

JEFFERSON COUNTY



PERSONNEL ADMINISTRATION MANUAL

Adopted ~~March 17,~~April 7, 2025

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Chapter 1 – Jefferson County History, Facilities and Organization

Section 1.0 – Introduction

This Manual is designed to provide employees and Departmental Directors of the County with information about working conditions, employee benefits and some of the policies affecting employment at the County. Employees should read, understand and comply with all provisions of this Manual. ~~The~~ This Manual describes some of the expectations of employees and outlines the policies, programs and benefits available to eligible employees.

Commented [PA02]: Revised for consistency. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 1.1 – Brief History

The County was created by the Oregon Territory Legislature in December of 1852. The County boundaries initially included a portion of Clallam County. The County was named in honor of Thomas Jefferson. Loren Brown Hastings, Daniel F. Brownfield and Albert Briggs were appointed to serve as the first Board of County Commissioners, with Henry C. Wilson as Sheriff and Alfred A. Plummer as Probate Clerk. When the Washington Territory was established in March of 1853, the County's boundaries were re-established to the size it is today. The areas taken away from the County became Clallam County. The Washington Territory became the forty-second state of Washington on November 11, 1889.

The Olympic National Park runs through the middle of the County and divides it in half. The National Park began as Mount Olympus National Monument created by President Theodore Roosevelt on March 2, 1909. President Franklin D. Roosevelt expanded the monument and created Olympic National Park on June 29, 1938. No roads cross the Olympic Mountains through the Park. A trip to the "West End" by car requires traveling much of the way through Clallam County or through Mason and Grays Harbor Counties.

Most of the County's population lives on the east side of the County where the only incorporated city, Port Townsend, is located. Port Townsend, the County Seat, is located on the Quimper Peninsula which is surrounded on three sides by water. The County is bounded by the Pacific Ocean on the west; a portion of the Strait of Juan de Fuca, and Admiralty Inlet on the north; the Hood Canal on the eastern boundary; and Mason and Grays Harbor Counties to the south.

Section 1.2 – The Courthouse

The Courthouse majestically overlooks Port Townsend Bay and the entrance to Admiralty Inlet. Approved for construction in 1890 by the County Board of Commissioners, the Romanesque style courthouse, brainchild of Seattle architect W. A. Ritchie, was let out to contractors at an estimated cost of \$150,000.00. Reportedly \$117,600.00 was designated for the building and \$17,287.00 for the jail in 1892, which was located in the South half of the basement. John Rigby, Building Contractor, and C. P. Wakeman, Superintendent of Construction, were the contractors. The deep red, smooth bricks were shipped in from St. Louis, while some 786 tons of sandstone were brought in from Alaska.

The addition of automatic openers on the main entrance doors enabled the removal of an attached "woodshed" put up years before as a windbreak. The homely structure was known locally as the "Outhouse," and with its removal the beautiful arched entry could again be viewed. The Courthouse Clock Tower was installed in the newly completed building in November 1892. Although the original plans, drawn by W. A. Ritchie, called for a tower 140 feet tall, according to an article in an issue of the Port Townsend Morning Leader, the tower measures only 124 feet, 4 inches. No explanation ~~can~~ could be found for the discrepancy.

Commented [PA03]: "Could" is the better word choice here. This change provides clarity and should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Legend has it that the bell was pulled across the plains and the clock mechanism was shipped around the Horn. The bell was reportedly drawn into position by a white horse. The E. Howard Watch & Clock Company of Boston, MA, built both the bell and the clock mechanism of solid brass in 1891.

A project to strengthen the clock tower, repair the clock faces and mechanism, install sidewalks around the Courthouse block, re-pave the back parking lot and formal landscaping was completed at the Courthouse in 2007. The landscaping included moving the flag pole to a new paved gathering area on the northeast side of the building (near the Cass Street entrance) and installing seating in an area on the southeast side of the front of the building.

Section 1.3 – Other County Facilities

In addition to the Courthouse, the County owns or operates approximately 32 public buildings including, but not limited to, 7 office buildings, 5 community centers, the County Jail and Sheriff's Offices, a building at Castle Hill Center for Department of Community Development and the Public Health Department, a building at the Castle Hill Center for the Public Works Department and the Sheriff's Office Annex in the West End. The County also owns or operates the Solid Waste Transfer station on Jacob Miller Road, garbage "drop box sites" at Quilcene and Clearwater and 22 County parks.

Section 1.4 – Organizational Chart

The chart at the end of this Manual illustrates the organization of the major subdivisions of the County's government.

Commented [PA04]: Reminder: Add the chart.

Section 2.0 – Terms and Definitions

The intent of this section is to provide explanations of terms used throughout this Manual. In sections where there are differing definitions, they apply only within those sections and are not meant to supersede the general meanings as defined below.

Accrual: The amount of time earned and then added to an employee's sick leave, vacation or PTO bank based on their length of eligible employment with the County.

Anniversary Date: The date an employee is appointed to a position with the County. An employee may have a position anniversary date and an annual review date as well.

Annual Review Date: The date an employee's performance review (and step increase on some salary matrices) is due each year.

Applicant: A person applying for employment with the County.

Appointed Official: A person appointed to an office listed in RCW 36.16.030.

Appointment: The finalization of an offer of employment. Appointments may be trial, regular, temporary, provisional or emergency (See Chapter 10, Section 1.2 Classes of Appointment).

Appropriate Persons: The persons within the County to whom to report improper governmental actions, as required by RCW 42.42.030(3).

Board of County Commissioners: The board comprised of the elected county commissioners of the County.

Career Ladder: A job classification where the job descriptions provide for the progression to a more senior level position (e.g., Tech I to Tech II or Administrative Clerk I to Administrative Clerk II) when specific conditions have been met. See appropriate Labor Agreement.

Clerk of the Board: A position that is appointed by and serves as the clerk to the Board of County Commissioners.

Clerk Hire: A person who is hired to work on an intermittent or as needed basis for a limited number of hours per year.

COBRA (Federal Consolidated Omnibus Budget Reconciliation Act of 1985): This act requires employers to allow separated employees to remain covered under the employer's group health plan for 18 to 36 months after termination, normally at the employee's own expense.

Commercial Driver's License (CDL): A specific type of driver's license issued by the State of Washington in order to drive a commercial vehicle which is a vehicle with a gross vehicle weight over 26,000 pounds, or is designed to transport 16 or more persons (including the driver), or is used to transport hazardous materials.

Compensatory Time in Lieu of Compensation (Comp Time): Time that may be accrued by an employee in lieu of receiving monetary compensation for overtime according to FLSA Rules if an employee has signed a Compensatory Time Agreement.

Complainant: A person bringing a complaint under a Policy in this Manual.

Confidential Information: Information that is exempt from public inspection and copying pursuant to RCW 42.56.210.

Conflict of Interest: A situation in which an employee or County officer has, appears to have or potentially has a private or personal interest sufficient to override or influence, or appears to be sufficient to override or influence the employee's or County officer's professional duties or judgment.

County: Jefferson County, State of Washington.

County Administrator: A position appointed by the Board of County Commissioners to handle County administration.

County Business: Activities performed in order to accomplish County programs or as required by the duties of a position of an employee or volunteer or by the office of an Elected Official.

County Equal Opportunity Board (CEOB): The CEOB is composed of three County management personnel appointed by the County Administrator to assist in the resolution of grievances that are filed by employees under the Equal Employment Opportunity and Affirmative Action Policy.

County Officer: All elected and appointed officers of the County, together with all deputies and assistants of such an officer, and all persons exercising or undertaking to exercise any of the powers or functions of a County officer.

County Risk Manager: A position appointed or designated by the Board of County Commissioners or by their designee.

County Vehicle: A vehicle owned, leased or rented by the County.

Courthouse: The Jefferson County Courthouse, located at 1820 Jefferson Street, Port Townsend, WA 98368.

Date of Hire: The first date that an employee starts working for the County. The date may change if an employee has a break in service.

Departmental Director: An Elected Official, manager, or supervisor directly in charge of a specific department (e.g., the County Treasurer is the Departmental Director of the Treasurer's Office; the Public Works Director is the Departmental Director of the Public Works Department.)

Departmental Personnel File: A file on each employee, kept in the department where the employee works which includes documentation of employee performance, written disciplinary actions, written commendations and other pertinent information.

Disciplinary Action Form: Any written document (memo, letter, specific form, etc.) which the employee is asked to sign that includes the employee's name, job classification and department and describes the nature of the misconduct.

Disciplinary Demotion: Placement of an employee in a lower paying position or classification due to reasons related to an employee's performance.

Draw: An advance of up to 40% of the employee's monthly earnings paid once a month on or before the 20th of the month.

Elected Official: A person elected to an office listed in RCW 36.16.030.

Employee: Any person employed or appointed by the County who is compensated by payment of wages where federal, state or local taxes are withheld. Independent contractors are not employees.

Employee Assistance Program (EAP): A benefit for full-time and part-time employees to help with work stress, relationship problems, anger management, coping with change, family or parenting issues, anxiety or depression, alcohol or drug dependencies and grief or bereavement issues.

Employee-Initiated Transfer: A transfer where an employee has applied to be considered for a vacant position within the County.

Employer-Initiated Transfer: A decision is made to place an employee in a different position with the County. This may be due to budgetary constraints, disciplinary actions or for other reasons.

Employment Personnel File: A file on each employee, kept in the Human Resources Department, that includes the employee's name, position and department to which the employee is assigned, job description, documents indicating employment status, performance evaluations and records of training received.

Equal Opportunity Advisor: A position appointed or designated by the Board of County Commissioners or by their designee assigned the specific task of assisting all departments in implementing the Equal Opportunity and Affirmative Action Policy.

ESD: Washington State Employment Security Department.

Family Member: Spouse, registered domestic partner, father, mother, brother, sister, son, daughter, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law or anyone who is financially dependent upon a County officer or employee.

Financial Interest: Any financial benefit, direct or indirect, as a result of a transaction that is, or may be the subject of, an official act or action by or with the County, except for such contracts, transactions, zoning decisions, or other matters that by their terms and by the substance of their provisions confer the opportunity and right to realize the accrual of similar benefits to all other persons and or property similarly situated. "Financial Interest" does not include the cases listed as exempt in RCW 42.23.030. For the avoidance of

Commented [PA05]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA06]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA07]: "Or" is defined to include "and/or." Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

doubt, “financial interest” also does not include service on the board of another government entity or the board of a non-profit organization who engages in contracts or transactions with the County.

FLSA (Fair Labor Standards Act of 1938 also known as the Wage and Hour Law): Regulates minimum wages, overtime, equal pay, record keeping and child labor for employees of enterprises engaged in interstate or foreign commerce and employees of state and local governments.

