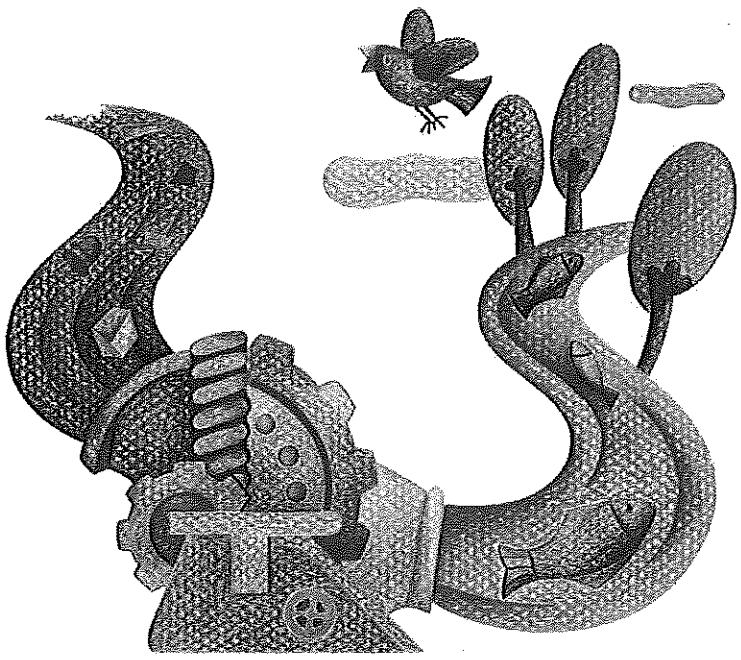

City of Asotin Personnel Manual

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Chapter 1

GENERAL

1.1 PURPOSE/SCOPE.

(a) This manual is a general informational guide to the City's current employment policies and shall not be construed as a contract. The City reserves the right to amend, delete, supplement, or rescind any of the provisions of this manual, as the City deems necessary and appropriate, without advance notice. These policies shall not be construed to create contractual rights or any type of promise or guarantee of specific treatment upon which any employee may rely.

The City also reserves the right to deviate from these policies in individual situations, particularly in an emergency, in order to achieve its primary mission of providing orderly and cost efficient services to its citizens.

(b) These personnel policies shall apply to all non union City employees. They shall not apply to elected officials and independent contractors. In the event of conflict between any provision of this manual and any provision of a valid and effective collective bargaining contract or in cases where the application of these policies would conflict with applicable Civil Service rules and regulations, the provisions of the labor contract and/or the Civil Service rules shall govern. In all other cases, these policies shall govern.

(c) Unless specific rights are granted to them in employment contracts or civil service rules. or collective bargaining agreements, all employees of the City are considered at-will employees and may be terminated from City employment at any time, with or without cause and with or without notice.

1.2 EQUAL EMPLOYMENT OPPORTUNITY.

(a) The City is an equal opportunity employer. The City employs, retains, promotes, terminates and otherwise treats all employees and job applicants on the basis of merit, qualifications, and competence. This policy shall be applied without regard to any individual's sex, race, color, religion, national origin, pregnancy, age, marital status, medical condition, physical handicap or disability.

(b) The City will not discriminate against applicants or employees with a sensory, physical or mental impairment, unless the impairment cannot be reasonably accommodated and prevents proper performance of an essential element of the job.

(c) Employees with serious or life threatening illnesses, such as cancer, heart disease or AIDS/HIV are treated the same as all other employees. They are permitted to continue working so long as they are able to maintain an acceptable level of performance and medical evidence shows they are not a threat to themselves or their co-workers. The City will work to preserve the safety of all of its employees and reserves the right to reassign employees or take other job actions when a substantial and unusual safety risk to fellow City employees or the public exists.

1.3 SEXUAL HARASSMENT.

(a) It is the policy of the City to provide a work environment for its employees which is free from discrimination and intimidation. The City will not tolerate any form of sexual harassment. Prompt disciplinary action will be taken against an employee who commits or participates in any form of sexual harassment.

(b) Sexual harassment is defined as unwanted, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct which has the effect of creating an offensive, intimidating, degrading or hostile work environment, or adversely interferes or affects an employee's work performance.

(c) Any employee who believes he or she is being sexually harassed by supervisors or co-workers should immediately notify the Mayor or department head. The City will not retaliate against an employee who complains of sexual harassment.

