whether an employee is involved or is a witness only.

8.5 NEAR MISS ACCIDENTS

A near miss is an event or hazard that does not result in injury, illness, or damage, but had such potential. Near misses must be reported and submitted to the Safety Committee for review, regardless of severity, in order to ensure that appropriate steps are taken to prevent a recurrence, during which serious injury or loss may occur.

Near misses happen in the construction industry on a regular basis. The County shall recognize near misses and use these incidents as a tool to change processes and prevent future incidents and serious injuries from happening. With proper reporting and investigation, these incidents may not reoccur.

Near miss examples include, but are not limited to:

- a. A worker not wearing the proper PPE for the job;
- b. A worker not following proper procedures or safe work practices;
- c. A person slipping on ice, but without a fall or injury;
- d. Tool malfunctions or misuse;
- e. A tool dropping and landing beside another person;
- f. A person nearly slipping into an opening as the result of a missing guard rail;
- g. Nearly hitting underground utilities or lines;
- h. Use of the top of a step ladder as a step;
- i. Equipment nearly contacting overhead power lines or other property;
- j. Equipment or vehicles going off the roadway without damage; or
- k. Another incident that could have resulted in injury or property damage.

Many safety practices are reactive and not proactive, as they tend to happen after a near miss or loss has already occurred. Skamania County must be proactive in an approach to safety and help protect its most important assets, which are employees. The proactive process provides an opportunity to make changes to policy, procedure, practice, job tasks, and habits; implement a new tool or PPE; and/or engineer a solution. Investigations of serious accidents often reveal earlier incidents of a similar nature that were dismissed.

Elected Officials, Department Heads, or immediate supervisors will review near miss reports and findings, after they are issued by the Safety Committee, and discuss them with employees from each shift, in regularly scheduled meetings, to raise awareness and seek additional ideas or corrective actions from those who perform the work every day.

Investigation into near misses could help prevent an injury or even a fatality. It is, therefore, the responsibility of each employee to report unsafe acts, conditions, and near misses.

8.6 SAFETY COMMITTEE ORGANIZATION

A Safety Committee shall be maintained to:

- a. Review all incident and accident reports, determining preventability;
- b. Inspect any department or premises periodically or as necessary to ensure safe conditions;
- c. Assist any department with its safety education program and recommend to each Department Head any unsafe practice(s) or conditions that have been identified which may cause injury or death to the employees.
- d. Make recommendations for changes to Safety Committee procedures for adoption by the Board of Commissioners.

8.6.1 MEMBERSHIP

The Safety Committee shall have nine (9) members; five (5) selected employees chosen from within the departments listed below and four (4) elected employees, voted on by all employees affiliated with or able to participate in the appropriate union, from the following departments:

Selected Employees (1 each)

Community Events & Recreation/Fair
Annex Building
Buildings and Grounds
Noxious Weed
Community Health

Elected Employees (1 each)

Sheriff's Office
Senior Services
Solid Waste Courthouse
Road District

Each membership term is for two (2) years. Should a vacancy occur on the committee, a new member shall be elected or selected prior to the next scheduled meeting. Representatives can serve consecutive terms as long as they are re-elected or re-selected every two (2) years.

A Chairperson shall be selected during the first meeting of each calendar year by the Safety Committee's vote; the Safety Officer is excluded from selection. The Chairperson may serve no more than three (3) consecutive years.

The Safety Officer or a Safety Committee designee shall serve as the Secretary and provide support and information to the Committee, as requested.

8.6.2 MEETINGS

Meetings will be at a place and time designated by the Safety Committee. When conditions warrant, a special session may be called by the Safety Committee Chairperson.

8.7 **ACCIDENT AND INCIDENT PROCEDURES**

8.7.1 APPLICABILITY

These procedures are applicable to the Skamania County workforce.

8.7.2 EMPLOYEE RESPONSIBILITIES

An employee involved in an incident or accident shall notify his/her supervisor immediately and fill out a Skamania County Accident/Incident Report form and submit it to the same supervisor within a 24-hour period.

For the purposes of this Policy, an INCIDENT is a happening when there is cost or damages less than RCW 46.52.030(5) and no loss of employee time. An ACCIDENT involves a loss of employee time and/or damage in excess of the amount set out in RCW 46.52.030(5).

Failure to report an incident or accident to the County will give cause for disciplinary action in accordance with Chapter 9 of these Personnel Policies.

8.7.3 SUPERVISOR RESPONSIBILITIES

Upon notification by an employee of involvement in an accident or incident, the employee's supervisor shall immediately notify the Risk Manager or Safety Officer and shall orally provide whatever information is known about the accident or incident within twenty-four (24) hours. The Supervisor shall review and finalize the County Accident/Incident Report form and submit it to the Safety Committee Secretary within seventy-two (72) hours of the accident or incident. In cases where events occur on a weekend or holiday, the next working day becomes the deadline. The Supervisor is responsible for the completion of the report.

8.7.4 SAFETY COMMITTEE SECRETARY RESPONSIBILITIES

The Secretary reviews the report for completeness. Once the report is reviewed, a brief is typed stating only those items necessary for the Committee to review the accident or incident; all names and locations are left off of the brief. Prior to the next Safety Committee meeting, the Secretary and the Safety Chairperson will review the various reports and familiarize themselves with each case.

8.7.5 SAFETY COMMITTEE RESPONSIBILITIES

Once the report has been presented to the Safety Committee, the Safety Committee is charged with determining whether:

8.7.5.1 The happening is an incident (no loss of employee time and/or damages under the amount set out in RCW 46.52.030(5)), and if so, was the incident:

- a. Preventable (using SAFCO guidelines, National Safety Council rules);
- b. Unpreventable.

8.7.5.2 The happening is an accident (loss of employee time and/or damage in excess of the amount set out in RCW 46.52.030(5)), and if so, was the accident:

- a. Preventable (using SAFCO guidelines, National Safety Council rules).
- b. Unpreventable.

8.7.6 UNPREVENTABLE INCIDENT OR ACCIDENT DETERMINATION

If the incident or accident is determined to have been unpreventable, those conclusions are sent to the County Commissioners or the appropriate Elected Official or Department Head with recommendations, if any, for the prevention of further mishap.

8.7.7 PREVENTABLE INCIDENT OR ACCIDENT DETERMINATION

In the event an incident or accident is deemed preventable, the following guidelines apply:

8.7.7.1 Presentation of Preventable Cases: The Chairperson of the Safety Committee is tasked with the responsibility of presenting all preventable cases to the Board of Commissioners. The presentation should be as soon as possible after the Safety Committee decides in the case.

8.7.7.2 Commissioner Review: The Board of Commissioners is tasked with a review of all cases. Upon concurrence with the Safety Commission, the Board of Commissioners process and record each case; the findings are then forwarded to the appropriate Elected Official or Department Head.

8.7.7.3 Request for Additional Review: The Commissioners or an appropriate Elected Official or Department Head can request a case review, if additional information is desired after hearing a case as presented by the Safety Committee Chairperson.

8.7.7.4 Additional Review Procedure: The Chairperson of the Safety Committee is tasked with scheduling and conducting the requested review. If the Safety Commission reclassifies the incident or accident as unpreventable, the Chairperson directs the Secretary to record and file it as such.

8.7.7.5 Disciplinary Action: When required by the Policy, the Board of Commissioners or the appropriate Elected Official or Department Head will initiate a letter of reprimand and forward it to the appropriate authority for final action as set out in the Corrective Measures section of this chapter.

8.7.7.6 Recordkeeping: Records of the case, review, and findings will be placed in the employee's personnel file. All records of incidents shall be purged from the employee's personnel file every twelve (12) months. All records of accidents shall be purged from the employee's personnel file every five (5) years.

8.8 CORRECTIVE MEASURES

If an incident or accident is determined to be preventable, the following standards are to be used to determine the corrective measures to be taken:

8.8.1 INCIDENT

- a. First Incident: An oral warning will be given to the employee by the Supervisor.
- b. Second Incident in Twelve (12) Months: A letter of warning, signed by the appropriate Elected Official or Department Head, will be given to the employee by the Supervisor.
- c. Third Incident in Twelve (12) Months: A letter of reprimand, signed by the County Commissioners or the appropriate Elected Official or Department Head, will be delivered to the employee by the Supervisor. The employee may be subject to up to three (3) days without pay at the discretion of the Department Head.
- d. Fourth Incident: For the fourth (4th) accident in a five-year (5) period, the Elected Official or Department Head will follow the disciplinary procedures under Chapter 9 for due process.

8.8.2 ACCIDENT

- a. First Accident: For the first (1st) accident in a five-year (5) period, an oral warning will be given to the employee by the Supervisor.
- b. Second Accident: For the second (2nd) accident in a five-year (5) period, a written warning by the Elected Official or Department Head will be given to the employee.
- c. Third Accident: For the third (3rd) accident in a five-year (5) period, the Elected Official or Department Head will follow the disciplinary procedures under Chapter 9 for due process.
- d. Fourth Accident: For the fourth (4th) accident in a five-year (5) period, the Elected Official or Department Head will follow the disciplinary procedures under Chapter 9 for due process.

8.8.3 GROSS OR SEVERE NEGLIGENCE

An incident or accident caused by gross or severe negligence will warrant a special meeting of the Safety Committee. The parties involved shall be present at the meeting. Upon review of the case and a determination that gross and/or severe negligence is a contributing cause, a written letter of termination, signed by the County Commissioner, will be issued in accordance with due process.

8.9 APPEAL OF A DISCIPLINARY ACTION

8.9.1 EMPLOYEE RIGHT TO APPEAL

An employee faced with disciplinary action as a result of this Policy may appeal the Safety Committee's determination. The appeal procedures described below apply only to Chapter 8 and should not be construed as a part of the general grievance procedure.

8.9.2 APPEAL PROCEDURES

Employees will be notified within five (5) working days of the findings of the Safety Committee and Board. Upon notification by an Elected Official, Department Head, or supervisor of pending disciplinary action, an employee has three (3) working days to request an appeal from that individual.

After an employee requests an appeal, an Elected Official, Department Head, or supervisor has one (1) additional working day to notify the Secretary of the Safety Committee of the appeal. The Secretary will in turn notify the Chairperson of the Committee, who is charged with scheduling and overseeing the Safety Committee's review of the appeal. Every attempt will be made to assure that all matters pertaining to the incident or accident are presented to the Safety Committee during its review of the appeal.

After reviewing the appeal, if the Safety Committee reclassifies the incident or accident as unpreventable, the Chairperson will direct the Secretary to record and file the incident or accident as such. If the Safety Committee again determines the incident or accident was preventable, however, the report is forwarded to the Board or the appropriate Elected Official or Department Head, who will notify the employee of the outcome.

CHAPTER 9 – INVESTIGATION OF COMPLAINTS AND DISCIPLINE

9.1 POLICY

Skamania County shall have a process for receiving and investigating complaints of alleged violations of laws, rules, policies, procedures, or standards of conduct, an appeals process, and standards for disciplinary actions. These procedures will provide employees with a means to document, refute or confirm, and to resolve allegations in an appropriate manner.

Elected Officials and Department Heads have oversight responsibility for all investigations involving the misconduct of employees under their supervision, however, the Prosecuting Attorney and Human Resources should be consulted to determine whether an investigation should be handled internally or referred to an outside investigator and for requests to review written disciplinary documents. They are also responsible for ensuring that appropriate discipline, counseling, or corrective action resulting from sustained complaints occurs and that it is proper, fair, and consistent.

9.2 PROGRAM

- a. Complaints and alleged violations will be thoroughly reviewed.
- b. Alleged violations and complaints will be resolved by exoneration, corrective action, or discipline, as appropriate.
- c. Disciplinary action shall be constructive, progressive (when appropriate), and legal.

9.3 COMPLAINT PROCEDURE

9.3.1 RECEIVING COMPLAINTS

An alleged violation of law, rule, policy, procedure, or a standard of conduct may come from a variety of sources, including complaints by a citizen, employee, official, entity, or directly from the employee's supervisor. Most complaints can be handled by the County however, any alleged violation of a criminal statute shall be referred to the Sheriff's Office for investigation. Additionally, employees wishing to complain about a fellow employee's misconduct should report the complaint directly to the offending employee's supervisor or the appropriate Elected Official or Department Head, as well as to Human Resources.

Employees shall be courteous and prompt in dealing with the persons complaining; no employee will harass, verbally abuse, or threaten any citizen or agency that files a complaint against the employee or any other employee. When approached with an initial complaint, an employee should first obtain the name, address, and phone number of the complainant and then refer that person to an appropriate supervisor. If the supervisor cannot be contacted, the complainant shall be informed that an appropriate supervisor will establish contact at the earliest possible time.

The supervisor receiving the complaint will obtain as much information as possible from a complainant, including a written statement, and shall notify the affected employee's Elected Official or Department Head and Human Resources of the details in a written memorandum. All information received by County employees concerning the complaint shall be treated as highly confidential.

9.3.2 RESPONSIBILITIES OF ELECTED OFFICIAL OR DEPARTMENT HEAD

Elected Officials or Department Heads shall cause an investigation of the complaint to be made, ensuring that County and labor agreement procedures are adhered to by supervisors assigned to investigate complaints. Elected Officials or Department Heads also oversee the coordination of, proper investigation of, and documentation of complaints within their departments. If a complaint is sustained, ensuring that appropriate discipline, counseling, or corrective action occurs and that it is proper, fair, and consistent is also within their oversight.

9.3.3 NOTIFICATION OF EMPLOYEE COMPLAINED AGAINST

For all complaints, an Elected Official or Department Head shall notify the employee against whom a complaint was made of the existence and nature of the complaint, unless an investigatory reason exists for withholding timely notification. The employee will also be notified of the disposition of any complaint. Failure to provide notification, however, shall not affect the disposition of the complaint or any discipline which may result.

9.3.4 DUTIES OF EMPLOYEES

Each employee shall immediately report all known information that is relevant to an ongoing investigation; reveal the existence of physical evidence or other information which tends to corroborate or refute accounts of the complainants, employee, and witnesses; and candidly and forthrightly volunteer any information believed by the employee to be relevant to any County inquiry. These duties apply to employees whose conduct is under investigation as well as to employees who are, or who become, witnesses by virtue of the information known to them.

Employees will answer all questions that a supervisor may ask regarding the performance of official duties and will fully cooperate with the internal investigation process. Any employee who refuses to answer questions or make a statement may be subject to disciplinary action.

During any period of questioning, if the employee becomes a suspect in criminal activity, the interview will cease and instead be referred to the Sheriff's Office. If an employee is ordered to answer questions or make statements, those statements cannot be used against the employee in a criminal proceeding.

9.3.5 REPRESENTATION DURING AN INTERVIEW

Investigation is an administrative matter. An employee involved does not have the right to meet with or seek advice from a labor representative or fellow employee prior to an interview, unless the employee reasonably believes that discipline or discharge may result.

At any stage of the interview, if the investigator believes that the facts may lead to discipline of a particular employee, that employee shall be so advised prior to the continuation of the interview. At the first instance an employee reasonably believes the interview may result in discipline or discharge, the employee may request to have a labor representative present, if covered by a collective bargaining agreement, or a fellow employee present, if non-represented. The representative may ask questions and participate in discussions but may not otherwise interfere with the interview.

The failure of an employee to participate in an interview, when the interview does not relate to discipline, may lead to the employee being disciplined for such a refusal.

9.3.6 DISPOSITION OF INTERNAL INVESTIGATIONS

Upon conclusion of the investigation, the investigating member shall review the charges alleged in the complaint and issue a determination. The matter will be classified as one of the following:

- a. Exonerated – the alleged employee’s conduct occurred but it was lawful and proper;
or
- b. Unfounded – the complaint was false or unfounded; or
- c. Not Sustained – there was insufficient evidence to prove or disprove the allegation;
or
- d. Sustained – the allegation was supported by proper and sufficient evidence.

The investigating supervisor, unless an Elected Official or Department Head, shall submit all reports, documentation, and findings to an Elected Official or Department Head for review. The investigator shall also provide any and all written information about mitigating circumstances, other violations or deficiencies, and other disciplinary factors.