FLSA Exempt Employee: An employee who is exempt from provisions of the FLSA and is not paid overtime wages. FLSA Exempt employees are usually salaried employees whose employment duties meet the federal test in one of the following categories: administrative, professional or executive.

FMLA (Family and Medical Leave Act of 1993): Requires covered employers to provide up to 12 (twelve) weeks of unpaid leave to eligible employees for a variety of reasons related to family and medical care (See also Chapter 6, Section 7.7).

Full-Time Employee: Employees who regularly work a minimum of 30 (thirty) hours per week. Full-time employees are eligible for 100% of the benefits as provided by the County.

Gift: A voluntary transfer of any item that has a greater than nominal retail value from one person or entity to another made without cost that does not result in any kind of legally enforceable contract. Gift does not include the solicitation, acceptance, receipt or regulation of political campaign contributions regulated in accordance with provisions of federal, state or local laws governing campaign finances. (See also Chapter 4 and Appendix B Code of Ethics.)

Grade: A group of positions sufficiently similar in duties, responsibilities and authority and minimum qualifications to permit combining them under a single pay level, and to permit the application of common standards for compensation.

Grievance: An alleged breach by the County of any express term of a labor agreement, or any complaint against the County or County personnel in violation of a specific policy or procedure.

Health Insurance Portability and Accountability Act 1996 (HIPAA): A Federal Act to improve the efficiency of the nation’s health care system and protect the security and confidentiality of health information.

Human Resources Director (HRD): A position appointed or designated by the Board of County Commissioners or their designee to handle personnel, staffing and other related matters.

Improper Governmental Action: Improper governmental action has the same meaning as in RCW 42.41.020(1).

Indirect Beneficial Interest: Any interest by any relative of an employee, or any organization which employs or is about to employ the employee or any relative.

Insubordination: A deliberate and inexcusable refusal to obey a reasonable order that relates to an employee’s job function. It also includes public disrespect displayed by an employee toward a Departmental Director or toward the County while on duty, and hostile or abusive language to any resident, fellow employee or Departmental Director.

JCC: The Jefferson County Code now in force in Jefferson County or as may be amended in the future.

Commented [PA08]: Added definition to account for the uses of “JCC” in this manual. This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Job Classification System: A classification system that includes job descriptions indicating the level of responsibility and grade, and a wage or salary matrix that indicates grades and the steps within those grades.

Job Description: A written summary of duties, responsibilities, and authority for the work an employee is hired to perform for the County. Also includes the necessary qualifications for the position and any special physical or environmental requirements of the job.

Manual: This Personnel Administration Manual.

Nominal Retail Value: A value of less than \$25.00 (twenty-five dollars).

Non-Disciplinary Demotion: Placement of an employee in a lower paying position due to a position reclassification, reduction in force or other reason unrelated to an employee's performance.

Non-exempt Employee: This refers to employees who are not exempt from earning overtime as defined by the [Fair Labor Standards Act \(FLSA\)](#).

Non-regular Employee: An employee who is not designated as a regular employee.

Official Action: Any legislative, administrative, appointive, or discretionary act of any official or employee of the County or any agency, board, committee or commission thereof.

Official Workstation: The place where an employee is assigned to work the majority of their work schedule.

Occupational Safety and Health Act (OSHA): A federal law establishing minimum standards for Industry which is administered in Washington State by a federally approved plan (See WISHA).

"Or" includes or and and/or.

Ordinance: A law of the County enacted by the Board of County Commissioners.

Paid Family and Medical Leave (PFML): PFML is a program managed by the Washington State Employment Security Department (ESD) which provides protected leave to eligible employees for a serious health condition, to care for a family member with a serious health condition, to bond with a new child or to spend time with a family member preparing for military service.

Payroll Services Manager: Persons in the Auditor's Office responsible for managing payroll for the County.

Pay Status: When an employee is working or when an employee is using any compensable time (i.e., vacation, PTO, sick leave, bereavement leave or approved Comp Time) as compensation for their scheduled workday, they are considered to be on pay status.

Personal Time Off (PTO): The alternate system for accrual of vacation and sick leave adopted for all non-represented, exempt staff hired after January 1, 2004 by Resolution No. 81-03 or adopted by Collective Bargaining Agreement.

Personnel File: Refers to both the employee's employment personnel file and the employee's departmental personnel file.

Policy: Refers to an individual policy listed in a section of this Manual.

Commented [PA09]: "FSLA" is the defined term. Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Position Anniversary Date: The date an employee is appointed to a specific position (defined by a job description) which may be different from their Anniversary Date.

Promotion: Appointment within a department of a current employee to a position with a higher level of responsibility and accountability.

Provisional Appointment: Temporary appointment to a position in County service pending the completion of the selection process to fill the position (See Chapter 10, Section 1.1 Types of Appointment).

Provisional Offer of Employment: An offer of employment made before the County completes a background check.

PTO Bank: The amount of accrued PTO an employee has to a specific maximum. (See Maximum PTO Bank in Chapter 6, Section 3.3.)

Reasonable Suspicion: Includes, but is not limited to, physical signs of alcohol or drug use such as delayed motor skills, alcohol on the breath, etc.; performance issues, including but not limited to, frequently missed deadlines, frequent mistakes, decreased productivity, significant variations in productivity from day to day; inability to concentrate; frequent tardiness or absences for implausible reasons; long meal, coffee, or bathroom breaks; disruptive behavior toward fellow employees; withdrawal from interaction with fellow employees; or, overreaction to constructive criticism.

Reclassification: A review of changes in job duties which results in a new job classification.

Recruitment: The process of notifying current employees or the public of position vacancies within the County. Recruitment may be internal, in-house and outside (See Chapter 9- Recruitment and Selection).

Reduction in Force (RIF): Terminate employment due to budgetary constraints.

Registered Domestic Partner: Two adults who meet the requirements for a valid state registered domestic partnership as established by RCW 26.60.030 and who have been issued a certificate of state registered domestic partnership by the Washington Secretary of State.

Related Business Entity: Any corporation, general or limited partnership, sole proprietorship or individual (including a private consulting firm), joint venture, unincorporated association or firm, institution, trust, foundation or other organization, whether or not organized for profit with which a County Officer or employee: (1) Is an officer, director, member or employee; or, (2) owns or controls an interest either directly or indirectly.

Remote Interest: An interest of: (1) A non-salaried officer of a nonprofit corporation; (2) An employee or agent of a transacting party where the compensation of such employee or agent consists entirely of fixed wages or salary; (3) A landlord or tenant of a transacting party; or (4) A holder of less than one percent of the shares of a corporation or cooperative, which is a transacting party.

Regular Employee: An employee who has successfully completed the initial trial employment period and has received an appointment as a regular employee. Regular employees are credited with continuous service retroactive to the date of hire. Regular employees may be full-time or part-time.

Relative: A person with any family relationship resulting from birth, marriage, adoption or registered domestic partner relationship with an employee.

Resolution: A resolution by the Board of County Commissioners that establishes a policy, procedure or statement specific to the County.

Respondent: A person who is the subject of a complaint for grievance.

Retire: When an employee leaves County employment with full eligibility (meets age, years of service, etc.) to apply for benefits through a retirement plan.

Revised Code of Washington (RCW): The compilation of all permanent laws now in force in the State of Washington **now in force or as may be amended in the future.**

Salary Administration Policy: (See Chapter 8, Section 1.0.)

Scheduled Workday: The regularly scheduled workday of an employee.

Single Day Meal Reimbursement: The reimbursement for meals for an employee when the travel does not include an overnight stay.

Staffing Schedule: A list of positions and the number of hours for which they are funded as described in the annual budget.

Standard Paid Leave Accrual System: The system identified in this Manual for accrual of vacation, sick leave and floating holiday benefits before the establishment of the PTO accrual system.

State of Emergency: An emergency proclaimed as such by the governor pursuant to RCW 43.06.010 as now or hereafter amended.

Temporary Employee: An employee who works for a fixed period generally not to exceed four (4) months as set by the Departmental Director and approved by the County Administrator.

Temporary Promotion: When an employee of a lower classification is appointed to fill a higher classification due to the temporary absence of the employee normally in the higher classification.

Termination: The voluntary or involuntary cessation of employment with the County.

Termination Committee: A committee appointed to conduct a pre-termination meeting. The membership of the committee is (1) a Departmental Director from a department other than the department of the terminated employee, (2) the HRD and (3) the Clerk or Deputy Clerk of the Board.

Three Hour Rule: An employee has been in travel status for three (3) hours beyond the regularly scheduled work day. The three hours may be any combination of time before or after the scheduled working hours on the day in question. (Appendix D 7.3.1.2)

Transacting Party: Any person, partnership, association, cooperative, corporation, or other business entity which is a party to a transaction with the County.

Transaction: Contract, subcontract, decision or other matter that is, or may be the subject of, an official action by or with the County.

Travel Status: An employee is considered to be on Travel Status when they leave their home or official workstation, whichever is closer to their destination, for a destination outside Jefferson County on County business.

Commented [PAO10]: Revised to account for future changes in the statute that might make this PAM obsolete. This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO11]: Revised for consistent use of number format to this format: (1). This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO12]: Revised for consistent use of number format to this format: (1). This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO13]: Revised for consistent use of number format to this format: (1). This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Trial Appointment: Appointment to County service or a new position for a specific amount of time called the Trial Period.

Trial Period: A time during which the County ~~can judge~~ assesses the performance and potential of an ~~new~~ employee ~~for permanent employment in a new position, and an employee may evaluate the County as an employer for the new position or an employee in a new position.~~

Commented [PA014]: Modified for accuracy and consistency, since the focus should be on the new position, whether the employee is *new* to the county or not. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Transfer: Appointment of an employee to another position in County employment. The transfer may be employer or employee initiated.

Union: A union that represents employees.

Volunteer: A person who performs any assigned or authorized duties for the County or a board, commission or committee, or department of the County, by their own free choice, who receives no wages and who is registered and accepted as a volunteer by the County. For the avoidance of doubt, volunteers include jurors, poll workers and advisory board members.

WAC (Washington Administrative Code): The collection of administrative rules adopted by the Washington State executive branch agencies to carry out the duties given to them in state law by the Legislature, ~~that are now in force or as may be amended in the future.~~

Commented [PA015]: Added to account for future changes in the WAC. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

West End: The portion of the County West of the Olympic National Park that borders the Pacific Ocean, between Clallam County and Grays Harbor County and not accessible by highway without traveling out of the County.

Whistle Blower: A person who reports illegal or improper conduct, especially improper conduct on the part of the Whistle Blower's employer. (See Chapter 11, Section 11.0 and Appendix H.)