1.4 DEFINITIONS.

(a) **Immediate Family:** An employee's immediate family includes the employee's spouse, child, parent, grandparent,

grandchildren, brother or sister, mother in-law or father-in-law, son-in-law or daughter-in-law, aunt, uncle, step-relations equivalent to those listed and no other persons.

(b) **Full-Time Employee:** An employee who has completed his/her trial period and who regularly works a minimum of forty (40) hours a week on a continuing basis.

(c) **Part-Time Employee:** An employee who works less than forty (40) but at least twenty (20) hours a week on a continuing basis and are eligible for pro-rated City benefits.

(d) **Temporary Employees:** Temporary employees are defined as those employees who hold jobs of limited duration arising out of special projects, abnormal work loads or emergencies. Temporary employees are not eligible for City benefits.

1.5 EMPLOYEE PERSONNEL RECORDS.

(a) A personnel file for each employee is kept by the City Clerk. Access to any employee file is limited to the City Clerk/Treasurer and the Mayor or his designee including Mayoral Standing Committees. An employee's personnel file contains the employee's name, title and/or position held, job description, department to which the employee is assigned, salary, I-9 form, W-4 form, changes in employment status, training received. (b) An employee has the right to review his/her file. An employee may request removal of irrelevant or erroneous information in his/her personnel file. If the Mayor denies the employee's request to remove the information, the employee may file a written rebuttal statement to be placed in his/her file.

(c) Personnel files are kept confidential to the maximum extent permitted by law. Except for routine verifications of employment, no information from an employee's personnel file will be released to the public, including the press, without a written request for specific information. Information contained in employee file relating to employee performance are subject to Council inquiry for investigation purposes.

1.6 REFERENCES.

(a) The City does not give references, other than to confirm the dates of employment and last salary, without the express written consent of the employee.

CHAPTER 2

HOURS AND ATTENDANCE

2.1 WORKING HOURS.

(a) The City's standard work week is Monday through Friday from 8:00 a.m. to 5:00 p.m. with a one-hour unpaid lunch period, but may be altered as needed at the Mayor's or his/her representatives discretion.

(b) A normal working schedule for regular, full-time employees consists of forty (40) hours each work week. Different work schedules may be established by the Mayor to meet job assignments and provide necessary City services.

(c) Part-time and temporary employees will work hours as specified by their immediate supervisor.

2.2 HOURS OF WORK AND OVERTIME.

(a) For most City employees, the established work period is forty (40) hours within a seven (7) day work week. The Clerk/Treasurer works a thirty-five (35) hour work week (9:00am to 5:00pm including a one-hour lunch break) plus attends regular and special council meetings. The regular work week hours plus the council meetings shall be considered "full-time."

(b) All overtime must be authorized in advance by the Mayor.

(c) Holidays, sick leave and vacation time are not counted as hours worked hen computing overtime.

2.3 ATTENDANCE.

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

(b) Employees unable to work or unable to report to work on time should notify their supervisor as soon as possible, ordinarily before the work day begins or within thirty (30) minutes of the employee's usual starting time. If an absence continues beyond one day, the employee is responsible for reporting in each day. (c) Employees are expected to be at work even during inclement weather. The Mayor may allow employees to be late or leave early during severe weather conditions; however, non-attendance will be counted as absence from work and will be charged to accrued compensatory time.

(d) An employee who is absent without authorization or notification is subject to disciplinary action, in accordance with the bargaining agreement

2.4 BREAKS AND MEAL PERIODS.

Employees may take one (1) fifteen-minute break for every four hours worked. All breaks shall be arranged so that they do not interfere with City business or service to the public. Meal periods shall be scheduled by the employee's department head. The scheduling of meal periods may vary depending on department workload. Meal periods are unpaid and usually one hour in length.

2.5 PAYROLL RECORDS.

The official payroll records are kept by the City Clerk/Treasurer. Each Department Head shall turn in on a weekly basis a signed work record for each employee within their department, noting hours worked,leave taken and overtime worked. In the case of the Police Department Time cards shall be turned into the Chief of Police, who after signing will turn into the Clerk/Treasurer.

CHAPTER 3

RECRUITING AND HIRING

3.1 RECRUITING.

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

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

(c) Any applicant who knowingly supplies false or misleading information is subject to immediate termination, if hired, or disqualification as potential employee.