After a review of the investigative file, an Elected Official or Department Head may cause appropriate disciplinary or corrective action to be taken; cause further investigation to be conducted by himself/herself or a supervisor; or dispose of the investigation without imposing any disciplinary action.

Any documented disciplinary action shall be placed into the affected employee’s personnel file and shall not be removed until the time designated in the Disciplinary Record Retention section of this Chapter.

9.3.7 ADMINISTRATIVE LEAVE

Immediate suspension with pay may sometimes be appropriate to ensure continued fitness for duty during the investigation of a complaint or pending disciplinary action. An Elected Official or Department Head County may impose such an Administrative Leave whenever it is deemed appropriate.

Any employee placed on Administrative Leave must adhere to the following conditions:

- a. Remain at home and be available for telephone contact during Courthouse business hours, unless specifically approved to do otherwise by the County Official.
- b. Check in by telephone daily with the County Official or designee.
- c. Not enter the workplace or any County facility, except to conduct County business at the request of the County Official.
- d. Adhere to the standards of conduct and other workplace rules while on Administrative Leave.

9.3.8 PERFORMANCE IMPROVEMENT

Performance improvement is not considered disciplinary action. Elected Officials, Department Heads, and supervisors shall come to an understanding about the causes and/or reasons for an employee's deficiencies and attempt to correct those deficiencies and restore the employee to a productive and positive employment status.

Performance improvement may take the form of written or oral counseling by the supervisor, which states the employee's performance expectations in positive terms and/or suggests retraining. It may also occur in the form of a work improvement plan. Documentation of corrective action may be used to substantiate the appropriateness of discipline, if an employee fails to respond effectively to performance improvement.

9.3.9 CORRECTIVE ACTION AND DISCIPLINE

This section is for guidance only; it is not a contract between the County and its employees. Each corrective action must be judged on its own particular facts and decided in the context of the surrounding circumstances. The severity of the corrective action generally depends on the nature of the offense and an employee's work record; certain circumstances may warrant taking a more immediate and severe level of discipline, up to and including termination of employment, and may not be preceded by lesser forms of disciplinary action.

Coaching and counseling, a form of corrective action, shall generally be given to an employee prior to any formal disciplinary action, except for disciplines warranting increased sanctions imposed under just cause. A work plan imposed with coaching or counseling is a type of corrective action which is also not considered formal discipline. Records of such actions will clearly indicate "coaching and counseling" and shall be maintained in a supervisory file within the department.

Disciplinary or corrective action may be taken against any employee for a violation of law or the standards of conduct, rules, policies, and procedures contained in these Personnel Policies or a collective bargaining agreement.

Such actions may include, but shall not be limited to, the following:

- a. Verbal or written reprimand.
- b. Suspension without pay, not to exceed fifteen (15) working days for a single penalty or thirty (30) working days in a year.
- c. Loss of pay or privileges.
- d. Demotion.
- e. Termination of employment.

When determining the appropriate disciplinary action, several factors shall be considered, including mitigating circumstances, other recent or similar violations, and the disciplinary action taken in those incidents.

Other factors which may be considered include, but are not limited to: the nature of the job and supervisory level of the employee; if the conduct was criminal under state, federal, or local law; if the incident interferes with the employee's ability to handle sensitive information; if the incident is likely to cause damage to or negatively affect the public's confidence in the County; if it raises questions about the employee's emotional, physical, or mental suitability for the position; if the incident caused an interruption in the workforce or reduction in employee morale or impaired the ability of the employee to assertively or objectively complete work assignments; or if the conduct reflects discredit on County service and is a direct hindrance to the effective performance of County government.

Personnel rules related to corrective action and discipline neither apply to, nor confer, either a just cause entitlement or procedural rights for any appointed positions. These positions are appointed positions and those appointed serve at the pleasure of the appointing Elected Official(s), subject to discharge without cause.

9.3.10 EMPLOYEE NOTIFICATION OF DISCIPLINARY ACTION

Prior to imposing disciplinary action, including suspension without pay, loss of pay or privileges, demotion, and/or termination of employment, an Elected Official or Department Head shall:

9.3.10.1 Notify the employee of the nature of the charges, which may include providing a copy of the complaint against the employee, and identifying the directives or standards of conduct, whether stated in County policies or not, which appear to have been violated. Other documents may also be provided depending on the nature of the concern.

9.3.10.2 Outline the nature of the discipline being considered or imposed.

9.3.10.3 Schedule a pre-disciplinary meeting to provide the employee with an opportunity to respond orally or in writing to the charges and allegations. The employee may be required to attend the meeting and may attend with a labor representative or fellow employee of the employee's choice. The intent of the meeting is to provide the employee with a full opportunity to refute the charges and for the employee's position to be considered prior to the implementation of discipline. The meeting is not intended to afford an opportunity for the employee to present testimony or to call witnesses or accusers for the purposes of cross-examining them.

Following the meeting, an Elected Official or Department Head shall make a final determination regarding the appropriate disciplinary action, if any, to impose. In all cases of discipline in the form of suspension without pay, loss of pay or privileges, demotion, and/or termination of employment, the employee shall be notified in writing. The written notification shall include a statement citing the reason for disciplinary action, the effective date of the disciplinary action, and an advisement of appeal rights.

In the case of any documented disciplinary action, employees shall be provided with copies of the adverse material to be included in their personnel files and will have the right to attach explanations or rebuttal statements.

9.3.11 DISCIPLINARY APPEAL

An employee subject to the provisions of this chapter may appeal a disciplinary suspension, reduction in pay, demotion, or termination, if the action is believed to be unjustified.

Unless otherwise specified by a labor agreement, employees will utilize the appeal procedures contained in these policies; in no case shall any employee appeal a disciplinary action through more than one (1) appeal procedure. Notice of an appeal must be filed with an Elected Official or Department Head no later than fourteen (14) calendar days after the effective date of the disciplinary action. The notice shall be in writing and shall include the following information, at minimum:

- a. A statement of complaint regarding the disciplinary action and the facts upon which the complaint is based.
- b. The remedial action requested and the reasons why such action is appropriate.
- c. A statement of any policies, procedures, rules, or laws which have not been followed.

The Elected Official or Department Head responsible for the employee shall hear the appeal within fourteen (14) calendar days after the appeal is filed, unless the parties agree to a later time. Employees under an Elected Official must file an appeal with the Elected Official; employees under a Department Head must first file an appeal with the Department Head. In either case, a decision regarding the appeal will be provided to an employee, in writing, within sixteen (16) calendar days of the appeal hearing.

The decision of an Elected Official(s) shall be final. Employees under a Department Head may file an appeal of the Department Head's decision to the Board of Commissioners within sixteen (16) calendar days after receiving the Department Head's decision.

The Board of Commissioners shall then hear the appeal within sixteen (16) calendar days after the appeal is filed, unless the parties agree to a later time. If an employee elects to hold the hearing as a public meeting, a specific location shall be identified where individuals wishing to attend can hear all the participants.

If an appeal is sent to the Board of Commissioners and a member of the Board has a conflict of interest in hearing the appeal, the remaining Board members may appoint another Elected Official to the Appeals Board.

In order to ensure a timely hearing, the Elected Official/Board may participate in an Appeal Hearing through the use of a conference telephone or electronic media; participation by such means shall constitute an in-person presence at the hearing.

If an employee fails to meet any of the time requirements of this process, the appeal shall be considered terminated.

9.3.12 APPOINTMENT OF A HEARINGS OFFICER

The Board of Commissioners or an Elected Official may refer any disciplinary appeal to a Hearings Officer, who shall conduct the proceedings in accordance with the procedures of this Chapter. The Hearings Officer shall present the findings and a recommendation to the Elected Official, who will make the final disciplinary decision.

9.3.13 REASONS FOR DISCIPLINE

Just cause for discipline is established by an action committed by an employee, or group of employees, which reflects discredit on County service and is a direct hindrance to the effective performance of County government functions or is improper employee conduct in violation of work rules or department regulations.

The County's success in providing quality public service to citizens and maintaining good relationships depends on appropriate employee behavior. For guidance, the County has provided a listing of improper conduct which, if exhibited, would be detrimental to the County's objectives and could lead to disciplinary action for just cause, including discharge. The following conduct is for illustration, however, and is not intended to be an all-inclusive list:

- a. Misrepresentation of or the withholding of pertinent facts in securing employment.
- b. Violation of County policies and procedures, whether written or verbally communicated.
- c. Unauthorized use of or possession of the County facilities and/or property.
- d. Unauthorized use of one's position with the County for personal gain or advantage.
- e. Accepting unlawful gratuities or bribes.

- f. Lying.
- g. Failure to cooperate in a duly authorized investigation.
- h. Smoking in an unauthorized area, as posted, or creating a fire hazard in any area.
- i. Violation of the County's policies for telephone, online communications, or electronic mail and internet services, and computer hardware, software, and data systems.
- j. Failure to report an occurrence which resulted in damage to citizens property or public property.
- k. Failure to properly secure the County facilities or property.
- l. Vending, soliciting, or collecting contributions for any purpose during work time and on County premises without the permission of a supervisor.
- m. Unauthorized operation of or use of machines, tools, or equipment.
- n. Falsification of time records and/or unauthorized recordings of another employee's time record.
- o. Absence without proper notification to an immediate supervisor, excessive absenteeism, or insufficient justification for absenteeism or excessive failure to work on time.
- p. Disrupting other employees, goofing off, or failing to assist others in a work-related situation.
- q. Making malicious, false, or derogatory statements that are intended to or could reasonably be expected to damage the integrity or reputation of the County or its employees, on or off premises.
- r. Disorderly conduct, including fighting on the premises.
- s. Rudeness to, discrimination against, intimidation of, coercion of, use of obscene language or gestures toward, or lack of courtesy to the public or fellow employees.
- t. Immoral conduct while on duty.
- u. Intentional falsification of records/paperwork required for the transaction of County business.
- v. Inability, inefficiency, negligence, or insubordination, including a refusal or failure to perform assigned work; concealing defective work.
- w. Failure to observe safety practices, rules, regulations, and instructions; negligence that results in injury to others; failure to wear required safety equipment.
- x. Failure to promptly report to an immediate supervisor an on-the-job injury or accident involving an employee, equipment, or property.
- y. Dishonesty or theft, including the deliberate destruction of, damage to, or removal of the County's or others' property from County premises or any job site.
- z. Possession of, use of, distribution of, sale of, or being under the influence of alcohol or controlled substances while on County business.
- aa. Violation of the County's policies on workplace harassment and discrimination.
- bb. Conviction of a gross misdemeanor or felony that impacts the employee's ability to perform the essential functions of the position.
- cc. Failure to report an arrest or being charged with a crime.
- dd. Health care fraud, such as filing baseless claims or enrolling ineligible dependents.
- ee. Failure to report a traffic citation in a County vehicle or in a personal vehicle when driving is a part of the individual's job responsibilities.

9.3.14 DISCIPLINARY RECORD RETENTION

9.3.14.1 WRITTEN WARNINGS

Any written warnings resulting from disciplinary action and associated records shall be removed from an employee's personnel file and destroyed after two (2) years from the time of the infraction; those records cannot be used in disciplinary actions after removal. If like or similar misconduct occurs prior to removal, however, the records may be used in implementing progressive disciplinary action. The two-year (2) time period will then commence from the latest infraction.

9.3.14.2 MAJOR DISCIPLINARY ACTIONS

Any records relating to or resulting from major disciplinary actions, such as suspension, demotion, or termination, shall be removed from an employee's personnel file and destroyed after five (5) years from the time of the infraction. Documents, once removed, cannot be used in future disciplinary actions. If like or similar misconduct occurs prior to removal, however, the records may be used for progressive disciplinary action. The five-year (5) time period will then commence from the latest infraction.

CHAPTER 10 - SEPARATION FROM COUNTY SERVICE

10.1 POLICY

Skamania County shall consider program needs when deciding to separate employees from County service and will retain employees on the bases of their seniority and their ability to meet department goals. Exit interviews shall be conducted with employees separating from County service.

10.2 PROGRAM

Reductions in force (layoffs) may occur if there are changes in County services, an abolition of positions, lack of work, or shortages of funds.

Elected Officials and Department Heads shall review program needs and staff qualifications prior to any reduction in force. The criteria for determining layoffs and rehiring will include program needs, seniority, and other stipulations in union contracts.

10.3 LAYOFF PROCEDURES

10.3.1 LAYOFFS

Employees shall be laid off in the inverse order of their seniority within their position classification, provided that the remaining employees have the ability and skills to perform the department's work, as determined by an Elected Official or Department Head.

Subject to the above provision, any regular employee selected for layoff who previously advanced to the present classification held shall be offered a position within the same department in a lower classification. The employee's seniority in the lower classification shall be established according to the date of permanent transfer into that classification.

In the event that an entire County program is eliminated, only the seniority of employees within the program will be considered as opposed to their seniority in the whole County, except as enumerated within negotiated contracts.

Benefits and seniority shall not accrue during a layoff period.

10.3.2 REHIRING LAYOFFS

In the event that authorization to rehire employees is given by the Board of Commissioners, employees shall be called back in the inverse order of layoff. Notice of a recall shall be sent by the County via certified mail to employees' last known addresses with a return receipt requested. If notified employees fail to report to work within fourteen (14) calendar days of the date of the notice's mailing, those employees shall be considered to have terminated their employment with Skamania County and any recall rights shall cease.

Recall rights for any employee expire twenty-four (24) months from the date of layoff. Employees who are recalled will be reinstated with all rights formerly attained, including unused sick leave, less any which may have been paid out upon layoff. The seniority date shall be adjusted to reflect the time on layoff, but an employee shall otherwise retain all service credit, including accrual rates (vacation/sick time) held at the time of layoff. Employees recalled to their former classification shall be appointed to the step and range formerly held; credit toward the next salary anniversary date shall be reinstated, not including the time on layoff.

10.3.3 REASSIGNMENT OF DUTIES

Duties previously performed by laid off employees may be reassigned to remaining employees who hold positions in the same or similar classes.

10.4 RESIGNATION FROM EMPLOYMENT

To resign in good standing with the County, an employee must give an Elected Official or Department Head at least fourteen (14) calendar days' written notice, unless otherwise specified in a labor contract.

10.5 EXIT INTERVIEWS

Human Resources shall be responsible for conducting all exit interviews. An employee's reasons for leaving shall be documented in writing and signed by the employee.

Exit interviews will be conducted to:

- a. Promote good public relations by helping to correct misinformation or modify negative attitudes the employee may have about County government;
- b. Promote good employee relations by assisting the employee with the transition out of County employment;
- c. Encourage good management practices by providing insight into the effectiveness of County personnel and management practices and to elucidate where improvements may be beneficial.

An Elected Official or Department Head will send a letter to employees who are unwilling to discuss aspects of their employment during the exit interview in an attempt to elicit additional information. In the event an employee chooses to forego the exit interview entirely, the information sheet contained in the letter will serve as the exit interview.

Under Washington law, employees have the right to request and receive a letter detailing the reasons for their departure from employment.

10.6 COBRA

Generally, when employees leave County employment and have had health insurance coverage, the health insurance company will send information about any COBRA rights employees have to continue health insurance coverage, at their own expense, for a specified period of time.

CHAPTER 11- PERSONNEL RECORDS MANAGEMENT

11.1 POLICY

Skamania County shall establish and maintain a Personnel Transaction Procedure and Personnel Records Management System, through clear lines of authority, for the processing of personnel transactions and for the management of personnel records. Clear and efficient procedures for processing all transactions that affect employees and uniform, accessible, and complete personnel records of all County employees will be established and maintained.

11.2 EMPLOYEE RESPONSIBILITIES

Employees shall notify Human Resources of any changes that affect their personal status (*i.e.*, deaths, births, marriage, divorce, or any other factor affecting family status for insurance purposes and any changes in health that may affect an employee's ability to perform a job). In the case of a health status change, the County will begin an interactive process to determine what is the best course of action regarding the change.

Employees may respond to any documentation to be included in their personnel files, which reflects negatively upon them, with an explanation or rebuttal.

Employees shall be allowed to review their personnel files during regular business hours with at least one (1) business days' notice.