WISHA (Washington Industrial Safety and Health Act): Washington State's occupational safety and health program, established when the State Legislature passed the Washington Industrial Safety and Health Act in 1973.

Work Day: The number of hours during a 24 (twenty-four) hour period required of an employee to fulfill the job requirements as defined by the job classification and duties.

Workweek: A fixed and regularly recurring period of 168 (one hundred sixty-eight) hours (i.e., seven (7) consecutive 24 (twenty-four) hour periods).

Section 3.0 – Applicability of this Manual

This Manual applies to all County officers, employees and volunteers and for certain of the Policies to all transacting parties.

Section 4.0 – Legal References

This listing is not all inclusive.

Section 4.1 – Federal Statutes

Acronym	Federal Act Name
ADA	Americans with Disabilities Act
ADEA	Age Discrimination in Employment Act

Acronym	Federal Act Name
COBRA	Federal Consolidated Omnibus Budget Reconciliation Act of 1985
	Drug Free Workplace Act of 1988
FMLA	Family and Medical Leave Act of 1993
FLSA	Fair Labor Standards Act
HIPAA	Health Insurance Portability and Accountability Act (1996)
IRCA	Immigration Recovery and Control Act

Section 4.2 – Revised Code of Washington (RCW) Titles

RCW	Title
Chapter 7.80 RCW	Civil Infractions
RCW 9.41.050	Carrying Firearms
RCW 9.41.060	Exceptions to Restrictions on Carrying Firearms
RCW 9.41.070	Concealed Pistol License
RCW 36.17.040	Payment of Salaries of Officers and Employees
RCW 38.40.060	Military Leave for Public Employees
RCW 41.06.250	Political Activities
Chapter 42.23 RCW	Code of Ethics for Municipal Officers - Contract Interests
RCW 42.24.115	Municipal Corporations and Political Subdivisions -- Charge Cards for Officers' and Employees' Travel Expenses
Chapter 42.56 RCW	Public Records Act
RCW 42.56.210	Certain Personal and Other Records Exempt
RCW 43.10.005	Workplace Pregnancy Accommodations
Chapter 49.12 RCW	Industrial Welfare
RCW 49.12.265 thru 49.12.295	Family Care Act
RCW 49.44.120	Labor Regulations - Requiring Lie Detector Tests
Chapter 49.46 RCW	Minimum Wage Requirements and Labor Standards
Chapter 49.76 RCW	Domestic Violence Leave
Chapter 49.77 RCW	Military Family Leave Act
Title 50A RCW	Family and Medical Leave
Title 51 RCW	Industrial Insurance
Chapter 70.160 RCW	Smoking in Public Places

Section 3.3 – Washington Administrative Code (WAC)

WAC	Title
Chapter 296-128 WAC	Minimum Wages
WAC 296-128-600 thru 296-128-760	Paid Sick Leave
Chapter 296-130 WAC	Family Care
Chapter 296-135 WAC	Leave for Victims of Domestic Violence, Sexual Assault and Stalking

Section 4.4 – Jefferson County Ordinances and Resolutions

Ordinance(s) and Resolution(s)	Description
Chapter 8.100 JCC	An Ordinance Relating to Courthouse Security
Ordinance No. 09-0806-18	An Ordinance Repealing and Replacing the Existing Resolution 87-86 Regarding Indemnification and Tort Representation of Jefferson County Employees and Officers and Amending the Existing Jefferson County Risk Management Policy in Resolution 36-11 and Chapter 2.05 JCC Indemnity of Employee Legal Defense Costs – Claims for Damages
Resolutions Nos. 85-93, 129-97 & 67-99	Jefferson County Loss Control and Countywide Safety Manual
Resolution No. 79-94	Authorizing Donation by County Employees of Accrued Sick Leave and Establishment of a Sick Leave Bank
Resolution No. 64-95	Computer Diskettes from Outside Being Used on County Computers
Resolution No. 35-96	Establishing a Key Policy for the Offices and Buildings of

Commented [PA016]: Revised to put in alphabetical, then numerical order. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

Ordinance(s) and Resolution(s)	Description
	Jefferson County
Resolution No. 40-96	Policy Governing Expenditures of Public Funds for Food and Beverages by County Departments
Resolution No. 17-98	Jefferson County Network, Internet, Intranet, E-mail and Voice Mail Use Policy
Chapter 8.100 JCC	An Ordinance Relating to Courthouse Security
Resolutions Nos. 85-93, 129-97 & 67-99	Jefferson County Loss Control and Countywide Safety Manual
Resolution No. 81-03	Establishing a Paid Time Off (PTO) System and Offering that Alternative to Non-Represented Employees
Resolution No. 13-04	Adopting a Policy Regarding Privacy of Health Information under the Health Insurance Portability and Accountability Act of 1996 (HIPAA)
Resolution No. 25-05	Reimbursement to Certain County Officials for Use of Personal Vehicles
Resolution No. 18-06	ADA Grievance
Resolution No. 64-08	Use of Credit Cards on Behalf of Jefferson County
Resolution No. 01-14	Position Budgeting Guidelines
Resolution No. 37-14	Allowing Employees to Receive up to Two (2) Unpaid Holidays Per Calendar Year for a Reason of Faith or Conscience; or, an Organized Activity Conducted Under the Auspices of a Religious Denomination, Church, or Religious Organization
Resolution No. 37-15	Granting Longevity Pay and an Additional Floating Holiday, and Amending the Floating Holiday Accrual Schedule for FLSA and Union Exempt Employees
Resolution No. 21-18	Jefferson County Public Records Act Compliance Policy
Resolution No. 37-18	Adopting an Updated Drug and Alcohol Testing Policy and Procedures Manual for Employees who hold a Commercial Driver's License as a Condition of Employment
Resolution No. 43-18	Amending Longevity Pay for FLSA Exempt and Union Exempt Employees
Ordinance No. 09-0806-18	An Ordinance Repealing and Replacing the Existing Resolution 87-86 Regarding Indemnification and Tort Representation of Jefferson County Employees and Officers and Amending the Existing Jefferson County Risk Management Policy in Resolution 36-11 and Chapter 2.05 JCC Indemnity of Employee Legal Defense Costs—Claims for Damages
Resolution No. 54-19	Risk Management Policy
Resolution No. 76-21	Establishing New Salaries for Elected Officials of Jefferson County
Resolution No. 83-21	Establishing New Salaries for the Elected Positions of Jefferson County Commissioner
Resolution No. 53-1014-24R	Repealing and Replacing Resolution No. 34-23 Longevity Pay, Personal Time Off (PTO) and the 2023 Salary Schedule and Adopting the 2024, 2025, & 2026 Salary Schedules for the FLSA and Union Exempt Management and Professional Employees
Resolution No. 83-1223-24R	Amending Pay Rate for Jefferson County's Administrator in Resolution No. 53-1014-24 Longevity Pay, Personal Time Off (PTO) and the 2023 Salary Schedule and Adopting the 2024, 2025, & 2026 Salary Schedules for the FLSA and Union Exempt Management and Professional Employees

Commented [PA016]: Revised to put in alphabetical, then numerical order. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Chapter 2 – Program Administration

Section 1.0 – Purpose

The purpose of this Manual is to facilitate comprehensive, accountable and efficient service to the public, and to provide a personnel management system within the County that deals with all employees in an equitable and uniform manner.

Employees must be legal residents of the State of Washington. The County shall employ the most qualified persons available. The tenure of every employee shall depend upon the need for work performed, availability of funds, effective performance and good conduct. Each employee shall be expected to perform at their optimum level to provide competent, efficient and courteous service to the public and the County.

None of the provisions of this Manual shall be deemed to create a vested contractual right to any employee or to limit the power of the County to repeal or modify any rules, regulations or policies in this Manual. The rules, regulations and policies in this Manual are not promises of specific treatment.

Section 2.0 – Scope

This Manual sets forth the minimum standards of performance and conduct for all employees. Any department may establish its own standards for operation and rules of conduct, provided those standards and rules are in writing and are not in direct conflict with the policies of this Manual, collective bargaining agreements, Civil Service rules, local ordinances or contracts, or state or federal statutes. Departmental Directors shall have the responsibility of informing employees of such procedures and of seeing that they are carried out uniformly and fairly.

The policies outlined in this Manual are subordinate to any provision of any applicable operational collective bargaining agreements, Civil Service rules, local ordinances, ~~contracts~~, or state or federal statutes. ~~Any~~ ~~Where a conflict between a provision of this manual and state or federal statutes,~~ collective bargaining agreements, Civil Service rules, local ordinances or ~~contracts exists~~ state or federal statute, ~~the statute, agreement, rule, local ordinance or contract~~ shall prevail if in conflict with this Manual.

Commented [PA017]: Revised for clarity. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Order of Precedence

Federal Laws
State Laws
Operational Labor (bargaining) Agreements
Civil Service Rules
Local Ordinances, resolutions, or contracts
This Manual



No provision of this Manual purporting to grant any benefit that could result in a financial obligation of the County shall be effective until such obligation is specifically approved by the Board of County Commissioners by ordinance or resolution.

Section 2.1 – Revisions

This Manual may be revised by resolution of the Board of County Commissioners with concurrence of the County's Elected Officials.

Section 3.0 – Authority

The Board of County Commissioners may delegate ~~responsibility and~~ authority for daily administration of personnel matters as follows:

Commented [PA018]: Unnecessary words deleted. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 3.1 – Departmental Director Responsibilities

Departmental Directors are responsible for the following type of matters for employees within their assigned departments:

1. Employee selection pursuant to the selection process;
2. Performance evaluation;
3. Retention of employment personnel files, which includes: employee evaluations, written employee communications, letters of support for and documentation of disciplinary actions;
4. Initiation of personnel actions;
5. Training and professional development;
6. ~~Corrective-Disciplinary~~ action; and
7. Complaints about or between employees.

Commented [PA019]: Appendix C - Employee Standards of conduct mostly uses "disciplinary action." This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 3.2 – Human Resources Director Responsibilities

The Human Resources Director (HRD) shall be responsible for ensuring that the following type of activities are properly administered by the County:

1. The recruitment process;
2. Affirmative Action Plan reporting;
3. Retention of employment records that include initial hiring documents, job descriptions for all County positions, employee evaluations, employee medical records, mandatory and cross departmental training records;
4. Classification and compensation plans;
5. ~~Labor relations~~ Relations with labor unions;
6. Comprehensive review, advice, monitoring and technical assistance for personnel actions;
7. Coordination of interdepartmental training programs; and,
8. Equal Opportunity Program, Affirmative Action Plan, Age Discrimination in Employment Act, Americans with Disabilities Act and such other employment regulations or programs requiring centralized monitoring or implementation.