3.2 HIRING.

(a) When a position becomes vacant and prior to any posting or advertisement of the vacancy, the Mayor, as statutory hiring authority, shall review the position, its job description and the need for such a position. The department head will prepare and submit a written request to fill the position to the City Clerk or Mayor.

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

(c) Applicants for positions in which the applicant is expected to operate a motor vehicle must be at least 18 years old and will be required to present a valid driver's license with any necessary endorsements. The City reserves the right to review and driving records. Applicants with poor driving records, as determined by the City or its insurance may be disqualified for employment with the City in positions requiring driving.

(d) The City may administer pre-employment examinations to test the qualifications and ability of applicants, as determined necessary by the City. The City may contract with any competent agency or individual to prepare and/or administer examinations. Drug Testing and Washington State Patrol background checks may also be required.

3.3 TEMPORARY EMPLOYEES.

(a) With approval of the hiring authority temporary employees may be used during emergencies or other peak workload periods, to temporarily replace regular employees absent due to disability, illness, vacation or other approved leave, or to temporarily fill a vacancy until a regular employee is hired.

(b) Temporary employees may be hired without competitive recruitment or examination.

(c) Temporary employees are eligible for overtime pay as required by law. Temporary employees are not eligible and do not receive retirement, vacation, sick leave, health insurance, holiday or any other benefits during their employment.

3.4 TRIAL PERIOD.

(a) All newly hired employees, former employees who have been rehired or employees promoted to a new classification, enter a trial period which is considered an integral part of the selection and evaluation process. During the trial period an employee is required to demonstrate suitability for the position through actual work performance.

(b) The normal trial period is six months from the employee's date of hire, rehire or promotion; however, longer periods may be established for positions requiring technical, professional, specialized, unusual or unique skills or qualifications.

(c) Trial employees accrue vacation and sick leave in the same manner as regular employees subject to any limitations in Civil service or Collective Bargaining unit.

(d) During the trial period, the employee may be terminated at any time.

(e) When the hiring authority determines an employee has satisfactorily completed the trial period, the department head shall prepare a written performance evaluation, which will be reviewed by the City Council. If the trial period is

satisfactorily completed, the employee may be certified to regular employment status.

3.5 EMPLOYMENT OF RELATIVES (NEPOTISM).

(a) Employees' "immediate family" will not be employed by the City under any of the following circumstances:

(1)Where one of the parties would have authority (or practical power) to supervise, appoint, remove, or discipline the other;

(2)Where one party would be responsible for auditing the work of the other;

(3)Where other circumstances might lead to potential conflict among the parties or conflict between the interest of one or both parties and the best interests of the City; or

(b) "Immediate Family" has the meaning as defined in Section 1.4 hereof.

3.6 PROMOTIONS AND TRANSFERS.

(a) The City encourages current City employees to apply for vacant City positions for which they are qualified. Promotions and transfers are based on the department head's recommendation, work force requirements, performance evaluations, job descriptions and related City requirements.

(b) Regular employees are eligible for promotion, transfer or voluntary demotion. To be considered for another position, an employee must have satisfactorily completed his/her trial period and possess the qualifications for the vacant position, unless such requirements are waived by the Mayor in the best interests of the City.

CHAPTER 4

COMPENSATION

4.1 PAYDAY.

City employees are paid bi-monthly on the 15th and the last working day of each month.

4.2 DEDUCTIONS.

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

4.3 TRAVEL AWAY FROM THE CITY.

(a) All travel away from the City must be approved in advance by the council. If private automobiles are used, employees will be reimbursed at the current federal mileage rate. "Private vehicles are to be used only when a city vehicle is unavailable for use." (AMC 2.40.030) If a city vehicle is available, and the employee chooses to drive his/her personal vehicles for training, conferences or meetings, the employee will not be reimbursed for mileage.

(b) Lodging: The employee is responsible for any additional costs for family members who accompany the employee for lodging, meals and mileage.

4.4 TRAVEL EXPENSE REIMBURSEMENT.

(a) City employees will be reimbursed for reasonable and customary expenses actually incurred in connection with the business of the City, including food, lodging and travel expenses while away, but excluding any expenses for alcoholic beverages.

(b) Requests for reimbursement, accompanied by receipts, shall be submitted on an expense report form signed by the employee and the Clerk/Treasurer.

4.5 COMPENSATION UPON TERMINATION.

When an employee's employment with the City is terminated, the employee will receive the following compensation:

(a)Regular wages for all hours worked up to the time of termination which have not already been paid.

(b)Any overtime pay due.