11.3 DEPARTMENTAL RESPONSIBILITIES

Each department may maintain a file on employees within that department for departmental purposes. The official file is with Human Resources and copies shall be sent to Human Resources. This file will be held confidentially and information will only be made available to the employee, the supervisor, Human Resources, and the appointing authority, with the following exceptions: employee name, job title, position description, classification description, salary changes, and hire date. When an employee separates from County service, the department must send the file to Human Resources for retention.

Departments will also initiate the processing of personnel transactions affecting their employee's classification statuses and pay range steps.

11.4 AUDITOR RESPONSIBILITIES

The County Auditor is responsible for maintaining payroll records and associated records for all County employees.

11.5 HUMAN RESOURCES RESPONSIBILITIES

Human Resources maintains and retains personnel records on employees, which contain documentation related to hiring and benefit processing; employment verifications; previous employment records; various policies and union contract interpretation documents; salary comparisons; job description reviews; evaluations and disciplinary documents.

CHAPTER 12 – HOURS OF WORK & CONDITIONS OF EMPLOYMENT

12.1 POLICY

It is the policy of Skamania County to provide equal and adequate hours of work and conditions of employment to employees, which either meet or exceed the requirements of applicable laws and regulations.

12.2 WORKDAY – WORKWEEK

Normal hours of work for all employees shall be forty (40) hours per week, as set by Board of Commissioners, between Monday through Friday. The workweek is 12:01 AM Sunday through 12:00 AM Sunday/Midnight Saturday. When conditions require, however, other schedules may be established.

The normal working day shall start at the time set by the resolution of the Board of Commissioners. Starting times can be adjusted by the Elected Official or Department Head, however, as required to fit work schedules, weather conditions, or for any other good cause. All County offices will be open as set by the resolution of the Board of Commissioners.

The normal meal break shall be either one-half (1/2) or one (1) hour in length for all employees. If the department is in agreement, employees may waive their lunch breaks, as permitted under Washington law. The normal rest break shall be one-quarter (1/4) of an hour in length, with the first scheduled in the first half of the day and the second in the latter half of the day. The scheduling of these breaks shall occur at the discretion of the appropriate Elected Official or Department Head in order to meet the individual needs of the department.

12.3 EMERGENCY SCHEDULE

It is the policy of Skamania County that all County offices and activities shall be open and in operation during established working hours. Because many County services are of primary importance during emergency conditions, all employees should make every effort to report for work on a timely basis. Should emergency conditions prevail, which would prevent County employees from reporting to work, it will be the responsibility of the employee to contact the appropriate Elected Official, Department Head, or supervisor by telephone or other agreed upon communication to indicate an anticipated absence from work or late arrival and the reason for such an absence or tardiness.

12.3.1 PAY DURING EMERGENCIES

Should conditions prevail that require the Board of Commissioners to announce curtailment of County operations for the safety and welfare of County employees, employees may be eligible for pay from the County.

If the County announces a closure at or prior to the normal beginning of a workday, all employees will be eligible for regular pay (salary), except for those with pre-scheduled

vacation leave, sick leave, compensatory time, or floating holiday time. Regular pay is limited to the first two (2) days of a curtailment of operations.

When the County announces a closure after the normal beginning of a workday, eligibility for regular pay for up to two (2) days of a curtailment of operations is as follows:

12.3.1.1 Employees who arrive at work are eligible for regular pay for the first two (2) days of the curtailment of operations, unless some of that time had already been scheduled as vacation leave, sick leave, compensatory time off, or floating holiday time.

12.3.1.2 Those employees who choose not to show up for work prior to the curtailment announcement are not eligible for regular pay and must apply available vacation leave, compensatory time, or floating holiday time, unless they are able to make up the time missed.

This provision does not apply to essential service personnel (*i.e.*, Sheriff's Office employees and County road crews).

Any employee unable to report to work due to emergency conditions must exhaust any accumulated paid time off (other than sick leave) before having pay reduced for time lost.

12.4 OVERTIME PAY & COMPENSATORY TIME

For non-exempt employees, work time in excess of forty (40) hours in one (1) workweek shall be considered overtime, which will be compensated at the rate of time and one-half (1 ½) and credited as either compensatory time or with pay, unless otherwise specified in a union contract. Holidays, sick leave, vacation leave, and any other paid leave granted in the Personnel Policies are considered hours of work in respect to calculating overtime.

Time worked on legal holidays shall be compensated at the rate of time and one-half (1 ½) for all non-exempt employees. Exempt employees will not be paid at the rate of time and one-half (1 ½) for any hours worked on legal holidays; no exempt employee is eligible for overtime pay or compensatory time. The Board of Commissioners may approve payment for additional hours worked, as a result of a declared emergency, at the regular hourly rate.

All overtime requests must receive prior approval by an Elected Official or Department Head. With the exception of extreme, emergency situations necessitating overtime, funds to cover all other overtime expenditures must be available within a department's budget.

Employees who choose, consistent with this Policy, to be compensated for overtime with compensatory time, should be made aware that its accrual is capped. No employee may retain more than eighty (80) hours of compensatory time beyond the month in which the balance comes to exceed eighty (80), unless that item has been specifically bargained for in a union contract. An exception to this occurs each year at the beginning of June, when compensatory time in excess of forty (40) hours is paid out as cash on the June 10th payroll.

Non-exempt employees shall be paid at the overtime rate for call-back time only when total hours worked exceed forty (40) hours for the workweek. If an employee works less than forty (40) hours, including the call-back time, the rate of pay shall be the employee's regular rate of pay. Exempt employees do not receive additional pay for call-back time.

Elected Officials and Department Heads shall approve overtime hours to be paid, compensatory time earned, and compensatory time used on non-exempt employees' original time sheets, which will be submitted to the Auditor.

12.4.1 EXEMPT EMPLOYEES

Exempt employees are expected to put in the necessary hours to complete their job in a timely and satisfactory manner. Although exempt positions (as specified under the FLSA and Washington law) generally have a workload which exceeds forty (40) hours per week, exempt employees shall not be entitled to compensation for overtime, either in cash or compensatory time, as defined above.

Elected Officials and Department Heads shall be responsible for ensuring that such employees understand their work plans and are monitored for work performance and effort. Options for accommodating exempt employees' workloads, hours of work, and excessive overtime hours are available as described below.

12.4.2 FLEXIBLE SCHEDULING

In recognition that exempt employees do not receive overtime and frequently work long hours, exempt employees are normally granted flexible scheduling, allowing them to vary their schedules on a day-to-day and week-to-week basis, depending upon the requirements of their jobs and the reporting procedures of their departments. In essence, the scheduled forty-hour (40) workweek may be accomplished using daily or weekly variations in hours.

Under flexible scheduling, exempt employees should generally flex their time within a single, semi-monthly pay period. However, it is recognized that this is not always possible, and, with the knowledge and consent of the Elected Official, Department Head, or immediate supervisor, employees may adjust their schedules such that the flexible scheduling is extended over a thirty-day to sixty-day (30-60) time frame.

Time off of less than one (1) day does not have to be charged to a paid leave account if it is offset by additional hours worked at other times, as approved. However, if an exempt employee does not offset hours missed by working additional hours to achieve, at minimum, a 40-hour workweek, they must use paid leave.

12.4.3 EXCEPTION COMPENSATORY TIME

In extraordinary circumstances, exempt employees whose jobs require excessive overtime, which cannot be addressed through a flexible work hour arrangement, are eligible for formal compensatory time off on an hour-for-hour (1:1) basis, with the

advanced approval of the Elected Official or Department Head and Human Resources. As a guideline, excessive overtime is considered more than ten (10) hours per day or fifty (50) hours per week on an extended basis.

12.4.4 CASH ELIGIBILITY

Exempt employees who cannot reasonably be granted exception compensatory time can instead be paid on a one-to-one (1:1) basis for overtime hours worked over a defined time period for a special project. This exception must be requested by the Department Head and pre-approved, in advance, by the Elected Official and discussed with Human Resources to assure adherence to contract provisions.

Nothing in this section shall be construed to limit a department's authority to require employees to report absences, to keep the department informed of their whereabouts, or to account for how time is being spent.

12.5 TIME RECORDS

Certain time sheet reporting requirements are necessary to comply with the Fair Labor Standards Act (29 CFR Part 541), Washington State Minimum Wage and Labor Standards (WAC 296-128-533), federal regulations, and public accountability expectations.

Original time sheets for non-exempt employees shall contain hours worked, unpaid break time, vacation and sick leave taken, holiday time used, and compensatory time earned and used. For exempt employees, original time sheets shall contain hours worked, sick and vacation leave taken, and holiday time used.

12.5.1 NON-EXEMPT STAFF

12.5.1.1 Time sheets for each pay period must show at least the total scheduled hours for the pay period and the distribution of those hours between time worked, paid leave, and leave without pay. Daily reporting is required and leave without pay must be shown on the day taken. Daily reporting of work time is required for labor distribution, grant compliance, FLSA and Washington law compliance, DRS reporting, and other accounting and reporting purposes.

12.5.1.2 Employees have the option of making up time missed during the same workweek, in consultation with an Elected Official or Department Head.

12.5.1.3 When making up time is not possible, partial- and full-day absences should be charged to the appropriate accrued leave category. Employees may be able to, or may be required to, use available paid leave. To the extent paid leave is not available, unpaid leave will result; leave without pay may result in a decrease of employees' leave accruals and may result in an increased employee contribution to the health insurance premium. Employees on leave without pay must be in paid status the day before and following a holiday to be paid for the holiday.

12.5.2 EXEMPT STAFF

Certain timesheet reporting requirements are necessary to comply with the Fair Labor Standards Act (29 CFR Part 541), laws concerning accounting for public funds (WAC 296-128-532 and 296-128-533), and public accountability expectations. The following rules and policies apply:

12.5.2.1 Time sheets for each pay period must show at least the total scheduled hours for the pay period and the distribution of those hours between time worked, paid leave, and leave without pay. Daily reporting is required and leave without pay must be shown on the day taken. Daily reporting of work time is required for labor distribution, grant compliance, FLSA and WAC compliance, DRS reporting, and other accounting and reporting purposes.

12.5.2.2 When flexible scheduling occurs across pay periods, the employee should report their actual hours worked for those pay periods.

12.5.2.3 When flexible scheduling is not possible, partial- and full-day absences should be charged to the appropriate accrued leave category. To the extent paid leave is not available, unpaid leave will result.

CHAPTER 13 - EMPLOYER-PAID BENEFITS AND LEAVES OF ABSENCE

13.1 POLICY

Skamania County shall provide employee benefits and administer leaves of absence in a manner that is legally compliant and meets both program goals and employee needs, as is reasonable. Employees, both exempt and non-exempt, are expected to utilize paid time off prior to taking leave without pay.

13.2 PROGRAM

13.2.1 All labor agreements shall conform with the provisions of this Chapter.

13.2.2 The County may establish eligibility requirements for benefits provided in this chapter.

13.2.3 Disagreements over the interpretation or application of these provisions shall be resolved by the grievance procedure in Chapter 14 or the procedure contained in applicable labor agreements, but not both.

13.2.4 Original time sheets for non-exempt employees shall contain vacation leave and sick leave taken, holiday time used, and compensatory time earned and used. For exempt employees, original time sheets shall contain hours worked, sick leave and vacation leave taken, and holiday time used, if any.

13.3 BENEFIT OVERVIEW AND ELIGIBILITY

Persons or employees excluded from these Personnel Policies, as described in Chapter 2, are not eligible for benefits, unless specifically addressed below.

13.3.1 CLASSIFIED EMPLOYEES AND ELECTED OFFICIALS

County-paid benefits including medical, dental, vision, vacation leave, life insurance, and holiday pay are available to employees who work at least sixty (60%) percent of a full-time equivalent position. Part-time employees on variable schedules, who are eligible to receive vacation leave and holiday pay shall receive prorated benefits based on the total hours budgeted and authorized for the position across a calendar year. An Elected Official or Department Head shall make a good faith effort to ensure these employees work at least the minimum number of hours necessary to achieve eligibility for these benefits.

All employees (not Elected Officials) in this categorization are eligible for paid sick leave, without regard to any minimum number of hours worked per week or per month, but accrual rates will vary. All other mandatory benefits, including labor and industry insurance, unemployment insurance, social security contributions, Washington Paid Family and Medical Leave (PFML) contributions, and retirement benefits are split in the percentages allowed under federal or state law.

Elected Officials are only eligible for insurance benefits, social security contributions, and retirement benefits. In regard to health insurance, they will receive full benefits and must pay the same percentage of the cost or dollar amount approved by Board of Commissioners for employees. This benefit will not be prorated based on time worked.

All County-paid benefits cease on the last day of employment for an employee who resigns, is terminated from County employment, or takes a leave of absence without pay, unless the leave is covered by the Family and Medical Leave Act. The County's insurance contracts have provisions which allow an employee to continue to pay insurance premiums and/or convert to an individual policy. The employee should contact Human Resources to determine eligibility for continuation of coverage under these provisions. Exceptions to health insurance termination will be followed as provided for in the contract or agreement of the policy. Also see the section on COBRA.

13.3.2 UNCLASSIFIED EMPLOYEES

All mandatory benefits, including labor and industry insurance, sick leave, unemployment insurance, social security contributions, Washington Paid Family and Medical Leave (PFML) contributions, and retirement benefits are paid for by the County according to the employer/employee percentages as set out in federal or state law for unclassified positions. No discretionary benefits shall be paid.

If required by state or federal law or by intergovernmental contract, an unclassified employee who meets the minimum contract or legal requirements for health care, may receive medical insurance under the County's group medical plans. More specifically, under ACA requirements, an employee who works an average of thirty (30) hours per week over a six-month (6) measurement period will become eligible for County health benefits for at least the next six (6) months of employment. Such an employee will be required to share in the premium cost for this insurance or can choose an opt-out stipend in lieu of coverage. Those unclassified employees who do not meet the hours worked requirement during the measurement period and who are not guaranteed benefits under a contract cannot participate in Skamania County's health insurance program.

Unclassified employees are not eligible for paid holidays observed by Skamania County or for vacation leave. If an unclassified employee desires to take time off as vacation, it shall be approved by the employee's supervisor and the leave shall be without pay. In the case of illness, the employee can use any accrued sick leave and/or Washington Paid Family and Medical Leave to cover an absence.

13.4 RETIREMENT BENEFITS

The County is a member of the Washington State Retirement System. All employees who work the minimum hours to meet eligibility requirements, as determined by the state, must participate in the retirement plan. Both employees and the County contribute financially to this retirement program. Employees who do not meet state's minimum requirements cannot participate in the plan.

13.5 VACATION LEAVE

13.5.1 ACCUMULATION OF VACATION LEAVE

Vacation leave is earned at the rate set out in the Vacation Leave Accumulation Schedule, which is based upon years of service with the County.

Employees earn ten (10) hours of vacation leave for their first month of employment, if they are placed on payroll on or before the 15th day of the month and work continuously through the rest of the month. Those employees hired on or after the 16th of the month will accrue vacation leave in the month following the month of hire. Regular employees separating from the County will receive vacation leave hours for the month in which they terminate if they work continuously through the 15th day of that month.

Employees may not accumulate more than a total of three hundred and sixty (360) hours of vacation leave. If not taken, vacation leave earned which puts an employee's leave balance in excess of three hundred and sixty (360) hours, is forfeited each month until the leave balance allows for accrual to commence again. An exception exists for when the workload in a department does not permit an employee to use leave, in which case, the employee may request that an Elected Official or Department Head obtains permission from the Board of Commissioners for the employee to accumulate up to forty (40) additional hours of leave. That additional leave accrual, if approved, must be used within six (6) months of the Board's approval. Alternately, if an Elected Official or Department Head does not approve vacation leave time and it is then lost for that pay period, an employee will instead be compensated at the hourly pay rate.

When an employee transfers from one department to another, all continuous service for the County in any department covered by this Policy shall be counted towards eligibility to utilize vacation leave and the accrual rate at which leave is earned.

Regular part-time employees who are eligible for benefits are entitled to earn vacation leave at a prorated rate based upon the percentage of hours worked in relation to a full monthly work period (173 and 1/3 hours).