Commented [PA020]: Revised for clarity. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Those persons delegated any of the responsibilities contained in this Manual shall be accountable for equitable, efficient and impartial administration of these duties. The HRD may utilize the services of other employees or consultants in fulfilling the responsibilities for program administration.

Section 4.0 – Equal Employment Opportunity

It is the policy of the County to attract and retain employees who are the most qualified regardless of race, creed, religion, color, national origin, sex, age, marital status, sexual orientation, political affiliation, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal.

Employees shall be treated impartially and without prejudice regarding compensation, promotion, transfers, training and all other terms and conditions of employment, as their abilities warrant and as openings occur. The goal of the equal opportunity program is to maintain an environment ensuring recognition of each person's efforts, achievements and cooperation. When necessary, reasonable accommodations shall be made.

Any alleged act or complaint of discrimination on the part of any employee shall be reported to the Equal Opportunity Advisor for appropriate investigation and action.

Section 5.0 – Personnel Files

Two specific types of personnel files exist in the County system, employment personnel files and departmental personnel files. The HRD shall ensure that employment personnel files are maintained for each employee. The Departmental Director shall ensure that departmental personnel files are maintained for each employee. All personnel files are a part of the ordinary business records of the County and are the property of the County. Personnel files only shall be available to other employees of the County with a direct employment related need for access to the employee's personnel files and the employee's Departmental Director, unless otherwise directed by State law, court order or the HRD.

Personnel files shall not contain information regarding employee disabilities. Such information shall be maintained in a separate medical file.

Only employment related information should be included in personnel files. An employee may inspect their employment personnel file or departmental personnel file at any reasonable time.

No portion of any personnel file shall be duplicated or reviewed by any person, other than those authorized by this Policy, without the knowledge of the employee.

Section 5.1 – Employment Personnel Files

The employment personnel file shall show the employee's name, position and department to which they are assigned and shall include the job description, any forms signed as required by any section of this Policy or other County policies, documents indicating employment status, performance evaluations and training received.

Section 5.2 – Departmental Personnel Files

Documentation of employee performance including written disciplinary actions, written commendations and other pertinent information shall be kept in the employee's departmental personnel file.

An employee may place any pertinent information in their departmental personnel file for purposes of explaining or refuting official records in their departmental personnel file.

Section 5.3 – Confidentiality

Certain portions of the personnel records of the County are public documents and are subject to disclosure under the Washington Public Records Act (Chapter 42.56 RCW). The County shall attempt to maintain the confidentiality of personnel records to the extent permissible under Chapter 42.56 RCW.

Section 6.0 – Collective Bargaining

The County recognizes the right of employees to join unions for the purpose of collective bargaining. Employees may join one of the unions listed below depending upon the department ~~or~~ division to which they are assigned.

United Food and Commercial Workers (UFCW) Local 21:

Assessor, Auditor, Central Services (Custodians), Clerk (Superior Court), Community Development, District Court, Juvenile Services, Recreation (division of Public Works), Prosecuting Attorney, Public Health, WSU Extension and Treasurer.

International Brotherhood of Teamsters, Local Union No. 589:

Central Services (Information Services and Facilities Maintenance), Public Works and Sheriff's Office (Command Staff, Deputies and Administrative Staff).

Commented [PA021]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Fraternal Order of Police (FOP):

Sheriff's Office Uniformed Support Services (includes Corrections, ~~Civil~~ and Animal Control)

Section 7.0 – Management Rights

Nothing in these rules shall be construed as affecting or revoking the inherent exclusive right of the County with respect to matters of general legislative or executive policy, including but not limited to the following:

1. To determine the mission of the County's constituent departments, commissions and boards;
2. To set standards for public service and accountability;
3. To determine the procedures and standards of selection for employment, promotion, transfer and dismissal;
4. To direct and supervise all employees;
5. To take disciplinary action;
6. To relieve employees from duty due to an RIF;
7. To terminate employees for cause;
8. To maintain the efficiency of governmental operations;
9. To determine the methods, means and personnel by which government operations are to be conducted;
10. To take all necessary actions to carry out the County's mission in emergencies;
11. To exercise complete control and discretion over the County's organization and the technology of performing its work; or,
12. To set staffing levels and hours of operation.

Section 8.0 – Administrative Directives, Procedures and Interpretations

The HRD shall be responsible for the issuance of personnel-related administrative directives, procedures and interpretations to supplement this Manual. The Board of County Commissioners must approve such administrative directives, procedures and interpretations with concurrence of the County Administrator, after consultation with the Departmental Director, after which they shall be distributed, followed and enforced in the same manner as in this Manual. Administrative directives, ~~and~~ procedures and interpretations shall not conflict with the ~~polices~~ Policies contained in this Manual.

Commented [PA022]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA023]: Revised for consistency with the language below. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Chapter 3 – Equal Employment Opportunity and Affirmative Action

Section 1.0 – Declaration of Policy

The County has established an Equal Employment and Affirmative Action Policy to promote and afford equal treatment and service to all residents regardless of race, creed, religion, color, national origin, sex, marital status, sexual orientation, political affiliation, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a disabled person. This Policy shall apply to every aspect of employment practices, employee treatment and public contact.

Acts of discrimination against any individual because of race, creed, religion, color, national origin, sex, age, marital status, sexual orientation, political affiliation or the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a disabled person are wasteful in terms of lost skills and talents and are therefore in contravention of this Policy.

Full details of the Policy and procedures regarding equal opportunity ~~can be found~~ are located in Appendix A of this Manual. A copy of this Policy shall be provided to all offices and employees of the County and an additional copy shall be readily available to members of the public.

Commented [PA024]: This is a simpler and more understandable word choice. This change provides clarity and should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Chapter 4 – Code of Ethics

The proper operation of democratic government requires that County officers and employees be committed and bound by the following goals:

1. Independent, impartial, accountable and responsible behavior in duty to the County and its residents;
2. Governmental decision and policy making within the proper channels of the governmental structure;
3. Public office not to be used for personal gain; or
4. Belief by the public in the integrity of its government based on the actions of its employees.

In recognition of these goals, a code of ethics policy for all County Officers and employees is adopted to supplement the provisions of Chapter 42.23 RCW and 2 CFR § 200.112 (if applicable). This Policy shall be applicable to all County Officers and employees of the County.

Each County Officer and employee is responsible for complying with this Policy as a condition of employment. Full details of this Policy and the procedures regarding the Code of Ethics ~~can be found~~ are provided in Appendix B of this Manual.

Commented [PA025]: This is a simpler and more understandable word choice. This change provides clarity and should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Chapter 5 – Standards of Conduct

It is the County's policy to place as few restraints on employee personal conduct as possible. The County relies on each employee's good judgment and sense of responsibility as the principal source of guidance for conducting day-to-day duties and responsibilities.

For the protection of the public interest, the public and other employees, certain rules of conduct have been established. These rules are formalized for each employee's information and to minimize the likelihood of any employee, through misunderstanding or otherwise, becoming subject to disciplinary action.

Each employee is responsible for complying with the County's standards of conduct policy as a condition of employment. A full description of this Policy and its applicable procedures ~~can be found~~
~~are provided~~ located in Appendix C of this Manual.

Commented [PA026]: This is a simpler and more understandable word choice. This change provides clarity and should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Chapter 6 – Employee Benefits

Section 1.0 – Health Insurance

Eligible employees may participate in the applicable health insurance plan provided in accordance with the provisions of the plan as published in the plan book. The programs and criteria for eligibility shall be explained at the time the employee becomes eligible to join. The County reserves the right to make changes in the carriers and provisions of these programs when deemed necessary or advisable.

Section 1.1 – Extended Health Benefits (COBRA)

In compliance with the COBRA, the County shall offer continuing health care coverage on a self-pay basis to employees and their dependents following an employees' termination or reduction in hours and to dependents upon the employee's death. These health benefits shall be identical to the coverages offered to full-time employees. For a terminated or reduced-hour employee, the coverage may last up to 18 (eighteen) months or until they become eligible for other health insurance coverage, whichever is earlier. Upon the employee's retirement, divorce, spousal separation or death, the coverage may last up to thirty-six (36) months for the employee's qualified beneficiary. The employee or the beneficiary shall pay the full policy monthly premium plus applicable service fee to the County. The employee or beneficiary may waive all rights to continuation coverage. Notification procedures and time limits are outlined in the continuation coverage "Notification of Rights" letter, which may be obtained in [Payroll](#) in the Auditor's Office [Payroll](#).

Section 1.2 – Health Insurance Portability Accounting Act

The HIPAA requires group health plans to offer special enrollment rights to employees and their dependents. If a new employee has been covered by a health insurance plan prior to being hired by the County, the County's plan or issuer may not exclude coverage for any pre-existing condition for more than 12 (twelve) months (18 months for a late enrollee.) The employee [can may](#) request a Certificate of Credible Coverage from their previous employer. If an employee cannot [get a obtain](#) certificate of credible coverage from their previous employer, other types of information are acceptable including:

1. An explanation of benefit claims;
2. Pay stubs showing payroll deductions;
3. A health-insurance identification card; or
4. A telephone call from a representative of the plan to a third-party verifying coverage.

A health insurance provider will issue an employee a Certificate of Healthcare Coverage under the following three (3) conditions:

1. When an employee ceases to be covered under a group health plan or becomes covered under COBRA;
2. When the employee ceases to be covered by COBRA; or
3. When the employee requests a certificate within 24 months of the termination of coverage.

Employees are encouraged to keep records of important documents verifying employment and benefits. This includes the occasion when a change in job classification also changes the issuing health insurance company.

Section 2.0 – Vacation

Vacation time is intended to provide the employee with a period of relaxation away from work. Vacation time is scheduled at the convenience of the County, but every effort will be made to accommodate employees' requests. Vacations are authorized for all regular full-time and qualified regular part-time employees.

Commented [PA027]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

Commented [PA028]: "May" is defined in JCC [01.01.040\(h\)](#). "May" is permissive. "May" should be used instead of "can." This satisfies the requirement for regulatory reform in Resolution No. [17-19](#).

Commented [PA029]: Revised for clarity. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

Section 2.1 – Vacation Accrual

Vacation shall be accrued by the hour and calculated on a monthly basis beginning with an employee's date of hire or another date approved in writing by the HRD and the County Administrator. Vacation accrual shall be as follows:

Completed Years of Service (See Chapter 10, Section 3.0)	Rate of Accrual per Straight Time Hour of Compensation	Maximum Hours Earned	Maximum Days Earned
0 – 3	0.0423 Hours	88.0 Hours	11 Days
4 – 5	0.0539 Hours	112.0 Hours	14 Days
6 – 10	0.0654 Hours	136.0 Hours	17 Days
11 – 15	0.0731 Hours	152.0 Hours	19 Days
16+	0.0885 Hours	184.0 Hours	23 Days

In addition to the vacation accrual chart above, one additional day of eight (8) hours (or less based on FTE) shall be available to employees each calendar year.