(c)A lump sum payment of any accrued but unused vacation and compensatory time.

(d) When the employee voluntarily terminates his/her employment a lump sum payment of any accrued but unused sick pay at the rate of 25% of its value. (

(e) Termination compensation will be paid at the next regular pay period, in accordance with state law.

CHAPTER *5*

PERFORMANCE EVALUATIONS AND TRAINING

5.1 PERFORMANCE EVALUATIONS.

(a) To achieve the City's goal to train, promote and retain the best qualified employee for every job, the City conducts yearly performance evaluations for all positions.

(b) The Mayor or designee (which may be an individual or Administrative) are responsible for developing and maintaining the City's performance evaluation program.

(c) Employees are to be evaluated by their department heads ,Mayor or Mayor Designee prior to completion of their trial period and at least once every twelve months thereafter.

(d) The evaluation is part of an employee's personnel record and may be a factor in determining the employee's conversion to regular status, whether the employee receives a wage increase, or is to be promoted, transferred, demoted, laid off, or terminated.

5.2 TRAINING POLICY.

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

CHAPTER 6

BENEFITS

6.1 RETIREMENT BENEFITS.

(a) The City makes contributions on behalf of all eligible employees to the Social Security System in addition to those contributions made by the employee through FICA payroll deductions.

(b) All regular full-time and eligible part-time non-uniformed employees are covered under the Public Employees Retirement System (PERS). Benefit levels and contribution rates are set by the State of Washington.

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

6.2 DISABILITY BENEFITS.

(a) All employees, except those covered by LEOFF I, are covered by the State Industrial Insurance program (worker's compensation). This type of insurance covers employees in case of on-the-job injuries or job-related illnesses. For qualifying cases, State Industrial Insurance will pay the employee for work days lost for any disability resulting from job-related injuries or illnesses. All job-related accidents should be reported immediately to the supervisor.

(b) When an employee is absent for one or more days due to an on-the-job accident, he/she is required to file a injury report to the City Clerk immediately and claim for worker's compensation. If the employee files a claim, the City will continue to pay (by use of the employee's unused sick leave) the employee's regular salary pending receipt of worker's compensation benefits.

(c) When the employee receives worker's compensation benefits, he/she is required to repay to the City the amount covered by Worker's Compensation and previously advanced by the City. This policy is to ensure that employees will receive prompt and regular payment during periods of injury or disability so long as accrued sick leave is available, while ensuring that no employee receives more than he/she would have received had the injury not occurred. Upon the repayment of funds advanced eighty five percent (85%) of sick leave shall be restored to the employee's account.

(d) The City may require an examination at its expense, performed by a physician of its choice, to determine when the employee can return to work and if he/she will be capable of performing the duties and responsibilities of the position.

6.3 INSURANCE BENEFITS.

(a) Employees are eligible to participate in the City's insurance programs. The City will pay the employee's premiums for A.W.C. Medical Plan B. The City will pay eighty (80%) of full family medical premiums under Plan B for those employees who take full family coverage Department Heads, including the Police Chief, will receive 100% coverage for their families The programs and criteria for eligibility will be explained at the time the employee becomes eligible to join. The City reserves the right to make changes in the carriers and provisions of these programs when deemed necessary or advisable.

(b) Upon mutual agreement between the employee and the City, and in accordance with the terms and conditions of the insurance policy, the City will continue health insurance coverage at the employee's expense during an approved unpaid leave of absence. COBRA continuation rights may apply in the event coverage is not extended through the City.

(c) While an employee is receiving worker's compensation benefits, the City may continue to pay the employee's health insurance premiums for one (1) month, after which the employee may choose to use his/her COBRA rights and self-pay insurance premiums.

(d) Upon an employee's termination from City employment, at the employee's option and expense, the employee may elect to continue City health insurance benefits to the extent provided under COBRA. Continuation rights are not available if an employee is terminated for "gross misconduct."

(e) An administrative handling fee over and above the cost of the insurance premium may be charged the employee or his/her dependents who elect to exercise their COBRA continuation rights.