An employee who takes an authorized leave of absence without pay shall receive a prorated amount of vacation leave, unless an entire calendar month of work is missed, in which case no accrual is received for that month. If the leave exceeds a full calendar month, the entire calendar month of absence shall not be credited towards years of service, unless they are on leave protected by applicable law.

13.5.2 VACATION LEAVE ACCUMULATION SCHEDULE

Employees shall accumulate vacation leave as follows:

| <u>Years of Service</u> | <u>Hours Earned Per Month</u> | <u>Hours Earned Per Year</u> |
|-------------------------|-------------------------------|------------------------------|
| 0-8 years | 10.00 | 120 |
| 9 years | 10.67 | 128 |
| 10 years | 11.33 | 136 |
| 11 years | 12.00 | 144 |
| 12 years | 12.67 | 152 |
| 13 years | 13.33 | 160 |
| 14 years | 14.00 | 168 |
| 15 years | 14.67 | 176 |
| 16 years | 15.33 | 184 |
| 17 years | 16.00 | 192 |
| 18 years | 16.67 | 200 |
| 19 years | 17.33 | 208 |
| 20 years | 18.00 | 216 |
| 21 years | 18.67 | 224 |
| 22 years | 19.33 | 232 |
| 23 years | 20.00 | 240 |

As of September 1, 2015, employees earning a higher rate than the twenty-three (23) years of service rate depicted above will continue to earn at that rate until separation from employment.

Former employees who separated from Skamania County's employment as the result of a layoff will, upon rehire, accumulate vacation leave at the same rate held at the time of layoff. Time previously served earning at a particular accrual rate will count toward such employees' next vacation leave rate increase based on years of service.

13.5.3 USE OF VACATION LEAVE

All requests for the use of vacation leave should be submitted to an Elected Official or Department Head for approval prior to the commencement of the time off. Elected Officials or Department Heads will first consider the needs of the department before approving vacation leave requests, unless leave approval is stipulated by a union contract.

An employee must complete six (6) months of continuous employment before utilizing vacation leave and no leave beyond what is accrued shall be taken or paid in advance. Additionally, vacation leave must be requested and used in no less than fifteen-minute (15) increments unless the accrual is less than 15 minutes.

13.5.4 RECORDS

Department Heads are responsible for approving vacation leave taken on original time sheets which are submitted to the Auditor. The Skamania County Auditor is the official record keeper for such employee records.

13.5.5 PAYMENT OF VACATION LEAVE UPON EMPLOYMENT SEPARATION

Vacation leave accumulated by a probationary employee with less than six (6) months of continuous service will be forfeited upon termination of employment and not paid out.

All accumulated vacation leave shall be paid out when a regular County employee terminates for any reason, provided that adequate notice has been given as specified in this Policy, which is fourteen (14) calendar days before the termination of employment. In the case of death, all accumulated vacation leave is paid out to the legal spouse or registered domestic partner of an employee, or if there is none, the estate of the employee. All payouts of unused vacation leave are based upon an employee's salary at the time of separation or death.

13.5.6 VACATION LEAVE CASH OUT

Employees may cash out accumulated vacation leave each year, subject to the following conditions:

13.5.6.1 An employee may cash out no more than eighty (80) hours of accumulated vacation leave per calendar year;

13.5.6.2 After cashing out, an employee must have a minimum of forty (40) hours remaining in the vacation leave bank;

13.5.6.3 An employee must use at least forty (40) hours of vacation leave (excluding donated leave) during the calendar year. Eligibility for annual leave cash out will be based upon the vacation leave balance and planned usage of vacation leave at the time of the employee's written request. If the employee's cash out is less than eighty (80) hours, then the leave usage shall be prorated based on total hours cashed out.

13.5.6.4 Only vacation leave hours which have been accrued prior to the time of the employee's written request for cash out will be counted when determining cash out eligibility;

13.5.6.5 An employee may submit a written vacation leave cash out request in April and/or November of each year. The payment for cashed out vacation leave will be included in the employee's next regular paycheck or direct deposit;

13.5.6.6 The cash out rate of pay for vacation leave will be the employee's current base pay on the date the cash out payment is made (i.e., the next payday).

13.5.7 DONATED VACATION LEAVE

Employees may donate vacation leave to another employee who is under a doctor's care for an illness or injury and who is incapacitated to the extent that the individual cannot perform normal duties. Donations of vacation leave to an employee are not to exceed two-hundred forty (240) hours in any twelve-month period. When on donated leave for any reason, an employee does not accrue paid time off.

Eligibility requirements for the use of donated leave stipulate that the recipient employee must have already exhausted all accrued sick leave, vacation leave, floating holiday time, and compensatory time. Vacation leave may not be donated for the purposes of an employee's pregnancy (except for pregnancy disability leave), adoption/fostering, or staying home with an ill family member. Employees that work less than sixty (60%) percent of a full-time equivalent budgeted position are not eligible to receive donated leave.

Once an employee is released to return to work, any remaining donated leave will be credited back, on a prorated basis, to those employees who originally donated the leave.

13.6 **HOLIDAYS**

13.6.1 Skamania County shall observe the following holidays for employees that are on a ten-hour (10), four-day (4) workweek, Monday through Thursday:

| | |
|--|-----------------------------------|
| New Year's Day | Martin Luther King, Jr. Day |
| President's Day | Memorial Day |
| Independence Day (4 th of July) | Labor Day |
| Veterans' Day | Thanksgiving Day |
| Christmas Day | Floating Day of Employee's Choice |

13.6.2 Skamania County shall observe the following holidays for employees that are on an eight (8) hour, five-day (5) workweek, Monday through Friday:

| | |
|--|-----------------------------------|
| New Year's Day | Martin Luther Kings, Jr. Day |
| President's Day | Memorial Day |
| Independence Day (4 th of July) | Labor Day |
| Veterans Day | Thanksgiving Day |
| Christmas Day | Day after Thanksgiving |
| | Floating Day of Employee's Choice |

13.6.3 Employees under the Guild Union Contract should follow the Guild Holiday language.

13.6.4 For employees working a five-day (5) workweek, when a holiday falls on a Saturday, the Friday before it will normally be substituted; when the holiday falls on a Sunday, the following Monday will be substituted. For employees working a four-day (4) workweek, Monday through Thursday, when a holiday falls on a Friday or Saturday,

the Thursday before it will normally be substituted; when the holiday falls on a Sunday, the following Monday will be substituted. If an employee works a nine (9)/eighty (80) schedule and the holiday falls on an off day, one (1) day off can be requested during the week of the holiday, but it must be approved by the Elected Official or Department Head.

13.6.5 Eligible, regular part-time employees will receive holiday pay based on the ratio of hours worked in relation to a full-time employee, beginning from their hire date. Eligible part-time employees using a personal holiday or holiday on a day they normally work a full eight (8) or ten (10) hours are required to use additional leave, compensatory time, or to flex their schedule, as approved by their supervisor, to make up for the full scheduled day of leave.

13.6.6 Employees are eligible for the floating holiday upon the first day of each calendar year and must use the time in a full day increment. Floating holidays must also be used by the end of the year and may not be carried forward into the next calendar year, except as described below.

- a. New employees shall receive a prorated share of personal day hours at the rate of one-twelfth (1/12th) of the annual entitlement for each full month of service during the year, however, the earned hours are not available for use until the employee successfully completes probation.
- b. For the limited circumstances of providing probationary employees sufficient time to use a floating holiday accrued in the first year of employment, these hours may carry forward into the second year. For example, when an employee's probation completes in December, the floating holiday hours would be made available at the end of December. Such an employee would not have adequate time to use the leave prior to December 31, however.

Any other day proclaimed a legal holiday by the Governor or Board of County Commissioners will also be granted as a paid holiday.

13.6.7 Religious Holidays

Additionally, without regard to workweek schedule, employees are entitled to two (2) unpaid holidays per calendar year for a reason of faith or conscience. These holidays will be granted on the requested days, unless the absence unruly disrupts operations, imposes an undue hardship, or an employee's presence is necessary to maintain public safety.

If possible, an employee should submit a written request for an unpaid holiday, as provided for by this section, to the appropriate supervisor a minimum of ten (10) days prior to the requested day. Religious holidays must be taken during the calendar year, if at all; they do not carry over to the next year.

13.7 SICK LEAVE

13.7.1 SICK LEAVE ACCRUAL & AVAILABILITY

Full-time employees are granted sick leave at the accrual rate of nine (9) hours for each completed month of service. Part-time employees who work sixty (60%) percent or more of a full-time monthly schedule (173 & 1/3 hours) will receive a prorated amount of sick leave based upon the actual number of hours worked or hours budgeted for the year. There is no limit to the amount of sick leave that can be accumulated by employees that work at least sixty (60%) percent of a full-time schedule. These employees, when taking an authorized leave of absence without pay, shall receive a prorated amount of sick leave for the month based on hours worked.

These employees will accrue sick leave for their first month of employment, if they were placed on the payroll on or before the 15th day of the month and worked continuously through the rest of the month. Those hired on or after the 16th of the month will accrue sick leave in the month following the month of hire.

Effective January 1, 2018, part-time intermittent employees who work less than 60% of a full-time schedule as well as temporary and seasonal employees will receive sick leave at the rate of one (1) hour for every forty (40) hours worked. For these employees, accrued sick leave is available for use upon the 90th calendar day of employment and sick leave carry over from year-to-year is limited to forty (40) hours.

When an employee, regardless of hours worked, transfers or is promoted from one County department to another, all accrued sick leave transfers with the individual.

13.7.2 QUALIFYING REASONS FOR SICK LEAVE

Sick leave may be taken for any of the following reasons, which must be indicated on the sick leave request:

- a. An absence resulting from an employee's mental or physical illness, injury, or health condition that incapacitates the employee to the extent that it renders the employee unable to perform the work or to accommodate the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition.
- b. An exposure to a contagious disease or the employee's place of business has been closed by order of a public official for any health related reason, or when an employee's child's school or place of care has been closed for such a reason that results in the potential for the employee or employee's child to jeopardize the health of fellow employees or the public.
- c. A doctor's appointment or dental appointment for preventive care, which should be approved in advance by the Elected Official or Department Head.
- d. An absence that qualifies for leave under the state's Domestic Violence Leave Act.
- e. An absence that qualifies for leave under the state's Military Family Leave Act.
- f. Illness in the immediate family requiring the attendance of the employee.

- g. Death in the immediate family requiring the attendance of the employee.
- h. Up to four (4) hours may be granted when an employee serves as pallbearer.
- i. Pregnancy disability, including routine pre- and post-natal care.
- j. Mental health, or substance use disorder counseling.

13.7.3 USE OF SICK LEAVE

Sick leave shall be reported to the Elected Official, Department Head, or any other designated person prior to the beginning of any period of absence, unless such notice is not practical. The leave may not be allowed, if such a report has not been made. After the fourth (4th) consecutive day of sick leave is utilized, an Elected Official or Department Head may require an employee to provide a medical certificate upon the employee's return to work.

Sick leave may be taken in fifteen-minute (15) increments, at minimum. Accrued sick leave may be used until it is exhausted, although sick leave, beyond what is accrued, shall neither be taken nor paid in advance. Instead, vacation leave may be used. At an employee's request, vacation leave may also be used in lieu of sick leave; sick leave may not be used as vacation leave, however, with the exception of a workers' compensation absence or as approved by the Board.

13.7.4 RECORDS

Elected Officials or Department Heads are responsible for approving and submitting sick leave records for their department through employees' original time sheets. The Skamania County Auditor receives the time sheets and is the official record keeper for such employee records.

13.7.5 SICK LEAVE ABUSE

Abuse of sick leave usage and privileges, such as repeated absences next to a weekend, pay day, or holiday, without prior approval, shall be cause for disciplinary action. Other forms of sick leave abuse may be determined at the discretion of management.

13.7.6 SICK LEAVE PAYOUT AT DEATH OR RETIREMENT

Upon retirement or death, up to one thousand (1000) hours of accrued sick leave will be paid, at the current and final salary level, to an employee that works at least sixty (60%) percent of the full-time equivalent status or to such an employee's designated beneficiary. A definition of retirement is available in Chapter 1.

Sick leave balances for unclassified employees (temporary, seasonal, part-time, intermittent) employees, or those who are under sixty (60%) percent of a full-time equivalent status, are not paid out.

Proof of retirement, as retirement is defined in Chapter 1, is required. A death certificate and proof on beneficiary status will be required of any qualifying beneficiaries.

13.7.7 SEPARATION

Upon separation for reasons other than retirement or death, employees shall not be entitled to payment for unused sick leave pursuant to this section, except those employees with at least twenty (20) years of continuous service with Skamania County, who may cash out up to one-thousand (1000) hours of accrued sick leave.

13.7.8 SEPARATION VIA LAYOFF

Employees who separate from County service via a layoff with at least five (5) years of service will be paid for fifty percent (50%) of their accrued sick leave, at the base rate of pay, for up to a maximum of five hundred (500) hours.

13.8 LEAVES OF ABSENCE

13.8.1 BEREAVEMENT LEAVE

Bereavement leave is a County-paid leave separate from vacation and sick leave, which is not accrued but instead is granted under qualifying circumstances. Time off for bereavement can be taken for an immediate family member. Paid bereavement leave for employees shall be limited to forty (40) hours in any one instance, without special approval from the County, although for a part-time employee, leave shall be limited to a lesser, prorated amount based on the employee's FTE (full-time equivalency). Bereavement leave must be used within sixty (60) days of the qualifying event.

13.8.2 LEAVE FOR ON THE JOB INJURIES

The Washington Department of Labor and Industries rules and regulations will be followed.

A workers' compensation application shall be filed by the County as soon as it is received after an employee's visit to a physician. Until workers' compensation leave is effective, the employee may request to be placed on sick leave.

All employees are covered under the Washington State Workers' Compensation Act for injuries or illness incurred while at work for the County. If employees are absent due to an illness or injury for which they are receiving payment from the State Industrial Insurance fund, or a comparable insurance fund, the following is applicable:

13.8.2.1 When the Washington State Department of Labor and Industries decides to allow a claim, the employee may utilize sick leave or other accrued leaves (if the sick leave balance is exhausted) to cover the difference between compensation received from the workers' compensation insurance and the employee's regular base monthly salary. Employees shall also be able to utilize accrued sick leave or other paid time off for the three-day (3) waiting period prior to becoming eligible for time loss benefits.

13.8.2.2 Donated leave time counts towards employees' accrued leave banks for this section. When on donated leave for any reason, employees do not accrue paid leave.

13.8.2.3 Employees will not accrue sick or annual leave during time off work for a work-related injury covered under the Washington State Worker's Compensation Act.

13.8.2.4 If accrued sick leave, annual leave, or compensatory time are exhausted, the employee will receive Washington State Department of Labor and Industries weekly insurance benefits only.

Upon exhaustion of protected leave rights and any County-paid leave benefits, an employee will be put on leave without pay for a period not to exceed six (6) months, after which time the employee will be terminated.

Within ten (10) days of the doctor's release to return to work, the employee must apply for reinstatement to a position on the County workforce. The employee must provide the Elected Official or Department Head with a copy of the medical provider's certificate of release before a return to work can be authorized.

13.8.3 MILITARY LEAVE

Any employee who is a member of the Washington National Guard or of the Army, Navy, Air Force, Coast Guard, or Marine Corps reserves of the United States, or of any organized reserve of U.S. Armed Forces ordered to active duty or active training, shall be granted a military leave of absence for a period up to fifteen (15) consecutive work days each calendar year (RCW 38.40.060). During the military leave time, the employee shall receive regular pay. Any military leave taken beyond fifteen (15) working days may, at the option of the employee, be taken as annual leave or leave without pay.

Pursuant to the Uniformed Services Employment and Reemployment Rights Act (38 USC 4301 et. seq.), any employee who, either voluntarily or upon demand, leaves a County position (other than a temporary position) to enter the Armed Forces of the United States or the National Guard will generally be restored to either a former position or one of like seniority and pay, provided the employee qualifies and complies with the Act's substantive and procedural requirements.