Only those days the employee is normally required to work shall be counted in computing the vacation period to which the employee is entitled. Holidays occurring with the employee's vacation period shall not count as vacation time taken.

Vacation schedules must be approved by the Departmental Director or their designee(s) and scheduled in accordance with departmental rules. Vacation preferences among employees shall be resolved by a combination of anticipated workload and seniority.

Employees shall not take vacation unless they have accrued the necessary vacation hours.

Section 2.2 – Vacation Accrual While on Paid and Unpaid Leave Status

Accrual of vacation leave is based upon an employee's regularly weekly work schedule including regular hours worked, authorized holidays, vacations, sick leave or bereavement leave and excluding overtime hours and other unpaid leave of absence periods.

2.2.1 Paid Leave Status:

Employees who are on vacation, recognized holidays or paid sick leave shall continue to accrue vacation leave at the regularly prescribed rate during such absence.

2.2.2 Unpaid Leave Status:

An employee does not accrue vacation when they are on unpaid leave, e.g., personal leave, FMLA leave, Workers' Compensation, etc.

Section 2.3 – Accumulated Vacation

Carryover of accumulated vacation time shall not exceed 10 (ten) days at the beginning of any calendar year. Accumulated vacation time not exceeding the 10-day (ten) maximum will be automatically carried over. Any vacation earned that exceeds this maximum accumulation allowable shall be forfeited. Employees denied vacation requests due to office workload that results in accumulated vacation time exceeding the 10-day (ten) limitation may submit a request to the Board of County Commissioners or

designee to be paid for the excess days. The request must be accompanied by a recommendation from the Departmental Director.

An employee may submit a written request to their Departmental Director for approval to carry over five (5) days of vacation in excess of the authorized 10 (ten) day maximum, due to circumstances beyond their control or when planning a significant vacation or event. Employee requests to carry over more than five (5) days of vacation in excess of the authorized 10 (ten) day maximum, must be approved by the employee's Departmental Director and submitted in writing to the County Administrator for approval. The request must be submitted in writing as early as possible to the projected vacation date and any approved carry over of vacation must be used within the first six months of the following calendar year or within the timeframe as determined by the County Administrator. Any approved carry over of vacation which is not used within the authorized timeframe shall be forfeited.

Section 2.4 – Termination

Upon termination, an employee shall be paid for vacation accrued as of the termination date. Such time shall be paid at the employee's current rate of pay. If, at termination, an employee has used more vacation than they have accrued, compensation for the amount of vacation taken above their accrual shall be deducted from their final paycheck.

Upon a regular employee's death, compensation for accrued vacation shall be paid to the employee's designated beneficiary, if any, and if none, to the employee's heirs or estate in accordance with State law.

Section 3.0 – Personal Time Off

Personal Time Off (PTO) is the leave accrual system for exempt, non-represented employees as well as those employees covered by certain Collective Bargaining Agreements that provide for PTO to use for vacation, illness or injury and personal business. PTO combines the historic paid leave accrual system (i.e., vacation, sick leave and floating holidays) into one flexible, personal time-off system. Employees are eligible to earn and use PTO as described in this Policy. For Union covered employees, also refer to respective Collective Bargaining Agreements (CBAs).

In accordance with the Washington State Paid Sick Leave Law, effective January 1, 2018, all employees covered by the FLSA shall accrue at least one hour of paid sick leave for every 40 hours worked. State Paid Sick Leave accrual year is January 1 to December 31. Employees covered by the FLSA shall accrue State paid sick leave concurrently as part of and within their PTO.

Employees shall not take PTO unless they have accrued the necessary PTO hours. When an employee is on unpaid leave status, they do not accrue PTO benefits.

Section 3.1 – Purpose

The PTO system is established to provide greater flexibility to employees in managing their time off benefits, to allow greater accumulation of paid time off and to reduce employer exposure to ultimate benefit utilization.

Section 3.2 – Eligibility

All regular full-time and part-time, non-represented employees accrue PTO. Union-represented employees, through the action of their bargaining representative if negotiated, may also be enrolled in the PTO system.

Section 3.3 – PTO Accrual

PTO shall be accrued by the hour and shall be calculated on a monthly basis beginning with the employee's date of hire or another date approved in writing by the HRD and the County Administrator.

The amount of PTO an employee receives each year increases with the length of their employment as shown in the following schedule:

Completed Months of Employment	*PTO Yearly Accrual Maximum Hours /(days)	Maximum hours earned per straight time hour of employment. (PTO is earned hourly and posted monthly.)	PTO Bank Maximum Hours/(days)
0 thru 35	168/(21)	0.0808	280/(35)
36 thru 59	192/(24)	0.0923	320/(40)
60 thru 119	216/(27)	0.1038	360/(45)
120 thru 179	240/(30)	0.1154	400/(50)
180 thru 239	264/(33)	0.1269	440/(55)
240 thru 299	264/(33)	0.1269	480/(60)
300+	264/(33)	0.1269	520/(65)

* Calculated based on a standard scheduled work week of 40 hours, maximum 2,080 hours yearly.

In addition to the above table, employees have two [PTO Floaters/floating holidays](#) of 8 hours each that shall be used during the calendar year. If not used during the calendar year, the [Floater PTO/floating holiday](#) is forfeited.

Section 3.4 – Procedures

PTO is administered as follows:

3.4.1 PTO Use and Minimum Increment

PTO shall be used for all authorized leave provisions pursuant to Chapter 6, Sections 2.0 and 6.0 of this Manual. PTO schedules must be approved by the Departmental Director or their designee(s) and scheduled in accordance with departmental rules. PTO preferences among employees shall be resolved by a combination of anticipated workload and seniority. The minimum increment of PTO use is four (4) hours for all FLSA exempt personnel.

3.4.2 PTO Use During an Employee's Trial Period

Up to forty (40) hours of PTO may be used during an employee's trial period if the employee has accrued that time and it is approved by the Departmental Director. An employee terminated from County employment during their trial period is not eligible for PTO cash out.

3.4.3 Scheduling Use of PTO

For a documented medical condition PTO shall be scheduled pursuant to the sick [leave or](#) vacation leave provisions. (See also Sections 3.2, 4.0, 6.0 and 7.0 of this Chapter.)

3.4.4 PTO Banking and Cash Out

The employee may bank and carry forward any accrued PTO up to the Maximum PTO Bank (See the schedule in the table in Section 3.3). Upon termination of employment for any reason, the employee shall be cashed out for unused PTO not to exceed the PTO maximum pursuant to the table in Section 3.3, except that if an employee's accrued PTO balance exceeds the Maximum PTO Bank due to extenuating circumstances, an employee may submit to their Department Director a written request to be cashed out for the excess PTO, with a statement documenting the extenuating circumstances. If all or a portion of the request is recommended for approval by the Director, the request and the Director's

Commented [PA030]: Revised for consistency with section 3.4.10 and section 5.0, which use the term "floating holiday." This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA031]: Revise for consistency with section 3.4.10 and section 5.0, which use the term "floating holiday." This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

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written recommendation shall then be submitted to the County Administrator for possible approval. In no event shall the PTO cash out exceed the sum of the PTO Bank Maximum plus the PTO Yearly Accrual Maximum, both as listed in the table in Section 3.3. Scheduled time off approved by the Departmental Director prior to submission of the required notice of resignation or retirement shall be honored. (See Chapter 10, Section 12.4 and 12.5.)

3.4.5 PTO Bank

Accrued PTO shall be credited to the employee's PTO bank. The employee may carry forward to the next year any accrued PTO up to the PTO bank maximum. Unless the employee has requested in writing and received approval to carry over excess accrued PTO pursuant to Section 3.4.6, any accrued PTO which exceeds this authorized bank limit shall be credited to the employee's Catastrophic Sick Leave Bank. (See also Section 3.4.7.)

3.4.6 PTO Carry Over

An employee may submit a written request to their Departmental Director for approval to carry over five (5) days of PTO in excess of the authorized bank limit, due to circumstances beyond their control or when planning a significant vacation or event. Employee requests to carry over more than five (5) days of PTO in excess of the authorized bank limit, must be approved by the employee's Departmental Director and submitted in writing to the County Administrator for approval. The request must be submitted in writing as early as possible to the projected vacation date and any approved carry over of PTO must be used within the first six months of the following calendar year or within the timeframe as determined by the County Administrator. Any approved carry over of PTO which is not used within the authorized timeframe shall be credited to the employee's Catastrophic Sick Leave Bank. (See also Section 3.4.7.)

3.4.7 Catastrophic Sick Leave Bank

An employee's Catastrophic Sick Leave Bank shall only be accessible to the employee accruing the bank and access shall only be allowed when all other paid leave, compensatory time or other Employer provided financial benefits are exhausted.

1. Maximum Accrual - The maximum accrual in the catastrophic sick leave bank is 960 hours (120 days).
2. County Sick Leave Bank - Days accrued in the catastrophic sick leave bank may be donated to the County sick leave bank per Resolution 79-94.
3. Termination from Employment: Upon termination from employment any accrual left in the employee's catastrophic sick leave bank is forfeited.

3.4.8 PTO Cash Out

PTO is paid at the employee's base pay rate (computed as an hourly rate) at the time of use or cash out, consistent with Section 3.4.4 - PTO Banking and Cash Out, above.

3.4.9 PTO Use During Illness or Injury or Workplace Injury

The use of PTO due to illness, injury or workplace injury shall follow the sick leave provisions of Chapter 6, Section 6.0.

3.4.10 Conversion from Standard Paid Leave Accrual System to PTO

When an employee is enrolled in the PTO System their paid leave balances shall be handled as follows:

1. Unused Sick Leave: Any sick leave an employee accrued under the standard sick leave system before enrolling in the PTO system shall be banked in a separate account for the employee's benefit and may be used or cashed out under the sick leave provisions of Chapter 6, Section 6.0.
2. Unused Vacation Leave: Any vacation leave an employee accrued under the standard system shall be converted to PTO when the employee enters the PTO system.
3. Unused Floating Holidays: Any unused floating holiday for an employee shall be retained as a non-accruing floating holiday.

3.4.11 PTO for Current Employees

PTO is an alternate to the standard paid leave accrual system. Once an employee enters into the PTO system the employee shall not be authorized to return to the standard paid leave accrual ~~and~~ use system unless the PTO system is no longer offered.