6.4 UNEMPLOYMENT COMPENSATION.

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

CHAPTER 7

LEAVE AND VACATION

7.1 LEAVES.

The City has seven (7) different types of leave:

(a) Vacation leave

(b) Sick leave

(c) Leave without pay

(d) Jury and Witness leave

(e) Military leave

(f) Administrative leave

(g) Bereavement leave

7.2 VACATION.

(a) Each regular full-time employee is entitled to vacation leave and credited on the anniversary date of such employment as follows:

First Year	40 Hours per year
Second Year	80 Hours per year
After Five Years	120 Hours per year
After Fifteen Years	160 Hours per year

(b) All new employees must satisfactorily complete their trial period to be entitled to the accrual and use of vacation leave. Permanent Part time employees are entitled to pro rated vacation leave.

(b) Each department is responsible for scheduling its employees' vacations without undue disruption of department operations. Leave requests shall be submitted at least two weeks prior to taking vacation leave.

(c) No more than 40 vacation hours may be carried over from one year to the next. In cases where City operations have made it impractical for an employee to use vacation time, the department head with the written approval of the Mayor may authorize additional accruals. Employees will be paid for unused vacation time upon termination of employment.

7.3 SICK LEAVE.

(a) All full-time regular employees accrue sick leave benefits at the rate of eight (8) hours for each calendar month of continuous employment, to a maximum of 90 days.

(b) Employees accrue and may use sick leave during their trial periods. Temporary employees do not earn sick leave benefits. Employees do not accrue sick leave benefits during a leave without pay.

(c) Sick leave covers those situations in which an employee is absent from work due to:

(1)Physical injury or illness to the employee;

(2)The need to care for the employee's dependent children under the age of 18 who are ill.

(3)Medical or dental appointments for the employee, employee's spouse or dependent child, provided that the employee must make a reasonable effort to schedule such appointments at times which have the least interference with the work day;

(4)Exposure to a contagious disease where on-the-job presence of the employee would jeopardize the health of others;

(5)Use of a prescription drug which impairs job performance or safety;

(6)Actual periods of temporary disability associated with pregnancy or childbirth. Employees may request additional time off beyond the actual period of disability; vacation leave, compensatory time, or leave without pay may be used.

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

(e) Employees who use all their accumulated sick leave and require more time off work due to illness or injury may, with the Mayor's prior approval, take leave without pay.

(f) Employees will be paid 25% of the value for any unused sick leave upon leaving City service. Employees terminated by the City are not eligible for this Benefit.

(g) Any employee found to have abused the sick leave privilege by falsification or misrepresentation may thereupon be subject to dismissal upon recommendation of the department head at the discretion of the City Council

7.4 LEAVE WITHOUT PAY.

(a) The Mayor may grant leaves of absence without pay for absence from work not covered by any other type of leave or if other leave balances are exhausted. Examples of situations for which leave without pay may be granted include time off work for personal reasons, such as prolonged illness, parenting, caring for an ill relative, pursuing an education, or fulfilling a military obligation in excess of fifteen (15) days per year.

(b) Only regular full-time employees who have satisfactorily completed their trial period are eligible for leave without pay. The following requirements apply:

(1)Leave may be granted to an employee for a period of up to ninety (90) days upon the written approval of the Mayor. Further extensions are at the discretion of the Mayor.

(2)Accrued compensatory time, if any, and vacation leave must be exhausted prior to taking any leave without pay.

(3)An employee's benefits are suspended during the period of unpaid leave until the employee returns to work. Vacation, sick leave and any other benefits do not accrue while an employee is on leave without pay.

(4)In certain circumstances, self-payment of benefits may apply. See Section 6.3 on Insurance Benefits.

(5)An employee who fails to report promptly at the end of the unpaid leave is presumed to have resigned. An employee returning from a temporary disability may, at the City's option, return to the same position or similar position at a comparable rate of pay.

(6)If the leave without pay is due to an illness, the City may require a doctor's certificate stating that the employee is capable of returning to work and performing the work, duties and responsibilities of the employee's position.

7.5 JURY AND WITNESS LEAVE.

(a) Employees shall be granted time off with pay to serve on a jury or as a court witness when subpoenaed. If an employee is summoned during a critical work period, the City may ask the employee to request a waiver from duty.

(b) An employee granted such leave shall reimburse the City for any pay received for service as a juror or witness.

7.6 MILITARY LEAVE.

Employees who are members of the National Guard or federal reserve military units may be absent from their duties, with pay, for a period of up to fifteen (15) days per calendar year when they are performing ordered military training duty and

while going to and from that duty.

7.7 ADMINISTRATIVE LEAVE.
On a case-by-case basis, the Mayor may place an employee on administrative leave with or without pay for an indefinite period of time, as determined to be in the best interests of the City during the pendency of an investigation or other administrative proceeding. Such leave beyond 5 work days shall be subject to Council approval.