13.8.4 MILITARY SPOUSE LEAVE

Under the Washington State Military Family Leave Act (MFLA), an employee whose spouse or registered domestic partner is a member of the United States Armed Forces, National Guard, or Reserves is allowed to take up to fifteen (15) days of unpaid leave from work. Any available paid time off may be utilized, if desired.

Eligibility for leave occurs when such an employee is notified of an impending call or order before deployment or when a spouse or registered domestic partner is on leave from deployment. Time off cannot be taken at the end of the deployment.

An employee must work an average of at least 20 hours each week to be eligible for this leave. The County must be notified of an employee's intention to take leave within five (5) business days of receiving official notice of an impending call or order to active duty or of a leave from deployment.

If leave also qualifies for coverage as exigency leave under the federal Family and Medical Leave Act (FMLA), these leaves will run concurrently. In that event, additional leave beyond the fifteen (15) days may be available under federal law.

13.8.5 EMERGENCY SERVICES PERSONNEL

Volunteer fire fighters, reserve peace officers, civil air patrol members, and ambulance crews provide necessary services to our community for emergency calls, fire alarms, or emergency services operations. Employees are allowed to provide this assistance without fear of disciplinary action or the loss of their jobs, as long as they notify Skamania County of their inability to come to work or their need to leave work to provide these services. Employees will receive regular pay from the County during these activities.

13.8.6 ADMINISTRATIVE LEAVE

Administrative Leave, with or without pay, may be granted upon authorization by the Board of County Commissioners.

13.8.7 JURY DUTY

An employee shall continue to receive regular pay, inclusive of special or premium pay, for any period of required service as a juror in the employee's county of residence or federal court.

All money received as pay for jury duty shall be surrendered to the County, except for money received for such duty on the employee's regular day(s) off. This shall not include any mileage reimbursement by the court.

If an employee is called for jury duty on a normal workday, the employee shall report immediately to work following dismissal by the court. Employees are expected to provide reasonable notice to an Elected Official or Department Head of upcoming jury duty service.

13.8.8 WITNESS LEAVE

An employee shall continue to receive regular pay, inclusive of special or premium pay, for any period of time the employee has been subpoenaed to testify as a witness in matters related to their employment with the County on normal working days.

All money received as witness fees shall be surrendered to the County, except for money received for such duty on the employee's regular day(s) off. This shall not include any mileage reimbursement by the court.

If an employee is subpoenaed as a witness on a normal workday, the employee shall report immediately to work following dismissal by the court. Employees are expected to provide reasonable notice to an Elected Official or Department Head of the need for witness duty leave.

Employees serving as a witness or under subpoena for a non-job-related matter can utilize annual leave, a floating holiday, or compensatory time, if compensation is desired. If unpaid leave is taken instead, it will result in a proration of benefits, accrued leaves, and holidays for the month(s) in which the leave occurs.

13.8.9 PERSONAL LEAVE WITHOUT PAY

The granting of a personal leave without pay is optional and at the discretion of the appropriate Elected Official or Department Head, but if leave is granted, in no case shall it exceed six (6) months in duration. When leaves of absence without pay of more than thirty (30) calendar days occur, the employee's anniversary date, the date for determining the annual leave accrual rate, and the date for accumulation of years of service will be adjusted by the total length of the leave granted.

Upon reporting to work at the end of an authorized leave of absence, an employee shall be reemployed in either the same position or in another position in the same job class as the position held at the start of the leave.

Leave without pay shall only be granted if an employee has exhausted all available leave. Exceptions may be made by special request of the appropriate Elected Official.

13.8.10 PAID FAMILY AND MEDICAL LEAVE (PFML) PROGRAM

Starting in 2020, the State of Washington is offering paid family and medical leave (PFML) benefits, which will provide partial wage replacement to employees during a qualifying leave of absence. The paid leave, which is to be administered by the Employment Security Department (ESD), will be funded by insurance premiums paid by both Skamania County and County employees.

The County will contribute the amount required, as specified in Chapter 50A.04 RCW, on behalf of employees to comply with the program. Beginning on January 1, 2019, the County shall also deduct employees' contributions, which are a percent of the premiums for the Paid Family and Medical Leave Program, from employees' wages, as permitted by RCW 50A.10.030(3)(b) and (c). Employees are required to financially participate in the Paid Family and Medical Leave Act Program per RCW 50A.054 and cannot opt out.

To request paid leave benefits under the PFML Program, employees should file a claim with the Employment Security Department, not with Skamania County.

Eligible employees may choose to file for PFML with the Washington State Employment Security Department (ESD) when absent from work due to family and medical reasons. Employees may elect whether to use PFML or applicable accrued leave (sick, vacation, compensatory time earned or personal holiday), for a qualifying absence. Employees who choose to use PFML will run concurrent with federal FMLA when applicable.

13.8.10.1 ELIGIBILITY

Under PFML, employees may be eligible for monetary benefits and job protection when taking leave for covered reasons. Eligibility requirements are as follows.

- a. **Monetary Benefits:** In order to be eligible for monetary benefits from ESD, an employee must have worked 820 hours in Washington (for any employer or combination of employers) during the year preceding the claim.
- b. **Job Protection:** In order to be eligible for job protection under PFML, an employee must meet FMLA eligibility requirements (must have worked for Skamania County for at least twelve [12] months and have worked 1,240 hours during the preceding twelve [12] months).

An employee is ineligible for PFML benefits during any period of suspension from employment or during which the employee works for remuneration or profit (e.g. outside employment or contracting).

13.8.10.2 LEAVE ENTITLEMENT

Eligible employees are entitled to take up to 12 weeks of medical or family, or a combined total of 16 weeks of family and medical leave per claim per year; an additional two weeks of leave may be available in the event the employee's leave involves incapacity due to the employee's own pregnancy. The claim year begins when the employee files a claim for PFML benefits or upon the birth/placement of the employee's child. PFML may be taken for the following reasons:

- a. **Medical Leave:** Medical leave may be taken due to the employee's own serious health condition, which is an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider, as those terms are defined under the FMLA and RCW 50A.05.010. However, an employee is not eligible for PFML benefits if the employee is receiving time loss benefits under the workers' compensation system.
- b. **Family Leave:** Family leave may be taken to care for a covered family member with a serious health condition; for bonding during the first

twelve (12) month following the birth of the employee's child or place of a child under the age of 18 years with the employee (through adoption or foster care); or for qualifying military exigencies as defined under the FMLA. For purposes of family leave, covered family members include the employee's child, grandchild, parent (including in-laws), grandparent (including in-laws), siblings and spouse

PFML runs concurrently with FMLA leave where an absence is covered by both laws. PFML may be taken intermittently, providing there is a minimum claim requirement of eight consecutive hours of leave in a week for which benefits are sought.

13.8.10.3 PFML APPLICATION PROCESS

An employee must submit an application to ESD in order to seek PFML benefits. If approved, the employee will need to file weekly benefit claims with ESD to continue receiving benefits.

13.8.10.4 NOTIFICATION REQUIREMENTS

An employee must provide as much advance notice to Skamania County Human Resources and the appropriate Department Head/Elected Official of the intent to take PFML as is practicable.

13.8.10.5 PFML MONETARY BENEFITS

If ESD approves a claim for PFML benefits, partial wage replacements will be made by ESD directly to the employee. The amount of the benefit is based on a statutory formula which generally results in a benefit in the range of 75-90 percent of an employee's average weekly wage, subject to a maximum of \$1,000 per week. ESD's website is expected to include a benefit calculator to assist employees in estimating their weekly benefit amount.

With the exception of leave taken in connection with the birth or placement of a child, PFML benefits are subject to a seven-day waiting period. The waiting period begins on the Sunday of the week in which PFML is first taken. The waiting period is counted for purposes of the overall duration of PFML, but no monetary benefits will be paid by ESD for that week. Employees may use available accrued leave to cover absence during the waiting period.

No supplementation: Accrued paid leave (vacation leave, sick leave, personal holiday, compensatory time) may not be used in conjunction with PFML for the same date(s). An employee may elect to use accrued leave during a PFML covered absence (e.g. both PFML leave and paid leave are used during a week but on different days), however the receipt of pay for accrued leave use must be reported to ESD as part of the PFML claims process and will result in a prorated weekly benefit. Failure by the employee to report the receipt of pay

for accrued leave may result in an overpayment by ESD, which ESD may recoup directly from the employee.

13.8.10.6 COORDINATION WITH OTHER BENEFITS

When an employee is on leave and only receiving PFML benefits, the employee is deemed to be in unpaid status for purposes of County policies and benefits. Insurance coverage will be handled in the same manner as other unpaid leaves of absence, pursuant to County policy and subject to any FMLA or other legal requirements requiring continuation of coverage.

13.8.10.7 JOB RESTORATION RETURN

An employee who is eligible for job-protected leave will be restored to the same or equivalent position at the conclusion of the PFML, unless unusual circumstances have arisen (e.g., the employee's position or shift was eliminated for reasons unrelated to the leave).

13.8.10.8 DEFINITIONS

Child: a biological, adopted, or foster child, a stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or a de factor parent, regardless of age or dependency status.

13.8.10.9 PROCEDURE

An employee must provide written notice to their supervisor and Human Resources of the intent to take PFML. If the need for leave is foreseeable, notice must be given at least thirty (30) days in advance of the leave. For unforeseeable leave, notice must be given as soon as practicable. The employee's written notice must include the type of leave taken (family or medical), as well as the anticipated timing and duration of the leave. If an employee fails to provide this required notice, ESD will temporarily deny PFML benefits.

After receiving the employee's notice of the need for leave, the County will advise the employee whether the employee is eligible for job protection under PFML or FMLA or both.

If leave is being taken for the employee's or family member's planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt County operations.

PFML may be taken intermittently, subject to a minimum weekly claim of eight (8) consecutive hours. If taking PFML intermittently, an employee must notify the supervisor each time the leave is taken and ensure it is noted on the timesheet so that PFML use may be tracked.

If an employee taking PFML chooses not to return to work for any reason, the employee should notify the County as soon as possible.

13.8.11 DOMESTIC VIOLENCE LEAVE

The Domestic Violence Leave Act guarantees employees the right to take reasonable leave to get help or to help a family member with domestic violence, sexual assault, or stalking.

For the purpose of this Policy, Skamania County will recognize all immediate family members, as defined herein, as well as individuals with whom an employee has a dating relationship. No negative action will be taken against an employee who is an actual or perceived victim or whose family member is a victim. Prohibited actions include discrimination, retaliation, demotion, firing, refusing to hire a qualified person, or actions that negatively impact promotion, compensation, or other conditions of employment. Employees may use this leave to seek legal or law enforcement help; receive treatment from a health care provider for physical or mental injuries; help a family member get services from a domestic violence shelter, rape crisis center, mental health counseling, or other social service program; or to participate in safety planning, temporarily or permanently move, or take other actions to increase the safety of themselves or a family member.

Paid time off, including annual leave or sick leave, may be used or else the absence will be unpaid. This leave can be used intermittently, in a single block of time, or as part of a reduced work schedule.

Skamania County will also make reasonable safety accommodations, as requested by employees who are victims of domestic violence, sexual assault, or stalking, unless the accommodation poses an undue hardship. Safety accommodations can include, but are not limited to, a job transfer, reassignment, or modified work schedule; changing a work telephone number, email, or workstation; or implementing safety procedures such as additional locks.

The County may require verification from employees who request leave or a reasonable safety accommodation. Verification can include a written statement that the employee or family member is a victim and needs assistance; a police report or court order indicating the employee is a victim or needs protection; other evidence from the court or prosecuting attorney relating to an associated court appearance; or documentation from a health care provider, advocate, clergy member, or legal representative.

When the leave is associated with an employee's family member, verification of the family relationship may be requested. Such verification may include an employee's statement, a birth certificate, a court document, or other similar documentation.

13.8.12 FAMILY AND MEDICAL LEAVE ACT

13.8.12.1 PURPOSE

This Policy implements the provisions of the federal Family and Medical Leave Act of 1993 (FMLA) for Skamania County employees. The information here is meant to inform employees primarily about rights to leave under this law; leave time for family and medical reasons may also be available under other applicable laws such as the Washington Law Against Discrimination (WLAD), the Washington Paid Sick Leave law and the Washington Paid Family Leave law.

13.8.12.2 GRANTING FAMILY AND MEDICAL LEAVE

Employees must meet three (3) specific criteria to qualify for Family and Medical Leave (FMLA):

- a. Employees must have worked for at least twelve (12) months or fifty-two (52) weeks for the County. An employee is considered employed for an entire week, even if the employee was only on the payroll for part of the week or was on paid leave during the week.
- b. Employees must have worked at least 1,250 hours during the twelve (12) months preceding the commencement of FMLA leave.

In addition to the above, Elected Officials or Department Heads, in conjunction with Human Resources, will grant FMLA leave for specific qualifying reasons:

- c. The birth of a child to be completed within twelve (12) months of the birth.
- d. The placement of a child younger than 18 years of age with an employee for adoption or foster care, and to care for the newly placed child, to be completed within twelve (12) months of the placement of the child. Documentation will be required.
- e. An employee's spouse, son, daughter, stepchild or parent (parent in-law) who has a serious health condition. Certification of the medical necessity for leave will be required.
- f. A serious health condition that results in the employee's lack of ability to perform one or more essential functions of his or her job. Certification of the medical necessity for leave will be required.
- g. For any qualifying exigency arising out of the fact that a spouse, son or daughter (of any age) is a military member on covered active duty or call to covered active duty status. Documentation will be required.

An eligible employee may also take up to twenty-six (26) work weeks of leave during a "single 12-month period" to care for a covered service member. The

“single 12-month period” for military caregiver leave is different from the 12-month period used for other FMLA leave reasons.

Leave may be taken on an intermittent or reduced schedule basis. This means an employee may take leave in separate blocks of time or by reducing the time he or she works each day or week for a single qualifying reason. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer’s operations. If FMLA leave is for the birth, adoption, or foster placement of a child, use of intermittent leave or a leave resulting in a reduced schedule requires the employer’s approval.

FMLA leave requires the employee to use accrued paid leave to cover the FMLA leave period.

Employees must give Elected Officials or Department Heads thirty (30) days’ advance notice of foreseeable leave. In an emergency, an employee must give notice to Elected Officials or Department Heads as soon as possible.

13.8.13 PFML/FMLA LEAVE TIME ALLOWED

Generally, an employee may only request up to twelve (12) weeks of family and medical leave during any twelve (12) month period. In some cases, however, employees could be eligible for up to twelve (12) weeks of leave separately under FMLA and PFML, or up to twenty-six (26) weeks of leave under FMLA in addition to any PFML leave. The leaves run concurrently with the Federal Family Leave Act program and provide the following:

13.8.13.1 Job Protection under FMLA/PFML

Upon return from FMLA or PFML leave, an employee must be restored to his or her original job or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. An employee’s use of FMLA leave cannot be counted against the employee under a “no-fault” attendance policy unless:

- a. The position is a salaried position among the highest paid ten percent of the employees employed by the employer with seventy-five miles of the facility at which the employee is employed;
- b. Necessary to prevent substantial and grievous economic injury to the operations of the employer;
- c. Employer notifies the employee of the intent of the employer to deny restoration on such basis at the time the employer determines that the injury would occur, and;
- d. The leave has commenced and the employee elects not to return to employment after receiving the notice.

13.8.13.2 Continuation of Health Benefits

Employers are required to continue group health insurance coverage for an employee on FMLA leave under the same terms and conditions as if the employee had not taken leave.

Leave may be taken in continuous weeks, used intermittently in blocks of leave, or used intermittently to reduce the usual number of hours per workweek or hours per workday. Elected Officials or Department Heads track leave taken and deduct it from the total number of weeks of available leave under the FMLA and/or PFML.

Part-time, regular employees will receive FMLA/PFML leave on a prorated basis. If the number of working hours varies per week or month, the Elected Official or Department Head shall calculate the leave allotment based upon the average hours scheduled over the course of the past twelve (12) months.

If spouses, as defined under federal law, both work for Skamania County and each wishes to take leave under the FMLA; or if registered domestic partners or spouses, as defined under Washington law, both work for the County and each wish to leave under the PFML, the two employees are entitled to a combined total of twelve (12) weeks under the following conditions:

- a. Birth of a child.
- b. Adoption or placement of a child in foster care.
- c. Care of a parent, parent-in-law, or grandparent with a serious health condition or an emergency condition.