3.4.12 Leave Accruals from the Standard Paid Leave Accrual System

Once an employee enrolls in PTO any accrued leave over the limits established in the standard paid leave accrual system shall be included in the amount rolled into their PTO bank.

Commented [PA033]: Slash (/) can be used to mean both “and” and “or.” The slash (/) has been replaced with an “and,” an “or,” or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 3.5 – Responsibilities

Employees under the PTO System shall be responsible for managing the use of their PTO accrual to ensure that they have paid leave time available for all appropriate time off uses. Employees should be mindful of their PTO balance to assure that they have a balance available to cover traditional sick leave uses including their own illness ~~or~~ injury, medical or dental care, as well as the same uses for their dependents and certain family members. (See Section 6.2 for eligible family members.)

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Section 3.6 – Provisions of Chapter 6, Section 6.0 and 7.7 Apply

All of the provisions of the currently adopted Chapter 6, Section 6.0 and Section 7.7 or any future version of these sections that is adopted by the County regarding the use of accrued sick leave and Family Medical Leave, shall apply to the use of PTO when it is used for illness, injury or medical reasons.

3.6.1 PTO Designated as FMLA:

Employees and their Supervisors must identify and report in a timely manner the nature of the use of any PTO hours to be designated as FMLA for a qualified illness, injury, maternity leave or other qualified use.

Section 3.7 – Catastrophic Sick Leave Bank Balances

When an employee’s accrued PTO hours reach the maximum allowed, further accrual shall be credited to the employee’s Catastrophic Sick Leave Bank at the end of each year, unless carry over has been granted pursuant to Section 3.4.5. The Payroll Services Manager in the Auditor’s Office shall be responsible for oversight of the accrual, use and tracking all individual employee Catastrophic Sick Leave Bank balances.

Section 4.0 – Vacation or PTO During an Employee’s Trial Period

An employee on trial appointment status shall be able to use up to forty (40) hours of accrued paid vacation (or PTO) leave during their 6 (six) month trial period, or any extended trial period, upon approval of the Departmental Director. This does not ~~however~~ preclude a Departmental Director from allowing a new employee to take a pre-scheduled vacation or use additional days granted, if this arrangement was negotiated and agreed to by the County Administrator as part of the terms of their hire and approved prior to their hire date. Use of PTO during any trial period may be granted for a documented medical condition.

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Unpaid leave may be taken if approved by the Departmental Director. Employees on trial appointment status shall accrue vacation or PTO credit, which shall become available upon appointment to regular employee status. Employees terminated during their trial period are not eligible for cash out of any accrued vacation or PTO credit.

A Departmental Director, with the approval of the County Administrator, may negotiate with a candidate for hire, to provide additional vacation or PTO days or allow a new hire to take a pre-scheduled vacation at a time before their trial period expires. The results of all such negotiations shall be put in writing and require pre-approval by the County Administrator. In no case will a new hire be granted more than five (5) additional days of vacation or PTO.

Section 5.0 – Holidays

Qualified regular employees shall be entitled to the paid holidays specified by the Board of County Commissioners. To be paid for a holiday, an employee must be on pay status the scheduled workday immediately preceding and immediately following the holiday. Employees are entitled to eleven (11) specified holidays and one (1) floating holiday as shown below:

Holiday	Date	Holiday	Date
New Year's Day	January 1	Labor Day	1st Monday in September
Martin Luther King, Jr's Birthday	3rd Monday in January	Veteran's Day	November 11
President's Day	3rd Monday in February	Thanksgiving Day	4th Thursday in November
Memorial Day	Last Monday in May	Day after Thanksgiving Day	Friday after Thanksgiving
Juneteenth	June 19th	Christmas Day	December 25
Independence Day	July 4		
One Floating Holiday		Dates to be selected by mutual agreement of the employee and their Departmental Director	

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Section 5.1 – Holiday Pay During a Declared Emergency Budget Reduction:

During a declared and implemented budget reduction which includes voluntary furloughs for employees for a specified amount of time, an employee who has voluntarily agreed and been approved, to take a specified number of furlough days (days without pay) may, with the approval of their Departmental Director, take a furlough day before or after a recognized holiday and receive their regular holiday pay. Holiday pay shall not be paid if the employee takes a furlough day before and after the regularly paid holiday, however.

Section 5.2 – When Holidays Are Observed

When the holiday falls on a Saturday, it shall be observed on the preceding Friday. When a holiday falls on a Sunday, it shall be observed the following Monday. If an employee is on an authorized leave with pay when a holiday occurs, the holiday shall be paid and not charged against any accumulated sick or vacation leave.

Commented [PA036]: Revised for clarity and enhanced ability to locate this section in the Table of Contents. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 5.3 – Holidays and Overtime

Holidays paid for, but not worked, shall be recognized as time worked for determining weekly overtime. Hourly employees who work on holidays shall be paid at the rate of 1 ½ (one-and-one-half) times the regular hourly straight time rate of pay for hours worked, in addition to regular holiday pay, in accordance with Chapter 11, or the employee's collective bargaining agreement. FLSA Exempt Employees are not entitled to overtime pay.

Section 5.4 – Holidays and Non-standard Workweeks**5.4.1 Continuous Operations:**

County services that operate twenty-four (24) hours a day and seven (7) days a week may implement alternative holiday observance and compensation systems, with approval of the County Administrator.

5.4.2 *Alternate Work Schedules:*

County Departments ~~or~~ Divisions that operate on a non-standard workweek will determine how holidays will be taken by mutual agreement with their Departmental Director.

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Section 5.5 – Holiday Benefits for Employees on Alternate Work Schedules

The holiday benefit consists of up to 8 hours of pay per holiday.

5.5.1 *Hourly Employees:*

An hourly employee whose normal day off falls on an officially observed holiday shall receive another day off, with pay, during the same workweek in which the holiday occurs.

5.5.2 *Hourly Employees on Compressed Work Week:*

An hourly employee on a full-time compressed workweek schedule shall receive 8 hours of holiday pay per holiday and may charge the difference against an appropriate paid leave balance, be unpaid or with supervisory approval, flex the time during the workweek in which the holiday occurs. Alternatively, the Departmental Director may approve a regular 8-hour-per-day, 5-days per week schedule during the pay periods that include a holiday.

5.5.3 *Part-Time Employees:*

Part-time employees receive holiday pay pro-rated based on their work schedule.

Section 5.6 – Holidays of Faith and Conscience

Under Washington law all employees are entitled to receive up to two (2) unpaid holidays ~~for faith and conscience~~ per calendar year for “a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church or religious organization.”

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Note that a partial day off shall count as a full day toward an employee’s yearly allotment of two (2) days. Note also that the law provides for unpaid leave and there is no provision for substituting paid time off. Employees who wish to be compensated for the time off, must follow the policies for using accrued vacation leave or compensatory time or other paid time off.

Employees seeking to take a day off or partial day off under this law, must submit a written request using the “Unpaid Holiday Leave Request Form” to their Department Director, with a copy to the HRD, at least two weeks in advance. Untimely requests will only be considered if the employee ~~can~~ demonstrates that timely notice was not possible under the circumstances.

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The request must include the following information:

1. Name of employee making the request;
2. Date of request;
3. The dates of the day(s) off or partial day(s) off being requested (Note that a partial day off shall count as a full day toward an employee’s yearly allotment of two (2) days);
4. A sufficient description of the reason for the leave so that the Departmental Director can determine if it qualifies for leave under the terms of the law; and
5. If the request is untimely, a written explanation of why it was not possible to submit the request in a timely manner.

A request may be denied if:

1. It was not submitted in a timely manner;
2. The reason for the requested leave does not qualify for leave under the terms of the law;
3. The employee has already exhausted their allotment of two (2) days off under the law;
4. The employee occupies a public safety position, such as police, fire or dispatch and granting the leave would result in falling below necessary staffing levels; or

5. Granting the request would cause an undue hardship as defined by the Office of Financial Management.

Section 6.0 – Sick Leave

Section 6.1 – Accruals

In accordance with the Washington State Paid Sick Leave Law, effective January 1, 2018, all employees covered by the FLSA shall accrue at least one hour of paid sick leave for every 40 hours worked. The State Paid Sick Leave accrual year is January 1 to December 31. State paid sick leave shall be accrued concurrently as part of and within the County paid sick leave.

Regular employees shall accrue sick leave at the rate of 0.0462 hours for each full straight time compensable hour of service beginning with the date of hire to a maximum of 1,920 (one thousand nine hundred twenty) hours and accrual continues while an employee is on paid leave status (e.g., vacation, authorized holiday or sick leave) When an employee is on unpaid leave status, they do not accrue sick leave benefits.

Regular part-time employees shall accrue sick leave at the rate of 0.0462 hours for each full straight time compensable hour of service pursuant to Chapter 10, Section 1.1.

Section 6.2 – Eligibility

Employees shall be eligible for sick leave for the following purposes:

1. Illness or injury (to include child bearing or related circumstances of the employee);
2. Medical or dental care;
3. To care for their sick child under the age of 18 (eighteen);
4. As provided in State law, an employee may use any or all of their choice of sick leave or other paid time off to care for:
 - a. A child, including a biological, adopted or foster child, stepchild or a 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;
 - b. A biological, adoptive, de facto or foster parent, stepparent or legal guardian of an employee or the employee's spouse or registered domestic partner or a person who stood in loco parentis when the employee was a minor child;
 - c. A spouse;
 - d. A registered domestic partner;
 - e. A grandparent;
 - f. A grandchild;
 - g. A sibling;
5. An absence resulting from an employee's mental or physical illness, injury or health condition; to accommodate the employee's need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or, an employee's need for preventive medical care;
6. To allow an employee to provide care for a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or, care for a family member who needs preventive medical care;
7. When an employee's place of business has been closed by an order of the Board of Health or the Public Health Officer for any health-related reason, or when an employee's child's school or place of care has been closed for such a reason.
8. An absence that qualifies for leave under the Domestic Violence Leave Act; Chapter 49.76 RCW as follows:
 - a. Seeking legal or law enforcement assistance or remedies to ensure the health and safety of employee's and their family members including, but not limited to, preparing for, or

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- participating in, any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault or stalking;
- b. Seeking treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault or stalking;
- c. Attending health care treatment for a victim who is the employee's family member;
- d. Obtaining, or assisting the employee's family member(s) in obtaining, services from: a domestic violence shelter; a rape crisis center; or, a social services program for relief from domestic violence, sexual assault or stalking;
- e. To obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault or stalking in which the employee or the employee's family member was a victim of domestic violence, sexual assault or stalking; or,
- f. Participating in safety planning, temporarily or permanently relocate or take other actions to increase the safety of the employee or employee's family members from future domestic violence, sexual assault or stalking.