7.8 BEREAVEMENT LEAVE

(a) In the event of the death of an employee's immediate family member, (as defined by 3.5 herof)time off with pay for the employee's regular scheduled workday will be granted to regular full-time employees.

(b) Three consecutive days off with pay will be approved to attend the funeral or memorial service.

(c) Two additional consecutive days off with pay will be approved for travel from the employee's home to the funeral or memorial service if the travel exceeds 200 miles each way.

(d) Regular part-time employees who are scheduled to work twenty or more hours per week are eligible to receive bereavement leave. The amount of leave allowed will be based on a pro-rata basis that relates the average number of hours per week worked to a regular forty-hour week.

7.9 HOLIDAYS.
(a) The following holidays are recognized by the City:

New Years Day, Martin Luther King Day, President's Day, Fair Day (Friday of Asotin County Fair week), Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day & the following Friday, Christmas, 2 floating holidays.

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

(c) Regular full-time employees, not subject to specific Memorandum of understanding with contrary terms, will be paid for the holiday plus one and one-half times their regular rate of pay for any time worked on the holiday. Such time must be pre-authorized the Mayor. Does not apply to police department.

(d) Temporary and part-time employees will be paid at their regular straight-time rate for hours worked on a holiday.

(e) New employees hired prior to July 1 will be entitled to a floating holiday for that year. New employees hired after that date do not receive a floating holiday in the year hired.

(f) Floating Holidays are two (2) per year to be used at employees discretion with approval by Mayor.

7.10 RELIGIOUS HOLIDAYS.

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

CHAPTER 8

EMPLOYEE RESPONSIBILITIES AND CONDUCT

8.1 CONTACT WITH NEWS MEDIA.

The Mayor and/or City Clerk/Treasurer shall be responsible for all official contacts with the news media during working hours, including answering of questions from the media. The Mayor may designate specific employees to give out procedural, factual or historical information on particular subjects. If in doubt, contact the Mayor. The above shall not be interpreted as a limit on the media to contact a member of the City Council with regards to their individual "unofficial " view points.

8.2 VEHICLE SAFETY REQUIREMENTS.

(a) As part of the requirements for certain specific City positions, an employee may be required to hold a valid Washington State Driver's license.

(b) If an employee's license is revoked, suspended or lost, or is in any other way not current, valid and in the employee's possession, the employee shall promptly notify his/her department head and will be immediately suspended from driving duties. The employee may not resume driving until proof of a valid, current license is provided to his/her department head.

(c) Depending on the duration of license suspension, revocation or other inability to drive, an employee may be subject to disciplinary action, including termination.

(d) Anyone operating or riding in City vehicles must wear seat belts at all times.

8.3 SAFETY.

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

(b) In case of a vehicle accident involving a personal injury, employees shall immediately notify the City Clerk or the Mayor.

(c) Employees are responsible for the safety and security of their work areas. All work areas are to be locked while unattended, even for a short period of time.

(d) AWC code 2.48 Drug Free Workplace. Drug Testing. The City of Asotin is committed to providing a safe, efficient and productive work environment for all employees. Using or being under the influence of drugs or alcohol on the job may pose serious safety and health risks. To help ensure a safe and healthful working environment, employees may be asked to provide body substance samples (such as urine and/or blood) to determine the illicit or illegal use of drugs and alcohol. Refusal to submit to drug testing may result in disciplinary action, up to and including termination of employment. The Employee Assistance Program (EAP) provides confidential counseling and referral services to employees for assistance with such problems as drug and /or alcohol abuse addiction. It is the employee's responsibility to seek assistance from the EAP prior to reaching a point where his or her judgment, performance, or behavior has led to imminent disciplinary action. Participation in the EAP after the disciplinary process has begun may not preclude disciplinary action, up to and including termination of employment.

4 COMPLAINT PROCEDURES.

The City recognizes that sometimes situations arise in which an employee feels that he or she has not been treated fairly or in accordance with City rules and procedures. For this reason the City provides its employees with procedures for resolving complaints.

(a) Step 1: An employee should first try to resolve any problem or complaint with his/her supervisor

(b) Step 2: When normal communication between an employee and the supervisor is not successful, or when an

employee disagrees with the application of City policies and procedures, the employee should attempt to resolve the problem with his/her department head The Mayor or his designee will respond to the employee in writing within five (5) days after meeting with him/her, if possible.