The two employees are each entitled to the full twelve (12) weeks for their own illnesses or to care for an immediate family member, unless some parental leave was utilized. In that case, each employee would only be entitled to the balance of the twelve (12) weeks for another qualifying reason for leave.

To accommodate an intermittent/reduced leave schedule, an Elected Official or Department Head may temporarily transfer an employee to an available alternative position; although, the position must offer equivalent pay and benefits.

If an employee requests intermittent leave or a reduced weekly or hourly schedule, an Elected Official or Department Head and the employee shall mutually agree upon the schedule. If no mutual agreement is reached, the employee must demonstrate the medical necessity of the requested schedule.

13.8.14 PAID LEAVE DURING FMLA

Employees must utilize paid leave, such as vacation or sick leave, during a FMLA absence, although sick leave may not be used during parental leave except during pregnancy disability time frame.

13.8.15 GRANTING LEAVE BEYOND FMLA/PFML OR OTHER PROTECTED LEAVES

Elected Officials and Department Heads, in conjunction with Human Resources, may grant leave time beyond FMLA/PFML or other aforementioned protected leaves, under specific conditions:

- a. When an employee has accrued sick leave remaining at the end of protected leave and the situation meets the requirements for the use of sick leave in the Sick Leave section of the Skamania County Personnel Policies.
- b. In the event that an employee has accrued vacation leave remaining at the end of a FMLA/PFML leave.
- c. If an employee requests and receives permission from an Elected Official or Department Head to take unpaid leave, as allowed under the Leave Without Pay section of these Policies.

Elected Officials and Department Heads shall require any employee requesting additional leave time to obtain a written medical certification verifying the need for continued leave.

If an employee utilizes unpaid leave after exhausting FMLA/PFML leaves, the County Auditor shall not continue to pay health insurance premiums for the employee. The employee may elect at that time to continue coverage afforded by COBRA regulations and to wholly self-pay health insurance premiums.

Elected Officials or Department Heads, in conjunction with Human Resources, are ultimately responsible for ensuring that all leave granted complies with the Skamania County Personnel Policies and applicable law.

13.8.16 DETERMINATION AND NOTIFICATION OF FMLA/PFML LEAVE

Elected Officials or Department Heads, in conjunction with Human Resources, determine when an employee qualifies for a FMLA or PFML status. If an employee's leave meets the eligibility requirements of FMLA/PFML, the Elected Official or Department Head shall notify the employee, in writing, of the leave's designation as FMLA/PFML and the employee's rights within five (5) business days of the leave request.

13.8.17 MEDICAL RECORDS CONFIDENTIALITY

Elected Officials and Department Heads shall treat documentation related to an employee or an immediate family member's medical condition as confidential and maintain all related documentation in the employee's confidential medical records file within the department.

13.8.18 WRITTEN MEDICAL CERTIFICATION

Elected Officials and Department Heads may require a doctor's (or other appropriate health care provider's) written certification of the employee's serious health condition or

that of the employee's immediate family member, as defined herein, with the following requirements:

- a. The written medical certification must be provided within fifteen (15) calendar days of the County's request.
- b. Failure to provide a medical certification may result in a denial of continuation of leave and the leave's designation as FMLA/PFML.
- c. If the County has reason to doubt the certification, the County has the right to require a second opinion from a physician of the County's choosing and at the expense of the County. If necessary to resolve a conflict between the original certification and the second opinion, the County may require the opinion of a third doctor. The County and the employee will jointly select the third doctor, and the County will pay for the opinion. The third opinion will be considered final and binding.

13.8.19 EMPLOYEE REPORTING REQUIREMENTS WHILE ON FMLA/PFML LEAVE

Elected Officials and Department Heads may require an employee using FMLA/PFML leave to provide periodic status reports including an employees' intent to return to work.

13.8.20 CONTINUATION OF EMPLOYEE HEALTH INSURANCE BENEFITS

The County will maintain an employee's health insurance during the FMLA leave period at the same level and under the same conditions as if the employee had continued to work. The County does not maintain health insurance for employees on leaves only covered under the PFML, unless the employee uses available paid time off.

If an employee chooses not to return to work for reasons other than an ongoing serious health condition, the County requires the employee to reimburse the County the amount it paid towards health and life insurance premiums during the FMLA leave period that was not covered by paid time off.

If the employee normally pays a portion of the health insurance premium, the employee must continue any such payments during FMLA leaves:

- a. The employee must make mutually acceptable arrangements for payment of the employee's share of the premiums with the Auditor to ensure continuation of coverage.
- b. The employee must submit payments to the Auditor's Office by the first day of each month for which coverage is being purchased.
- c. If the payment is more than thirty (30) days late, the employee's health insurance may be dropped for the duration of the FMLA leave.

13.8.21 ACCRUAL OF OTHER LEAVE DURING FMLA/PFMLLEAVE

Employees shall accrue no paid leave including sick leave, vacation leave, or holiday hours during an unpaid FMLA/PFML leave of absence.

13.8.22 EMPLOYEE RESTRICTIONS DURING FMLA/PFML LEAVE

Employees shall self-monitor their activities and follow medically recommended restrictions during a FMLA/PFML leave:

- a. An employee should not engage in any on- or off-the-job activity (sports, hunting, hobbies, etc.) that violates restrictions imposed by a health care provider or that might otherwise delay a full return to regular employment.
- b. An employee who ignores medically recommended restrictions or who participates in activities which cause a delayed return to work may be terminated for this violation.

13.8.23 REINSTATEMENT OF KEY EMPLOYEES

Key employees, as defined, may not be entitled to reinstatement following a FMLA/PFML leave. Under specific and limited circumstances where restoration to employment would cause substantial and grievous economic injury to County operations, an Elected Official or Department Head may refuse to reinstate a “key employee.”

Elected Officials and Department Heads must do the following to implement this limitation:

- a. Notify the employee of status as a “key employee” at the time the employee gives notice of the need for leave and in the County’s FMLA/PFML designation notice.
- b. Notify the employee as soon as it is known that the County will deny job restoration and explain the reasons for this decision;
- c. Offer the employee a reasonable opportunity to return to work from FMLA/PFML leave after the commencement of FMLA/PFML leave; and,
- d. Make a final determination as to whether or not reinstatement will be denied at the end of the leave period when the employee requests restoration.

13.8.24 REEMPLOYMENT AFTER FMLA/PFMLLEAVE

Skamania County reserves the right to reemploy employees under the following conditions:

Under Washington State’s Paid Family Medical Leave (PFML) and the Family and Medical Leave Act (FMLA), if an employee returns to work within the agreed upon time period of the leave, the employee will be allowed to:

- a. Return from leave to the same position; or,
- b. Return to an equivalent position within the same or a geographically proximate worksite (within twenty (20) miles for PFML) that entails substantially equivalent skills, effort, responsibility and authority, status, pay, benefits and other employment terms; as the employee would have had if not for the leave.

- c. If there are layoffs or reductions in force while the employee is on leave, and the employee would have been separated from employment, no right to reinstatement remains.
- d. If an employee fails to return to work following family and medical leave and any additional leave provided under this Policy, the employee may be reinstated to the same or a similar position, but only if either position is available. If the same or a similar position is not available, the employee may be terminated.

13.8.25 PROCEDURES AND ACTIONS

13.8.25.1 ACTION - Employee

- a. Submits a “Request for Family and Medical Leave of Absence Form” to the Elected Official or Department Head thirty (30) days in advance of the 1st date of leave, if possible.
- b. If requested by the Elected Official or Department Head, provides a written medical certification verifying the need for family and medical leave for a serious health condition.
- c. If required, reports the status of the medical condition and the intent to return to work to an immediate supervisor every thirty (30) days and prior to the end of the leave request.
- d. When undergoing planned medical treatment, makes a reasonable effort to schedule the treatment to minimize disruptions of the County’s services.
- e. If absent for more than three (3) scheduled workdays, notifies the appropriate Elected Official, Department Head, or immediate supervisor as soon as possible.

13.8.25.2 ACTION - Immediate Supervisor

- a. If required, receives status reports from the absent employee every thirty (30) days and prior to the end of leave, which communicate the intent to return to work.
- b. When an employee has been absent from work for more than three (3) scheduled workdays, the immediate supervisor notifies the Elected Official or Department Head of the absence so the employee can be contacted to determine interest in applying for WFLA/FMLA leave.
- c. Keeps the Elected Official or Department Head informed of an absent employee’s status and intent to return to work.

13.8.25.3 ACTION - Elected Official or Department Head

- a. Receives a request for a family and medical leave of absence from an employee or notice of an employee’s more than three (3) day absence from the employee’s immediate supervisor.

- b. Reviews the Family and Medical Leave Policy with the employee and the employee's immediate supervisor and ensures the employee understands the notification requirements.
- c. Determines if the request or absence is qualifying under the Family and Medical Leave Policy and/or any applicable law.
- d. Authorizes or denies the family and medical leave request and/or designates any qualifying leave already commenced as family and medical leave.
- e. Notifies the employee in writing that an absence, including any time already taken, qualifies as family and medical leave under these Policies and applicable law.
- f. Reports any family and medical leave used by employees to the County Auditor on a monthly basis.

13.8.25.4 ACTION - Auditor's Office /Human Resources

- a. Ensures the use of leave complies with the County's Policy and any applicable laws.
- b. Notifies the appropriate Elected Official or Department Head of any leave compliance issues.

CHAPTER 14 – GENERAL GRIEVANCE PROCEDURES

14.1 POLICY

Skamania County shall afford all employees the same basic rights or, for represented employees, those rights provided by the collective bargaining agreement concerning wages, hours, and conditions of employment and shall provide a process to resolve grievances in a fair and open manner. Employees with concerns related to discrimination or those who have sensitive grievances can seek assistance directly from Human Resources (see Chapters 18 and 20).

14.2 PROGRAM

- a. A grievance shall include only those disputes involving the interpretation of, application of, and alleged violations of the provisions of these Policies.
- b. The grievance procedures will allow for informal adjudication of a grievance, as well as provide a formal procedure. A determined effort shall be made to settle any differences at the lowest possible level available in the grievance procedure. Supervisors and employees are expected to resolve problems as soon as they arise.
- c. If a settlement is impossible at an early stage, employees should feel confident that no disciplinary action or discrimination will occur because of an employees' use of the grievance procedures.

14.3 PROCEDURES

- 14.3.1 The following procedures shall be followed when submitting and processing a grievance and employees should be aware that no punitive action shall be carried out against any individual for utilizing the grievance procedures contained herein. If a complaint in any way involves an employee's immediate supervisor or the Department Head, the employee may go to the next step and next superior in the process to submit the complaint. If there is no Department Head, the grievance will proceed to the Elected Official.
- 14.3.2 If an employee has a justified grievance regarding the interpretation of, application of, or an alleged violation of the provisions of the Personnel Policies, the employee must discuss this grievance with an immediate supervisor within eight (8) working days of the alleged occurrence. The supervisor shall respond to the employee within sixteen (16) calendar days after a receipt of the grievance. If, within eight (8) calendar days after receiving a response from the supervisor, the employee feels the grievance has not been appropriately resolved, the employee shall submit a written grievance to the Department Head. If there is no Department Head, the grievance will proceed to the Elected Official.
- 14.3.3 The Department Head shall reply in writing to the employee and the supervisor regarding the grievance within sixteen (16) calendar days after receipt of the supervisor's response. An employee who believes the grievance has not been resolved by the Department Head should submit a written complaint to the

appropriate Elected Official within sixteen (16) calendar days of the Department Head's response. The Elected Official shall also respond to the grievance within sixteen (16) calendar days. If at this point the grievance persists, an Elected Official may agree to any other legal means available for resolving the employee's grievance, including arbitration by an external third party.

- 14.3.4 Prior to advancing to arbitration, however, either party may request mediation, or it may be jointly requested. Use of a mediator is voluntary; the parties must mutually agree to both the particular mediator and to invoke the mediation process to resolve the grievance as an alternative to the grievance procedure.

14.4 EXTENSION OF THE TIME LIMITS

The time limits prescribed in this section for the initiation of and completion of the grievance procedures, and any steps within, may be extended by mutual consent of the parties involved. Likewise, any step in the grievance procedure may be eliminated by mutual consent of the parties. Mutual consent shall be indicated in writing and shall be signed by all parties.

14.5 COUNTY LIABILITY

If the County fails to meet or answer a grievance within the time limits prescribed, at any procedural step, the grievance shall automatically advance to the next step. If the County fails to meet or answer a grievance at the last procedural step within the time limits prescribed by this section, an ultimate determination in favor of the grievant applies and the County shall resolve the matter accordingly.

14.6 EMPLOYEE LIABILITY

If an employee fails to meet any timeline established in this section, the grievance shall be considered waived.

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| CHAPTER 15 – EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION PROGRAM |
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15.1 POLICY

Skamania County is an equal employment opportunity/affirmative action employer. Skamania County employs, retains, promotes, terminates, and otherwise engages in an employment-related context with all employees and job applicants on the basis of their merits, qualifications, and competencies. This Policy shall be applied without regard to any individual's sex, sexual orientation, gender identity, race, color, religion, national origin, pregnancy, age, marital or veteran/military status, medical condition, disability, or any other class or status protected under applicable law and including an employee's association with relatives, friends, or associates in any protected class. Skamania County shall have a fair and open selection process for hiring new employees and for promotions and the County shall endeavor to employ a workforce which is representative of the diversity of Skamania County residents.

15.2 PROGRAM

All positions will be staffed based upon employees' or applicants' merits, qualifications, and competencies, without regard to individuals' sex, sexual orientation, gender identity, race, color, religion, national origin, pregnancy, age, marital or veteran/military status, medical condition, disability, or any other class or status protected under applicable law, including an employee's association with relatives, friends, or associates in any protected class.

15.3 PROCEDURE

All Elected Officials and Department Heads will work with any and all agencies now available, or which become available, to help them identify:

- a. The range of available candidates representing all segments of the population; and
- b. Any possible recruitment activities which might assist the County in attracting candidates from diverse populations.

Within their respective department(s), Elected Officials and Department Heads will make a reasonable attempt to employ and develop a diversified workforce.

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| CHAPTER 16 – RESERVED |
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Reserved for future use. Unclassified position policies incorporated into other sections of these Policies.

CHAPTER 17 - DRUG FREE WORKPLACE

17.1 POLICY

Skamania County wishes to educate its employees of the dangers of drug abuse in the workplace, the County's commitment to a drug-free workplace, the penalties that may be imposed upon employees for violations of this Policy, and of the County's commitment to support employees seeking or undergoing treatment for and rehabilitation from a chemical dependency.

17.2 PURPOSE

The County recognizes that the maintenance of a drug-free workplace is essential to the safety and welfare of its employees and the public. This Policy establishes the County's programs and practices which promote and support a drug-free work environment in compliance with the Drug-Free Workplace Act of 1988.

17.2.1 CONTROLLED SUBSTANCE USE

The unlawful manufacture, distribution, dispense, possession, or use of a controlled substance or alcohol in the workplace is prohibited. Reporting to work under the influence of or affected by a controlled substance or alcohol is prohibited.

As a continuing condition of employment, all employees must notify their Department Head of any criminal drug statute conviction arising from a workplace violation that occurred no later than five (5) days after such a conviction.

17.2.2 PRESCRIPTION OR OVER-THE-COUNTER DRUG USE

The use of prescription and over-the-counter drugs that compromise safety in the workplace or the quality of the employee's work product is prohibited. It is an employee's responsibility to check with a health care provider to determine whether or not a prescription or over-the-counter drug will impair performance at work, and to share this information with an immediate supervisor.

17.2.3 DRUG USE AWAY FROM THE WORKPLACE

The use of a controlled substance off the worksite by an employee may be grounds for disciplinary action if it adversely impacts the County as employer.

17.2.4 EMPLOYEE SANCTION

It is the responsibility of every employee to be aware of the above provisions and to abide by them. Failure to observe these provisions will result in immediate disciplinary action against the employee, up to and including termination. The employee may be required to satisfactorily participate in an alcohol or drug abuse assistance or rehabilitation program.