An employee who is absent from work due to medical reasons shall immediately report their absence to their Departmental Director in compliance with Chapter 11, Section 1.0.

Section 6.3 – Verification of Use

6.3.1 Medical Certification:

The County may require that the employee provide a medical certification to support a request for sick leave use that goes beyond five (5) consecutive working days. Employees have the right to assert that the verification requirement results in an unreasonable burden or expense on the employee. The County may also require that a second medical opinion be obtained. This evaluation is at the County's expense and must be obtained from a health care provider who is not employed by the County. If there are conflicting opinions, the County may ask ~~for an opinion from a third and final provider medical opinion~~ at the County's expense to offer a binding decision.

6.3.2 Fitness for Duty:

The County may require that an employee provide a medical certification of fitness for duty to return to work after a medical leave that extends beyond 10 (ten) consecutive working days and that involves a mental disability or substance abuse, or where the medical condition and the employee's job are such that the County believes the employee may present a serious risk of injury to ~~him/herself/them self~~ or others if they are not fit to return to work.

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Section 6.4 – Sick Leave Use and Carryover

Non-regular, Clerk Hire employees:

1. Are eligible to use accrued sick leave 90 calendar days after starting their employment, or as approved by Department Director.
2. May carryover up to 40 hours of unused paid sick leave to the following year. Any unused sick leave over 40 hours will be forfeited.
3. Upon termination from employment, there will be no financial cash out or other reimbursement to the employee for accrued, unused paid sick leave at the time of termination.
4. If rehired within 12 months of termination, any accrued, unused paid sick leave will be reinstated to the employee's paid sick leave balance. If an employee is rehired within 12 months of termination, the employee will not be required to wait another 90 days to use the accrued paid sick leave if the employee met that requirement during the previous period of employment. If an employee did not meet the 90-day requirement for the use of paid sick leave prior to termination, the previous period of time the employee worked for the County shall count toward the 90 days for purposes of determining the employee's eligibility to use paid sick leave.

Regular employees and regular part-time employees:

1. Are eligible to use accrued paid sick leave upon accrual.
2. May carryover unused paid sick leave to the following year in accordance with this Policy and any applicable Collective-collective Bargaining-bargaining Agreementsagreement.
3. Upon termination from employment, reimbursement for accrued, unused sick leave may be made pursuant to Chapter 10, Section 12.3; and.
4. If rehired within 12 months of termination, any accrued, unused paid sick leave that was not paid out at termination shall be reinstated to the employee's paid sick leave balance. If an employee is rehired within 12 months of termination, the employee shall be able to use their accrued paid sick leave upon accrual.

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Section 6.5 – Payments from Workers' Compensation

If an employee is absent due to illness or injury for which he or she is receiving payment from a State Industrial Insurance (L&I), Law Enforcement Officers and Fire Fighters Retirement System (LEOFF), or other state mandated plan, the County shall pay the difference between the employee's regular wages and the amount received from the State or other worker's compensation insurance plans using an employee's accrued leave. Employees shall never receive more compensation off the job than if working. An employee shall be required to buy back hours (sick leave, vacation, PTO) if they have received both accrued leave from the County and time loss payments from L&I or LEOFF. Alternatively, if an employee's claim is denied by L&I or LEOFF, the employee shall be required to repay benefits received. LEOFF I employees may be required to submit claims to the LEOFF I Disability Board rather than be awarded sick leave benefits, and LEOFF II employees may be subject to different regulations regarding use of sick leave when they are receiving Workers Compensation benefits. (See also Chapter 6, Section 8.0)

Section 6.6 – Filling Vacancy created by Regular Employee on Sick Leave

An employee promoted to fill a vacancy created by a regular employee on sick leave due to an injury or disability (including but not limited to maternity leave previously authorized in writing) shall hold such position subject to the return of the absent employee for up to one (1) year. (See also Temporary Promotions, Chapter 10, Section 6.3.)

Section 6.7 – Sick Leave Bank

The County has established a sick leave bank to assist employees with a life threatening or major illness and have used all of their available sick leave. Such employee may apply for assistance through the sick leave bank. If approved, the employee shall receive the difference between their request and any amount paid by a third-party plan or from a County-provided insurance benefit. Requests must be submitted through the employee's Departmental Director. (See Resolution No. 79-94.)

Section 6.8 – Converting Authorized Leave to Sick Leave

If an employee becomes ill while on authorized leave status (paid or unpaid), they may request to have the authorized leave converted to sick leave provided said illness is verified.

Section 6.9 Donating Accrued Leave Other than Sick Leave

An employee may donate up to a total of twenty-four (24) hours of accrued vacation or PTO hours of accrued leave to one or more employee recipients in a calendar year. The donating employee must have at least eighty (80) hours of accrued vacation or one-hundred-sixty (160) hours of accrued PTO leave.

The recipient must have exhausted all paid leave because they are unable to work due to an authorized use in accordance with Washington State's Paid Sick Leave. To request donated leave, the recipient shall

complete a form provided by Human Resources and submit the form through the Department Director with the total leave hours requested and the reason for the leave request.

Leave shall be donated in increments of one (1) hour.

To donate accrued leave, the employee shall complete a form provided by the Human Resources Department and submit the form through the Department Director/HRD. The donation form shall indicate the name of the recipient of the donated leave, the type of leave donated and the total hours leave donated. The Department Director shall forward approved donation form to the HRD. The total number of donated hours a recipient may receive is a total of eighty (80) hours. An employee may not receive more than eighty (80) hours of donated leave during their employment.

Donated leave shall be removed from an employee's accruals in the order the leave donations are received. The leave hours will immediately be deducted from the donating employee's leave bank and placed in the recipient's leave bank. Once the total donations reach the maximum hours of donated leave (80 hours), unused leave donation forms will be returned to the donating employees.

Section 7.0 – Leaves of Absence

Employees may request a leave of absence for the purposes specified in this section. Each request must be approved by the Departmental Director and the County Administrator after an evaluation of the request on its own merits and on the basis of the guidelines of this section, if not addressed by a collective bargaining agreement.

Section 7.1 – Bereavement Leave

- 7.1.1 Three (3) days paid Bereavement Leave is granted for the death of an employee's immediate family member.
- 7.1.2 For purposes of this section, "Immediate family" means spouse or registered domestic partner, child, parent, grandparent, sibling, including those relationships arising by marriage, adoption or registered domestic partner relationship.
- 7.1.3 For purposes of this section, a day is the employee's normal work day straight time hours based on the work schedule approved by the Departmental Director in any twenty-four (24) hour period.
- 7.1.4 Bereavement Leave may be approved beyond the allotted three (3) days for travel over 500 (five hundred) miles one way from the employee's home, but shall not exceed five (5) paid days unless approved by the County Administrator.

Section 7.2 – Jury Duty or Subpoenaed Witness

If an employee is called for jury duty or is subpoenaed as a witness (in an action where the County is a party and the employee is not a Plaintiff), the employee shall not suffer any loss of regular compensation from such absence. However, they shall be required to remit to the County any compensation received from such duties, excluding compensation received for transportation and meals. An employee released from jury duty for part of a day shall report to work for the remainder of the day. If less than two (2) hours remain in the workday, the employee shall call their Departmental Director for instructions.

Section 7.3 – Military Leave

Military leave shall be granted in accordance with RCW 38.40.060. Military leave shall be granted upon written application accompanied by a copy of bona fide orders to temporary active or training duty.

Section 7.4 – Leave for Spouses of Military Personnel

Commented [PA046]: "Human Resources" is not a defined term and has been spelled out elsewhere in this Manual. Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA047]: "HRD" is the defined term. Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Leave for spouses of military personnel shall be granted in accordance with Chapter 49.77 RCW. Leave shall be granted upon the employee providing notice to the employer within five (5) business days of receiving official notice of an impending call or order to active duty or of a leave from deployment.

Section 7.5 – Leave for Victims of Domestic Violence, Sexual Assault and Stalking

Leave for victims of domestic violence, sexual assault and stalking shall be granted in accordance with Chapter 49.76 RCW and Chapter 296-135 WAC. Leave shall be granted upon the employee providing verification that:

- [7.5.1](#) The employee or employee's family member is a victim of domestic violence, sexual assault or stalking; and,
- [7.5.2](#) The leave taken was for one of the purposes described in RCW 49.76.030 or that a reasonable safety accommodation requested under RCW 49.76.115 is for the purpose of protecting the employee from domestic violence, sexual assault or stalking.

Section 7.6 – Personal Leave Without Pay

On a case-by-case basis, an employee may apply for leave without pay. Departmental Directors may grant requests for unpaid personal leave not to exceed five (5) working days. The County Administrator may, based on the recommendation of the Departmental Director, grant personal leave that exceeds five (5) working days but may not exceed one (1) year. The employee's request must be in writing, signed by the employee and submitted at least two (2) weeks in advance of the requested leave period. This notification may be waived in an emergency situation when an employee has no other eligible accumulated leave. The employee shall not be guaranteed reinstatement to their previous position or to any position unless such agreement is made in writing before a personal leave begins. Leave without pay shall be granted only after an employee has exhausted all paid leave and Comp Time. Personal leave without pay may not be used for the purpose of outside employment.

The employee shall remain in contact with the supervisor or departmental director and provide notice prior to returning to work.

Section 7.7 – Family and Medical Leave

The County complies with the federal Family and Medical Leave Act of 1993 (FMLA) and all applicable state laws related to family and medical leave. This means that, in cases where the law grants the employee more leave than the County's leave policies provide, the County shall give the employee the leave required by law.

7.7.1 Eligibility:

To be eligible the employee must have worked for the County for at least 12 (twelve) months and for 1,250 (one thousand two hundred fifty) hours over the 12 (twelve) months previous to the request for such leave. FMLA leave is granted for any of the following reasons:

1. To care for an employee's child after birth or placement for adoption or foster care;
2. To care for an employee's spouse, son, daughter or parent who has a serious health condition;
3. For a serious health condition that makes the employee unable to perform the essential functions of their job;
4. For any qualifying exigency arising out of the fact that the employee's spouse, child or parent is a covered military member on "covered active duty;" or to care for a covered service member with a serious injury or illness if the eligible employee is the service member's spouse, child, parent or next of kin.

7.7.2 Serious Health Condition:

For purposes of this Policy, a serious health condition is an illness, injury or physical or mental condition involving in-patient care or more than 3 (three) days of continuing treatment by a health care provider.