(c) Step 3: If the employee is not satisfied with the response from the department head, the employee may submit the problem, in writing, to the Mayor- The written complaint must contain, at a minimum:

(1)A description of the problem;

(2)A specific policy or procedure which the employee believes has been

violated or misapplied;

(3)The date of the circumstances leading to the complaint or the date when the employee first became aware of those circumstances;

(4)The remedy sought by the employee to resolve the complaint.

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

(d) The Mayor may meet with the parties, either individually or together, and will respond in writing to the aggrieved employee within ten (10) days of the meeting.

(e) Certain employees may have more than one source of dispute resolution rights such as the City's Civil Service rules, a collective bargaining agreement, if applicable, and this complaint process. Employees represented by a bargaining unit or who are covered under civil service rules should follow grievance procedures set out in their respective labor contracts or civil service rules, where applicable. In all other cases, the procedures described in this section shall be used. Under no circumstances shall an employee have the right to utilize both this process and any other complaint or appeal procedure that may be available to an employee.

8.5 PERSONAL PROPERTY

(a) It is the policy of the City to ask employees to refrain from bringing unnecessary or inappropriate personal property to work.

(b) The City recognizes that employees may need to bring certain personal items to work. However, personal property that is not related to the employee's job performance may disrupt work or pose a safety risk to other employees.

(c) Employees are expected to exercise reasonable care for the loss, damage, or theft of personal belongings; and employees are advised not to carry unnecessary amounts of cash or other valuables with them when they come to work.

(d) The City may assign each employee a locker or storage area for safekeeping small personal effects during working hours. The city does however, stipulate that the city does retain the right to inspect storage areas if desired.

(f) Articles of personal property found on the premises should be returned to the owner, if known, or turned in to the City Clerk/Treasurer.

8.6 CELL PHONES.

City owned Cell Phones are for use for City Business. Minimal personal emergency use The City will review and monitor the billings for the City owned cell phones on a monthly basis. If an employee is found to have abused the privilege of having the City - owned cell phone by making an excessive amount of personal calls (whether charged or not) the City may take disciplinary action, which shall include repayment of all costs above the assigned plan fee and/or other disciplinary action.

CHAPTER 9

DISCIPLINE AND TERMINATIONS

9.1 DISCIPLINE.

(a) All employees are expected to exercise good judgment, loyalty, common sense, dedication, and courtesy in the performance of their duties. The primary mission of every employee is to provide courteous, orderly, efficient, and economic delivery of services to the citizens of the City.

(b) Acts, errors, or omissions which discredit the public service or impair the provision of orderly services to the citizens of the City may result in discipline, including termination.

(c) The Mayor has full discretion and authority to impose disciplinary action in accordance with City policy and the circumstances of the particular case.

(d) The following are examples of the types of behavior which may result in discipline:

(1)Drinking alcohol or the abuse of non-prescription or prescription drugs or other controlled substances on the job, or arriving on the job under the influence of or while in possession of alcohol, drugs, or other controlled substances.

(2)Insubordination.

(3)Absence from work without first notifying and securing permission from the Department Head or Mayor

(4)Habitual absence or tardiness for any reason.

(5)Unsatisfactory job performance, as determined by the City.

(6)Conviction of a felony involving moral turpitude.

(7)Acceptance of fees, gratuities or other valuable items in the performance of the employee's official duties for the City.

(8)Inability, refusal or failure to perform the duties of the assigned job.

(9) Falsifying or altering any City of Asotin record or report, such as an employment application, medical reports, production records, time records, expense accounts, shipping and receiving records or utility billing information.

(10) Using profane or abusive language or gestures; threatening or intimidating coworkers, customers or guests.

(11) Failing to wear safety equipment or failing to abide by safety rules and policies.

(12) Disclosing confidential information.

(13) Stealing, destroying, defacing or misusing City of Asotin property or another employee's or customer's property.

(14) Engaging in any form of sexual or other harassment.

(15)Violation of duties or rules imposed by this manual, or by any other City rule, regulation or administrative order.

(e) This list is not all-inclusive, but only serves as a general guide. The City may discipline or terminate employees for other reasons not stated above.

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

(1) Oral Warning. An oral warning is a counseling session between the employee's department head or mayor and the employee on the subject of the employee's conduct and performance, or his/her failure to observe a rule, regulation, or administrative instruction. It is intended to increase an employee's efficiency and value to the City by changing the employee's conduct, attitude, habits, or work methods. Following the counseling session the department head or Mayor shall document the oral warning.