17.2.5 DRUG ABUSE EDUCATION PROGRAM

The County will utilize available County resources, including drug education programs, to educate employees about to the dangers of drug and alcohol abuse.

17.2.6 CONFIDENTIALITY

The confidentiality of all complaints and reported violations of the provisions of this Policy will be strictly maintained, except as required by public disclosure laws or a court order.

CHAPTER 18- NON-DISCRIMINATION POLICY AND GRIEVANCE PROCEDURES

18.1 POLICY STATEMENT

Skamania County does not discriminate in any terms or conditions of employment and benefits on the basis of sex, sexual orientation/gender identity, race, color, religion, national origin, pregnancy, age, marital or veteran/military status, medical condition, disability, or any other class or status protected under applicable law, including an employee's association with relatives, friends, or associates in any protected class. The County also does not discriminate on the basis of disability in employment pursuant to the requirements of either the Americans with Disabilities Act of 1990, P. L. 101-336, as hereafter amended, or the Washington State Law Against Discrimination (WLAD), RCW 49.60.

18.2 PURPOSE

Skamania County establishes a grievance procedure for employees who allege discrimination on the basis of sex, sexual orientation, gender identity, race, color, religion, national origin, pregnancy, age, marital or veteran/military status, medical condition, disability, or any other class or status protected under applicable law, including an employee's association with relatives, friends, or associates in any protected class, in employment opportunities, benefits, and privileges of employment.

Employees who require a disability-related or religious accommodation should first place an accommodation request, verbally or in writing, with Human Resources or their Elected Official or Department Head. Those employees who are not satisfied with the decision reached should then follow the procedures outlined in this Chapter.

18.2.1 DISABILITY GRIEVANCE PROCEDURE

Employees should submit complaints regarding access or discrimination in writing to Skamania County Human Resources, P. O. Box 790, Stevenson, Washington 98648, (509-427-3705). A record of the complaints and action taken will be maintained. All reports of discrimination will be taken seriously and promptly investigated; no employee will experience retaliation for complaining or participating in an investigation. Complaints will be kept confidential, unless disclosures are requested by an employee, as described below, are required by law, or are necessary to adequately investigate or act upon a complaint. The Board of County Commissioners shall appoint an ADA Coordinator and a written decision by the designated ADA Coordinator(s) will be rendered within ten (10) working days.

If the complaint cannot be resolved by the ADA Coordinator(s) to an employee's satisfaction, upon the employee's request, it will be forwarded to the Skamania County Disabled Resident Access Committee composed of Elected Officials, the disabled, health/medical representation, and representatives at large. The Board of Commissioners will appoint the Committee. The Committee should be directed to hear such complaints in public, after adequate public notice, in an unbiased, objective manner, and to make a

written decision within thirty (30) days. Proceedings of the Committee should be recorded and maintained.

If the complaint cannot be resolved to an employee's satisfaction by the Committee, at the employee's request, the complaint will be heard by the Board of Commissioners and discussed at an open, public meeting of the Board. A determination must be made within thirty (30) days.

A record of the action taken on each request or complaint must be maintained as a part of the records or minutes at each level of the grievance process.

A person's right to a prompt and equitable resolution of the complaint must not be impaired by pursuit of other remedies, such as the filing of a complaint with a government enforcement agency or the filing of a suit in state or federal court. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.

18.2.2 NON-DISABILITY GRIEVANCE PROCEDURE

Employees who have a concern about discrimination on the basis of sex, sexual orientation, gender identity, race, color, religion, national origin, pregnancy, age, marital or veteran/military status, medical condition, or any other class or status protected under applicable law, including an employee's association with relatives, friends, or associates in any protected class, should notify or file a complaint with Human Resources. All reports of discrimination will be taken seriously and promptly investigated; no employee will experience retaliation for reporting or participating in an investigation. Complaints will be kept confidential, unless disclosures are required by law or to adequately investigate or act upon a complaint.

A person's right to a prompt and equitable resolution of the complaint must not be impaired by the pursuit of other remedies, such as the filing of a complaint with a government enforcement agency or the filing of a suit in state or federal court. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.

CHAPTER 19 - ANTI-HARASSMENT POLICY INCLUDING SEXUAL HARASSMENT

19.1 POLICY STATEMENT

Skamania County promotes equal employment opportunity and equitable treatment of all employees and volunteers. Therefore, Skamania County hereby adopts a policy prohibiting workplace harassment because of a person's sex, sexual orientation/gender identity, race, color, religion, national origin, pregnancy, age, marital or veteran/military status, medical condition, disability, or any other class or status protected under applicable law and including an employee's association with relatives, friends, or associates in any protected class.

Skamania County maintains a commitment to provide fair and impartial treatment to all employees and a work environment free from harassment. Employees and volunteers should be free of such harassment from co-workers or co-volunteers, officers of Skamania County, supervisors, managers, and from non-employees conducting business with the County. The actions of those who engage in harassment may violate Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e, et seq., RCW 49.60, SMC Chapter 14.04, and this Policy.

The County encourages the prompt reporting and investigation of harassment allegations and prohibits retaliation against an employee or volunteer who brings a complaint of harassment to the County's attention. Retaliation against witnesses of alleged harassment for their cooperation with an investigation is also prohibited by the County.

Substantiated violations of the provisions of this Policy shall result in appropriate corrective action, including but not limited to disciplinary actions reasonably believed to end the harassment and prevent it from recurring.

All employees, supervisors, Elected Officials, Department Heads, and volunteers must adhere to the County's policies and procedures, and to state, federal, and local laws pertaining to prohibited workplace harassment. The failure of any Skamania County employee, supervisor, or Department Head to adhere to such policies and laws shall be grounds for corrective action and/or disciplinary action, up to and including termination.

19.2 INVESTIGATION OF HARASSMENT AND RETALIATION COMPLAINTS

The County investigates harassment and retaliation complaints and will take prompt, appropriate action on founded complaints. In conducting investigations pursuant to this Policy, Skamania County officers, Elected Officials, Department Heads, and supervisors should consider the rights of represented employees to obtain union representation. If at any point the person tasked to receive or investigate a complaint is implicated in the complaint, the complainant shall progress to the next higher official or action in the process.

19.3 CONFIDENTIALITY OF COMPLAINTS

Skamania County attempts to maintain the confidentiality of all complaints, investigations, and reports made according to this Policy, unless disclosures are required by law or to adequately investigate or act upon a complaint.

19.4 TRAINING OF COUNTY EMPLOYEES

Skamania County provides a copy of the Anti-harassment Policy and harassment training to all new employees. All County employees also periodically receive a copy of the Anti-harassment Policy and receive periodic anti-harassment training on how to recognize, report, and curtail harassment in the workplace.

19.5 RIGHT TO AN EXTERNAL COMPLAINT

In addition to the rights afforded under this Policy, any employee or volunteer may file a complaint of harassment with the Washington State Civil Human Rights Commission or the Equal Employment Opportunity Commission.

19.6 PROCEDURES

19.6.1 ACTION – Employee or Volunteer

- a. Conducts oneself on the job in a manner appropriate to the work environment.
- b. Adheres to the Skamania County Anti-harassment Policy and procedures, and to state, federal, and local laws as a required condition of employment, if applicable.
- c. Informs the “harasser,” whenever possible, that the harassing behavior is inappropriate, offensive, unwelcome, and should immediately cease. For example, “When you do [.....] it makes me uncomfortable and I need you to stop that right away.”
- d. Informs an appropriate party within the County of suspected harassment. Employees may go directly to Human Resources to make such a complaint, however, an Elected Official, Department Head, or immediate supervisor within the department may also receive harassment complaints.
 - When a Department Head or supervisor is the subject of a complaint, the employee may instead inform an Elected Official. The Elected Official, in cooperation with Human Resources, will investigate the matter and issue a final report.
 - When an Elected Official is the subject of the complaint, the employee should instead inform Human Resources, who in conjunction with the Skamania County Prosecuting Attorney, will investigate the matter and issue a final report.
 - Cooperates with any and all investigations and inquiries.

19.6.2 ACTION - Supervisor

- a. Notifies the Elected Official or Department Head, if a harassment complaint is received.

19.6.3 ACTION - Elected Official or Department Head

- a. Implements this Policy.
- b. Takes all steps necessary to prevent harassment. Such actions may include, but not be limited to, posting and distributing the County's Anti-harassment Policy, providing training and information, and receiving and resolving employee complaints.
- c. When there is a reasonable basis to believe that harassment and retaliation may be occurring, initiates an investigation, even if a formal complaint has not been filed.
- d. Receives harassment and retaliation complaints from supervisors or directly from employees and volunteers.
- e. Notifies Human Resources upon receiving a complaint.
- f. In coordination with Human Resources, thoroughly and impartially investigates complaints of alleged harassment and retaliation in a timely manner.
- g. Takes all complaints of harassment and retaliation seriously. Refrains from making any predeterminations or judgments about the complainant, alleged harasser, or the validity of the alleged harassment or retaliation complaint.
- h. Interviews complainants, witnesses, and alleged harassers to determine the validity of complaints.
- i. Maintains written investigation records.
- j. Reviews any proposed disciplinary actions with Human Resources and the County Prosecutor.
- k. To the extent possible, maintains the confidentiality of the identities of complainant and accused harasser, and handles the complaint in a confidential manner.
- l. If it is determined probable that harassment occurred, takes appropriate action.
- m. Appropriate action may include discipline that is reasonably believed to end the harassment and prevent it from recurring.
- n. Follows the disciplinary processes outlined in Chapter 9 of these Personnel Policies.
- o. Advises the complainant and the alleged harasser, in writing, of the results of the investigation and disciplinary actions taken, if any.

19.6.4 ACTION - Parties to the Complaint

- a. Parties to a complaint may appeal a decision, within fourteen (14) calendar days, to a Department Head, Elected Official, or the Board of County Commissioners, depending upon whom is next in the line of authority.

19.6.5 ACTION - Elected Official

- a. Reviews the investigative reports and decision.
- b. If appropriate, conducts further investigation.
- c. Issues a final written decision.
- d. Provides written copies of the decision to the parties of the complaint.
- e. If it is determined probable that harassment occurred, takes the appropriate disciplinary action to end the harassment and to prevent it from recurring.

19.6.6 ACTION - Human Resources

- a. Should make follow-up inquiries to ensure no harassment has resumed and the victim and witnesses have not suffered any retaliation or further retaliation.
- b. Maintains a permanent file of the incident and actions taken, if any.
- c. Develops anti-harassment and retaliation training as required.
- d. Assists the Elected Official or Department Head in conducting harassment and retaliation investigations.
- e. Receives and investigates complaints, along with the Prosecuting Attorney, in instances where a complaint is made against an Elected Official or Department Head.

19.6.7 ACTION - Prosecuting Attorney

- a. Advises County employees or Elected Officials who are conducting harassment investigations.
- b. As necessary, may conduct harassment and retaliation investigations, in coordination with Human Resources.

CHAPTER 20 - REPORTING IMPROPER GOVERNMENTAL ACTION AND PROTECTING EMPLOYEES AGAINST RETALIATION

20.1 POLICY STATEMENT

Skamania County's policy is to encourage its employees to report improper governmental action taken by County officers or employees and to protect employees who have reported improper governmental action in accordance with the County's Personnel Policies and associated procedures. The following procedure shall be used by all employees wishing to exercise their rights, pursuant to RCW 42.41. A copy of the procedure and the act itself shall be made readily available to all employees for inspection.

20.2 DEFINITIONS

As used in this Policy, the following terms shall have the meanings indicated:

Improper governmental action means any action by a Skamania County officer or employee:

- a. That is undertaken in the performance of the officer's or employee's official duties, whether or not the action is within the scope of the employee's employment; and
- b. That is in violation of any federal, state, or local law or rule, or is of substantial and specific danger to public health or safety; but,
- c. "Improper governmental action" does not include:
 - Personnel actions, including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or civil service laws, alleged violations of labor agreements or reprimands; and,
 - Matters that the employee may disagree with, but that are within the discretion of the legislative body or the Elected Official.

Retaliatory action means any adverse change in the terms and conditions of a Skamania County employee's conditions of employment, which relate to the employee's reporting of improper governmental action.

Emergency means a circumstance that, if not immediately changed, may cause damage to persons or property.

20.3 REPORTING & INVESTIGATION OF COMPLAINTS

20.3.1 Skamania County employees who become aware of improper governmental actions should first raise the issue with an immediate supervisor. If requested, an employee shall submit a written report to the supervisor or to some person designated by the supervisor, stating in detail the basis for the employee's concern that an improper governmental action has occurred. Where an employee reasonably believes the improper governmental action involves an immediate supervisor, the employee may raise the issue

directly with the appropriate Elected Official or Department Head. If the Elected Official or the Department Head is an immediate supervisor, the employee may contact the Board of Commissioners or any other person designated by the Board to receive reports of improper governmental action.

20.3.2 In the case of an emergency, where the employee believes that damage to persons or property may result, if action is not taken immediately, the employee may choose to report the improper governmental action directly to the outside governmental agency responsible for investigating such complaints.

20.3.3 The Elected Official, Department Head, Board of Commissioners, Boards' designee, or the supervisor, as the case may be, shall take prompt action to assist Skamania County in properly investigating a report of improper governmental action. Skamania County officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law, unless the employee authorizes a disclosure of identity in writing. After an investigation has been completed by the Board's designee, the employee reporting the improper governmental action shall be advised of a summary of the results, except that personnel actions taken may be kept confidential.

20.3.4 Skamania County employees may also escalate the report about improper governmental action to the outside governmental agency with investigative responsibilities, when any of the following conditions apply: the employee reasonably believes that an adequate investigation was not undertaken by Skamania County to determine whether an improper governmental action occurred, that insufficient action has been taken by Skamania County to address the improper governmental action, or, that for other reasons, the improper governmental action is likely to recur.

20.3.5 Skamania County employees who fail to make a good faith attempt to follow Skamania County's procedures for reporting improper governmental action shall not receive the protection afforded by Skamania County in these procedures or by applicable law, RCW 42.41.030, or as amended.

20.4 PROTECTION AGAINST RETALIATORY ACTIONS

20.4.1 Skamania County officials and employees are prohibited from taking retaliatory action against any County employee because a report concerning improper governmental action was made in good faith and in accordance with these Policies and associated procedures.

20.4.2 Employees who believe they have experienced retaliation for reporting an improper governmental action should advise their immediate supervisor, the Board of Commissioners, or the Board's designee. Skamania County officials and supervisors shall take appropriate action to investigate and address complaints of retaliation.

20.4.3 If the employee's Elected Official, Department Head, immediate supervisor, the Board of Commissioners, or the Board's designee do not satisfactorily resolve a County

employee's retaliation complaint, an employee may obtain protection under this Policy, and pursuant to state law, by providing a written notice to the Board of Commissioners that specifies the alleged retaliatory action and the relief requested.

20.4.4 Employees shall provide a copy of their written charge to the Board of Commissioners no later than thirty (30) days after the occurrence of the alleged retaliatory action. The Board of Commissioners shall respond to the charge within thirty (30) days.

20.4.5 After receiving the Board's response to the charge, or once thirty (30) days has passed since the delivery of the charge to the Board of Commissioners, an employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain any relief provided for by law. An employee seeking a hearing should deliver a hearing request to the Board within the earlier of either: fifteen (15) days of the Boards' response to the retaliation charge or forty-five (45) days of the charge's delivery to the Board for consideration.

20.4.6 Upon receipt of a hearing request, the Board of Commissioners shall apply for an adjudicative proceeding before an administrative law judge at the State Office of Administration Hearings within five (5) working days. The Board of Commissioners will consider any recommendation provided by the administrative law judge, including those which suggest that an individual found to have engaged in retaliation be suspended with pay, without pay, or dismissed.

20.5 RESPONSIBILITIES

20.5.1 The Board of Commissioners is responsible for implementing the Skamania County policies and procedures for reporting improper governmental action and for protecting employees against retaliatory actions. This includes ensuring that this Policy and the associated procedures within are permanently posted where all employees will have reasonable access to them, are made available to employees upon request, and are provided to all newly hired employees.

20.5.2 Officers, managers, and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility. Violations of this Policy and its procedures may result in appropriate disciplinary action, up to and including dismissal.

CHAPTER 21 – TRAVEL AUTHORIZATION & REIMBURSEMENT POLICY

21.1 POLICY

Skamania County will authorize travel for official County business and will reimburse ordinary and necessary travel-related expenses, including registration, lodging, meals, and/or incidental expenses incurred. When approving and reimbursing travel and travel-related expenditures, the County will adhere to the official procedures and guidelines outlined in this Policy.

21.1.1 REIMBURSEMENT AUTHORIZATION

Persons authorized to receive reimbursement for travel-related and other incidental expenses, within budgetary restraints include:

- a. County employees and Elected Officials.
- b. Persons authorized by law, grant, or contract, provided that the terms of expense reimbursement authorization shall apply.
- c. Volunteers, if authorized by an Elected Official.
- d. Members of the Board of Commissioners.
- e. With prior authorization granted by an Elected Official, candidates for positions that require a specialized skill not available in the County job market, subject to the following restrictions:
 - Travel for an interview with the County from a place of residence outside Skamania County.
 - No candidate is eligible for the reimbursement of more than two (2) separate interview trips for a given position.

21.1.2 TRAVEL AUTHORIZATION

Elected Officials or Department Heads authorizing travel shall ensure that budgeted funds are available to cover travel expenses and must determine if requested travel is eligible for such funding. Travel requests must therefore indicate if the travel pertains to official County business and should be accompanied by a travel itinerary, agenda, and/or printed material, when available, which indicates the overall content and estimated travel expenses.

Elected Officials or Department Heads shall approve travel authorizations in advance for day or overnight travel, even if the travel is not funded by the County.

Under the following circumstances, only an Elected Official may authorize travel:

- a. For out-of-state travel, unless it is within a 60-mile radius of the courthouse.
- b. If the total cost including meals, lodging, mileage, registration, and incidental expenses will exceed one-thousand dollars (\$1,000) per person.

Reimbursement for non-mandatory attendance at job-related seminars, conferences, conventions, or training at less than the rates otherwise authorized in this Policy may also be authorized. In this case, the Elected Official or Department Head and the traveler shall mutually agree upon the reduced reimbursement rates, in writing, prior to the travel authorization being approved.

21.1.3 REGISTRATION COSTS

Elected Officials or Department Heads shall reimburse or pre-pay registration fees for meetings, conferences, conventions, or work sessions related to official County business.

21.1.4 TRANSPORTATION COSTS

The County Auditor shall announce the current IRS mileage rate for business-related travel and administer mileage reimbursements; Elected Officials or Department Heads shall approve reimbursements of the actual and necessary costs of transportation to conduct official County business, and will do so based upon the following guidelines:

21.1.4.1 The method of transportation and route must be the most advantageous to the County, considering the cost of transportation, other travel expenses, and salary costs. A preferred mode of transportation selected by an employee will only be reimbursed up to the amount of the least expensive option for travel. An exception may be approved by an Elected Official, as appropriate. If a less expensive mode of transportation or fare is unavailable, more than the standard reimbursement for any given mode of travel may be approved.

21.1.4.2 Necessary taxi or public transportation costs shall be reimbursed, as well as costs associated with rental vehicles and the use of a personal vehicle. When utilizing rental vehicles in connection with travel for official County business, lessees shall obtain a government rate, whenever possible, and shall rent the lowest cost vehicle that adequately accommodates any passengers and equipment necessary to conduct County business. Costs associated with vehicle insurance offered by the car rental agency will not be reimbursed.

21.1.4.3 When a private automobile is to be used for business-related travel, Elected Officials or Department Heads shall approve reimbursements for mileage at the Internal Revenue Service (IRS) rate per mile and for the actual costs of parking and tolls.

- a. Mileage will not be paid for commutes to and from the normal County worksite; and
- b. Mileage involved with any trip away from the normal worksite during the workday will be paid; and
- c. Mileage will not be paid for the portion of a trip away from the normal worksite which would be part of the regular daily commute.

- d. Consistent with the County's Vehicle Use Policy, the automobile insurance of the non-county vehicle shall be the primary coverage.
- e. Elected Officials or Department Heads shall not reimburse transportation between employees' homes and their regularly assigned workplace.

21.1.4.4 Elected Officials or Department Heads shall authorize reimbursement only for the minimum number of vehicles necessary to transport employees for approved County business. County Commissioners or other Elected Officials may, however, drive separately from employees when traveling for County business, including trainings, seminars, classes, etc. If the Elected Official or Department Head allows additional vehicles beyond the minimum required, reimbursement for the transportation costs may be split between the vehicles.

The Vehicle Use Policy shall be followed when either a County vehicle or personal vehicle is driven for County business.

21.1.5 LODGING COSTS

The Skamania County Auditor shall announce the current State of Washington lodging rate for travel to counties within the state and the IRS lodging rate applicable to out-of-state travel and will also administer lodging reimbursements. Elected Officials or Department Heads shall approve lodging reimbursements associated with authorized travel related to County business, but only when the following conditions are met:

- a. The event is more than fifty (50) miles from the normal worksite.
- b. The lodging is closer than fifty (50) miles but the event has mandatory evening functions.
- c. For travelers who maintain overnight travel status.
- d. For travelers who request government rates.
- e. When receipts from the lodgings and accommodations are submitted.
- f. When a reimbursement is requested for the actual lodging costs, plus tax, incurred for single occupancy, up to the maximum amount for counties within the State of Washington and up to the maximum IRS limits for an out-of-state accommodation.
- g. Lodging costs that are greater than the lodging limits set by the State of Washington may be approved by an Elected Official, before travel is to commence, for the following reasons:
 - The event is being held at the hotel site where the employee or Elected Official is staying.
 - Transportation costs between an alternate lodging site and the event site would exceed any lodging-related cost savings.
 - Alternate lodging within the state limits imposes unreasonable hardship on the traveler.
 - The best interest of County is served in approving a lodging reimbursement amount above the standard limit, as determined by an Elected Official.
 - No available or alternate lodging exists within a reasonable distance of the event site, which is also within the lodging limits for Washington counties or

- within the IRS limits for an out-of-state accommodation. The traveler must provide a signed statement of unavailability with the reimbursement request.
- h. If two travelers share a room, each person must submit a reimbursement request for only one-half the double occupancy charge, plus tax.
 - i. Persons authorized to travel out-of-state on County business may claim lodging costs from the night before the authorized event starts through the night it ends.
 - j. If no available, reasonably priced, and timely return transportation exists, additional lodging costs may be allowed.

21.1.6 PER DIEM, MEALS, & INCIDENTAL EXPENSES

21.1.6.1 MEALS AND PER DIEM

- a. An Elected Official or Department Head authorizes reimbursement for the per diem rate, meal costs incurred during authorized travel for Skamania County business, including for partial days of travel and refreshment costs.
- b. Per Diem Rate: travelers with an overnight travel status and who experience full days of travel may request the reimbursement of meals, including tips and taxes, and incidental expenses at the established State of Washington per diem rate or at the IRS per diem rate applicable to out-of-state travel.
- c. Meals and incidental expenses, other than those included in the per diem rate, apply to travelers requesting reimbursement for breakfast, lunch, or dinner when on day travel status or on overnight travel status only for a partial day. Meal expenses, including per diem for non-overnight travel, will be taxed as a non-cash fringe benefit per IRS regulations.
- d. Reimbursement eligibility for expenses shall be based on the following times:
 - Breakfast: At least one (1) hour prior to a traveler's regular work hours
 - Lunch: During the traveler's regular lunch period
 - Dinner: At least one (1) hour after a traveler's regular work hours end
- e. The reimbursement rate for meals and incidental expenses shall follow the State of Washington's fixed allowance for each meal and for out-of-state travel and will be consistent with the per diem rate for that location.
- f. Elected Officials or Department Heads shall reduce the per diem rate under specific circumstances:
 - For meals included in a registration fee, airfare, or other County expense, the per diem meal and incidental rate will be reduced by the fixed allowance for the respective meal.
 - For continental breakfasts included with lodging, the per diem meal and incidental rate will be reduced by the fixed allowance for the breakfast meal, unless the breakfast offered includes no more than pastries and beverages.

- g. Elected Officials or Department Heads may directly pay or reimburse employees, other Elected Officials, if applicable, members of Board of Commissioners, and authorized volunteers in non-travel status for meals at the IRS-established rate, if all of the following conditions apply:
 - A business event takes place in a clear business setting.
 - Expenses directly and irrefutably relate to County business.
 - The meal negates the disruption of a business meeting.
 - The request for payment or reimbursement states the purpose of the meeting.
- h. An Elected Official or Department Head may reimburse employees or directly pay for meal expenses at staff retreats under the following conditions:
 - Staff retreats lasting more than four (4) hours in a single day, for either one (1) day or multiple days. An agenda providing the relationship to county business and includes a listing of all attendees must be provided.
 - Reimbursement or direct payment does not exceed the fixed allowance for lunch in Skamania County.
 - Reimbursement or direct payment does not exceed two (2) retreats per year, per County department, with the exception of staff training as outlined under Chapter 7.4.
- i. Elected Officials or Department Heads may not directly pay for meals or incidental expenses for any individuals not covered by this Travel Policy, except as may be allowed for refreshments.

21.1.6.2 NON-REIMBURSEABLE MEAL AND REFRESHMENT COSTS

Elected Officials or Department Heads shall not reimburse meal and refreshment costs when such costs are included in another County expense, regardless of whether or not the person partakes in the meal or refreshment; when costs are incurred for recreational or social events such as office, going away, and retirement parties, or other personalized social events; when any reimbursement would constitute a violation of the State Constitution, Article VIII, Section 7, as a gift of public funds would occur; or when the reimbursement is for the purchase of alcoholic beverages.

Exceptions to Per Diem Meal Rates – Elected Officials or Department Heads may approve meal expenses incurred at a rate higher than the per diem rates or fixed meal allowance when:

- a. Extenuating circumstances led to a meal expense outside of the applicable per diem rate, as supported by a receipt detailing the expense

and written justification. If no receipt is presented, reimbursement at the IRS-established rate will occur.

- b. A meal is incurred on behalf of another agency that reimburses the County for any expenses, in which case reimbursement of the expense shall follow the rules of the funding agency.
- c. Elected Officials or Department Heads may provide refreshments for County events involving County business and open to the public.
- d. Elected Officials or Department Heads shall limit refreshment expenses to fifty (50) percent of the fixed lunch meal allowance established by the State of Washington travel regulations for each participant. The amount shall not exceed one-hundred dollars (\$100.00) without prior approval of the Board.
- e. The Elected Official or Department Head shall require original receipts for the direct payment of or reimbursement of refreshment expenses.

21.1.7 OTHER REIMBURSABLE EXPENSES

Elected Officials or Department Heads may reimburse essential miscellaneous expenses related to travel for official County business. Original receipts are required for miscellaneous expenses of ten dollars (\$10.00) or more. Miscellaneous expenses include:

- a. The rental of a room in a hotel or other facility that is used to transact official County business, providing a County owned/leased room is unavailable;
- b. Parking; ferry and bridge tolls; taxi, air, bus and subway fares; airport shuttle service;
- c. Stenography, typing, or computer-related services;
- d. Telephone calls or facsimile (fax) transmissions necessary to conduct official business, up to a limit of four dollars (\$4.00), to advise family of safe arrival, a change in official travel plans, or a delay in arrival due to inclement weather;
- e. A baggage handling service, when necessitated by physical limitations or when carrying excessive baggage or equipment required for official business purpose.

21.1.8 NON-REIMBURSABLE EXPENSES

Elected Officials or Department Heads shall not reimburse ineligible expenses, including: expenses incurred without prior approval from an Elected Official or Department Head, unless an emergency occurred preventing prior approval; travel and miscellaneous expenses not authorized under this Policy; miscellaneous travel expenses not directly related to official County business; excessive or unnecessary expenses; and expenses considered personal, including but not limited to:

- a. Hosting meals or entertaining others for promotional activities.
- b. Personal telephone calls, except as noted under the Other Reimbursable Expenses subsection above.
- c. Entertainment (e.g., TV, radio, games outdoor fun), clothing, personal sundries and services.

- d. Transportation to places of entertainment or similar personal activities (e.g., a tour bus, sightseeing).
- e. Valet and room service costs that exceed the fixed rate established for the meal incurred and valet service, except when necessitated by physical limitations.
- f. Personal trip insurance.
- g. Insurance for rental vehicles.
- h. Medical, dental, or hospital services.
- i. Alcoholic beverages.
- j. Tobacco products.
- k. Fines and penalties.
- l. Dependent care.
- m. Travel paid for by any other organization.
- n. Meals or hotel/motel accommodations for a spouse or guest.
- o. Mileage, if traveling as a passenger in someone else's privately-owned vehicle.
- p. Moving expenses.
- q. Excess costs and additional travel expenses as a result of taking an indirect route, or a delayed return trip for personal preference or convenience, except when an indirect route or delay reduces the County's total costs and was approved.
- r. Travel expenses when a Skamania County, state, or federal law or policy designates another source of reimbursement. In cases where County policy provides for greater total reimbursement for travel activities, an Elected Official or Department Head may pay the difference between the amount reimbursed from the other sources and the amount allowed by the County's policy.

21.1.9 EXPENSE REIMBURSEMENT CLAIMS

Reimbursement requests for expenses under this Policy must be submitted to the County Auditor within sixty (60) calendar days of the date the expense was incurred. The procedure for this involves submitting a Claim for Expenses form to the County Auditor, which cites the time, place, business purpose, and participants associated with the expense, along with a fully itemized travel expense voucher for all reimbursable items. Any applicable conference, convention, seminar brochure, or airline itinerary, as well as any receipts prepared and issued by the service providers should also be attached.

An Elected Official or Department Head will review requests for reimbursement to ensure the travel was appropriately authorized; required information and receipts are included; appropriate reimbursement rates are requested; non-reimbursable items are not included; and to ensure the County does not pay expenses properly attributed to another political subdivision in violation of RCW 43.09.210.

21.1.10 REPAYMENT OF UNAUTHORIZED REIMBURSEMENTS

The County Auditor shall seek the repayment of reimbursements whenever an audit or subsequent review of travel expense reimbursements finds that such expenses were paid contrary to any provision of this policy.

21.1.11 ELECTED OFFICIALS OR EMPLOYEES WHO SERVE ON NON-COUNTY BOARDS

The County shall reimburse travel expenses including lodging, meals, and incidentals at the rates established in this Policy for travel related to a non-County Board's official business, unless paid for by the other Board.

21.1.12 PROCEDURES

21.1.12.1 FIRST ACTION – Employee or Volunteer

- a. Submits a travel request with information attached, in accordance with the Travel Authorization subsection of this Policy, to an Elected Official or Department Head.
- b. Checks with the Public Works Department for the availability of a vehicle.
- c. Obtains receipts for all expenses incurred.
- d. Submits a typed Claim for Expenses form to an Elected Official or Department Head within sixty (60) days of the date the expense was incurred, in accordance with the County's Travel Policy.

21.1.12.2 SECOND ACTION - Elected Official or Department Head

- a. Analyzes the County's and department's needs regarding travel.
- b. Ensures travelers have appropriate permission to attend out-of-town or out-of-state events.
- c. Reviews Claim for Expenses forms for compliance with this policy.
- d. Submits a reimbursement request on a Claim for Expenses form to the Auditor within sixty (60) days of the date the expense was incurred.

21.1.12.3 THIRD ACTION – Auditor

- a. Reviews reimbursement requests for compliance with this Policy.
- b. If a request for reimbursement is not in full compliance with this Policy, ensures the appropriate Elected Official or Department Head, and all other employees are in compliance with this Policy.
- c. If a reimbursement request conforms to the Policy, submits it to the Board of Commissioners for approval.

21.1.12.4 FOURTH ACTION - Board of Commissioners

- a. Approves, denies, or modifies Claim for Expense forms.

21.1.12.5 LAST ACTION – Auditor

- a. If approved, releases a warrant for payment of the reimbursement requests.