(2) **Reprimand.** A reprimand is a formal written disciplinary action for misconduct, inadequate performance, or repeated lesser infractions. Written reprimands are placed in the employee's personnel file.

(3) **Suspension.** A suspension is a temporary, unpaid absence from duty which may be imposed as a penalty for significant misconduct or repeated lesser infractions. A suspension is a severe disciplinary action which is made part of the employee's permanent record.

9.2 TERMINATION.

(a) An employee may be terminated from City employment for any of the reasons listed below.

(1)During or at the end of the employee's trial period.

(2)As a result of disciplinary action.

(3)Due to loss of skills, certifications or other conditions which would make the employee unfit for service.

(4)When the City Council has made a determination that a lack of work or funding exists with respect to the employee's position. The City Council has sole discretion to make determinations of lack of work or lack of funding.

(5)If the employee has a physical or mental impairment that prevents him/her from performing the required duties of the employee's position and the employee cannot be reasonably accommodated. Termination must be supported by medical evidence which establishes that the individual is unable to perform bona fide job requirements. The City may require an examination at its expense performed by a physician of its choice. Failure to submit to such request may result in termination.

(b) At-will employees may be terminated at any time, with or without cause and with or without notice.

(c) No employee will be disciplined or terminated for a discriminatory or otherwise illegal reason.

9.3 PRE-TERMINATION HEARING.

In the case of termination of an employee other than at-will employees, or trial employees, the City will conduct a pre-termination hearing. The pre-termination hearing serves as a check against mistaken decisions and to determine whether there is a reasonable presumption that the charges against the employee are valid and support termination.

(a) In the event a department head desires to terminate an employee, the employee (other than at-will or trial employees) shall be provided with a notice of the recommendation for termination. The notice shall include an explanation of the charges on which the recommendation is based, and the time and date for a pre-termination hearing. If the employee fails or refuses to appear, the termination may proceed.

(b) Pre-termination hearings will be presided over by the Mayor or a designated representative.

(c) At the hearing, the employee may show cause why he/she should not be terminated. The employee may bring one person to the hearing as an observer who is not allowed to participate in the hearing or interfere with its orderly process.

(d) Within two (2) working days after the pre-termination hearing, the Mayor or his designee will usually issue a decision on whether there are reasonable grounds to believe the charges against the employee are true and support termination. A longer review period may be required in more complex situations. If the decision finds the charges are credible, the termination may proceed. If the decision finds the charges questionable or insufficient for termination, the matter returns to the department head for further investigation or other disciplinary action short of termination.

9.4 LAYOFF.

(a) Temporary employees or employees who have not completed their trial period will be laid off before regular employees are affected.

(b) In determining who is to be laid off, consideration will be given to individual performance and the qualifications required for the remaining jobs. Seniority will be considered only when performance and qualifications are equal.

(c) Employees who are laid off may be eligible to be re-employed, if a vacancy occurs in a position for which they are

qualified.

9.5 RESIGNATION.

An employee should provide two (2) weeks notice of resignation. This time limit may be waived by the Mayor.

9.6 DEATH.

Upon the death of an employee, all compensation due shall be paid to the surviving spouse ~~or~~ the estate of the employee, or a notarized beneficiary.

CHAPTER 10

CODE OF CONDUCT

10.1 PURPOSE.

The purpose of this Code of Conduct is to ensure the efficient, fair, and professional administration of federal grant funds in compliance with federal Office of Management and Budget (OMB) Federal and state standards, regulations, and laws.

10.2 APPLICATION

This code of Conduct applies to all officers, employees, or agents of the City of Asotin engaged in the award or administration of contracts supported by federal grant funds.

10.3 REQUIREMENTS

No officer, employee, or agent of the City of Asotin shall participate in the selection, award, or administration of a contract supported by federal grant funds, if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

A. the employee, officer, or agent;

B. any member of his/her immediate family;

C. his/her domestic partner; or

D. an organization which employs, or is about to employ any of the above has a financial or other interest in the firm selected for award.

The City of Asotin officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or subcontractors.

10.4 REMEDIES

To the extent permitted by federal, state or local laws or regulations, violation of these standards may cause penalties, sanctions, or other disciplinary actions to be taken against the City of Asotin's officers, employees, or agents, or the contractor's, potential contractors, subcontractors, or their agents.