7.7.3 Length of Allowable Leave:

FMLA leave may be approved for a maximum of 12 (twelve) weeks in a 12 (twelve) month period. For purposes of this Policy, the 12-month period shall be established as the 12-month period measured forward from the first date an employee takes FMLA leave. The next 12-month period would begin the first time FMLA leave is taken after completion of the prior 12-month period. Leave to care for a child after birth or placement for adoption or foster care must be concluded within 12 (twelve) months of the birth or placement. Twenty-six work weeks of FMLA leave may be approved during a single 12-month period to care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember's spouse, child, parent or next of kin.

7.7.4 Intermittent Leave:

Under some circumstances, FMLA leave may be taken intermittently (taking leave in blocks of time) or by reducing the employee's normal weekly or daily work schedule. FMLA leave may be taken intermittently if medically necessary because of a serious

health condition. If FMLA leave is for birth or placement for adoption or foster care, use of intermittent leave is subject to approval by the County Administrator with a recommendation from the Departmental Director.

7.7.5 *Requesting FMLA Leave:*

Requests are to be submitted to the employee's Departmental Director at least 30 (thirty) days prior to the leave, except in cases of emergency. Requests shall include a doctor's or other health care provider's documentation of the medical reason for the leave and the expected duration. The Departmental Director shall, if the request is approved, forward the leave request to the County Administrator for approval.

7.7.6 *FMLA to Run Concurrent with Other Leave:*

FMLA Leave shall run concurrent with all available paid time off (sick leave, vacation, PTO, Comp Time, State Department of Labor and Industries (L&I) Workers' Compensation and PFML, etc.).

7.7.7 *Designating Leave as FMLA Leave:*

If an employee uses accrued leave for a purpose for which FMLA leave would be available, it is the County's policy to designate the employee's accrued leave as counting against their FMLA leave allowance. The employee is required to notify the County if they use accrued leave for a reason covered by the FMLA so that the County may properly account for the leave.

7.7.8 *Advance Notice and Medical Certifications:*

The County requires that the employee provide advance leave notice, with medical certification of the need for a leave related to a health condition and with medical certification of the employees' fitness to return to duty after medical leave. Taking leave, or reinstatement after leave, may be denied if these requirements are not met:

1. The employee must give at least 30 days' advance notice of their request for leave if the reason for the leave is foreseeable based on an expected birth, placement for adoption or foster care or planned medical treatment. If 30 days' notice is not practicable, the employee must give the County notice as soon as practicable, usually within one or two business days of when the need for leave becomes known to the employee. If the employee does not give the County 30 days' advance notice and if the need for the leave and the approximate date of the leave were clearly foreseeable by the employee, the County may deny the employee's request for leave until at least 30 days after the date the employee gives the County notice.
2. The County requires that the employee provide a medical certification to support a request for leave because of a serious health condition (the employee's own, or the child, spouse or parent of the employee) whenever the leave is expected to extend beyond five consecutive working days or will involve intermittent or part-time leave. The County may require that a second medical opinion be obtained. This evaluation is done at the County's expense and must be obtained from a health care provider who is not employed by the County. If there are conflicting medical opinions, the County may ask for an opinion from a third and final provider medical opinion at the County's expense to offer a binding decision.
3. The County requires that the employee provide a medical certification of fitness for duty to return to work after a medical leave that extends beyond 10 consecutive working days and that involves a mental disability or substance abuse, or where the medical condition and the employee's job are such that the County believes the employee may present a serious risk of injury to themselves or others if they are not fit to return to work. Additional certification may be requested for any extension of a leave period beyond the dates originally approved.

Commented [PA048]: Revised for clarity and consistency. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

7.7.9 *Periodic Reporting:*

If the employee takes leave for more than two (2) weeks, they are required to report to their Departmental Director at least every two (2) weeks on their status and intent to return to work.

7.7.10 *Continuation of Benefits:*

When an employee uses paid leave for FMLA leave, the employee's share of premiums must be paid by the method normally used during any paid leave. When FMLA leave is unpaid, the employer may require the employee make payment either to the employer or the insurance carrier directly. The employee shall not accrue any sick, vacation or PTO benefits during the portion of the FMLA leave period that is unpaid.

7.7.11 *Completion of FMLA:*

Upon completion of the Family Medical Leave the employee shall be reinstated to their previous position or one that is generally equivalent in content and compensation, unless the position has been eliminated due to budgetary cutbacks, restructuring or a reduction in force. If an employee fails to return to work on an agreed date at the end of leave or fails to receive approval for a leave extension, the continued absence will be viewed as a voluntary quit. If the employee quits employment during leave or fails to return to work at the end of the leave period, the County is entitled to recoup from the employee any health insurance premiums paid for by the County for the employee's insurance coverage during their leave of absence.

Section 7.8 – Washington Paid Family and Medical Leave (PFML) (Chapter 50A RCW)

PFML is a statewide insurance program administered by the Washington State Employment Security Department (ESD). PFML requires employers to provide up to twelve (12) weeks or more of protected leave to eligible employees when a serious health condition requires them to care for themselves or a child, grandchild, grandparent, parent, sibling, spouse of the employee or any individual where the relationship creates an expectation that the employee care for that individual, regardless of whether or not they live in the same home as the employee. The program is funded by premiums shared between employee and employer and provides partial wage replacement to employee. For more information, go to ESD's website for PFML (<https://paidleave.wa.gov>). This Policy shall be applied to provide to employees PFML as required by State Law and no other benefit.

7.8.1 *Partial Wage Replacement*

While on leave, an employee is entitled to partial wage replacement. The County does not allow an employee to supplement PFML with their paid county leave accruals in order to achieve 100% salary replacement. However, an employee may use paid County leave accruals intermittently with PFML.

7.8.2 *Requesting Paid Family and Medical Leave*

PFML is a benefit administered by the ESD. Employees must file a claim for PFML with the ESD. PFML questions should be directed to ESD.

7.8.3 *PFML to Run Concurrent with Other Leave*

If an employee is eligible for another protected leave in addition to PFML, the County shall designate the time off as such and run the leaves concurrently. For example, if an employee is on PFML for a serious health condition and is also eligible for FMLA, time spent on PFML shall also count against allotment for leave under FMLA.

7.8.4 *Advance Notice and Medical Certifications*

PFML requires that an employee provide advance leave notice, with medical certification of the need for a leave related to a health condition and with medical certification of the employee's fitness to return to duty after medical leave. ~~The All of the~~ following requirements must be met:

Commented [PA049]: Revised for consistency. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

1. The employee must give at least 30 days advance notice of their request for PFML. However, if the reason for the leave was not foreseeable, an employee must give notice as soon as possible.
 2. The employee must provide medical certification to the ESD to support a request for leave for a serious medical condition.
 3. The County requires that the employee provide a medical certification of fitness for duty to return to work after a medical leave that extends beyond 10 consecutive working days or that involves a mental disability or substance abuse, or where the medical condition and the employee's job are such that the County believes the employee may present a serious risk of injury to themselves or others if they are not fit to return to work.
- Additional certification may be requested for any extension of a leave period beyond the dates originally approved.

7.8.5 *Periodic Reporting - Employee Communication with Supervisor or Department Director*
If the employee takes leave for more than two (2) weeks, they must report to their Supervisor or Departmental Director at least every two (2) weeks on their status and intent to return to work.

Section 7.9 Washington Family Care Act (WFCA) (Chapter 296.130 WAC)

Employees in Washington State are entitled to use their choice of sick leave or other paid time off to care for qualifying family members with a serious health condition. Defined family members that qualify for the use of Family Care Act include:

1. Child under 18 years of age (biological, adopted, foster, stepchild, etc.) or adult child incapable of self-care;
2. Parents;
3. Spouse;
4. Registered domestic partner;
5. Parents-in-law; or,
6. Grandparents.

Section 7.10 Washington Pregnancy Disability Leave (RCW 43.10.005 and WAC 162-30-020)

The County complies with Washington State's Pregnancy Disability Leave law that provides protections for all employees who have health conditions related to pregnancy or childbirth. The County shall make efforts to accommodate reasonable requests from an employee or work restrictions recommended by their medical provider.

A pregnant employee is eligible for pregnancy disability leave immediately upon employment with no waiting period.

Section 8.0 – Injuries or Illnesses

Section 8.1 – On-the-Job Injuries or Illnesses

8.1.1 Workers' Compensation:

Employees who are injured on the job or become ill because of the job (i.e., small pox vaccination required by job or from exposure to a toxic spill,) must see a physician to file a Workers' Compensation claim and may use accumulated sick leave, vacation, PTO or Comp Time while the claim is being processed.

8.1.1.1 Pay Pending Receipt of Workers' Compensation Benefit

If an employee files a Workers' Compensation claim and is unable to work, the County will continue to pay (by use of the employee's unused sick leave, vacation, PTO or Comp Time) the employee's regular salary pending receipt of the Workers' Compensation benefits unless the employee requests that their accrued leave (sick leave, vacation, PTO

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or Comp Time) not be used. Accrued leave will be deducted hour for hour from the employee's accrual for each hour that the employee is not at work.

Employees are required to repay to the County any amount in excess of their net regular pay and the amount covered by Workers' Compensation. When an employee repays the accrued leave advanced, the appropriate amount of leave shall be restored to the employee's account. This may be accomplished by endorsing time loss checks to the County.

Employees shall never receive more compensation off the job than if working.

8.1.1.2 Supplementing Workers' Compensation Benefit with Accrued Leave

Employees receiving Workers' Compensation may elect to supplement (top off) time loss benefits with accrued sick leave, vacation, PTO or Comp Time. The accrued leave combined with time loss payments may not exceed the net regular pay of the employee.

8.1.1.3 FMLA and Workers' Compensation

If the claim is for an FMLA qualified injury or condition, FMLA leave shall run concurrently with the Workers' Compensation time loss. If all other leaves are exhausted after the 12 (twelve) week FMLA period, employment status for purposes of accruing benefits such as retirement service credits, vacation, sick leave, PTO and paid holidays are suspended and the employee is not considered on "paid leave" status.

8.1.2 Insurance:

An employee who is absent from work on unpaid leave due to injuries or illnesses may retain their insurance coverage on a self-pay basis as provided by COBRA. (See Chapter 6 Section 1.1.) Any optional or employee-paid premiums shall remain the responsibility of the employee.

Section 8.2 – Off-the-Job Injuries

8.2.1 Compensation:

Employees who are absent from work due to off-the-job illnesses or injuries may use accumulated sick leave, vacation, PTO, Comp Time and FMLA or PFML if applicable.

8.2.2 Personal Leave Without Pay:

Personal leave without pay may be granted for injuries or illnesses according to leave policies as explained in Sections 6.0 and 7.0.

Section 9.0 – Employee Assistance Program

The County offers an Employee Assistance Program (EAP) to full-time and part-time employees and their dependents that are also covered by the employee's County or union-sponsored health insurance plan.

Eligibility for the EAP begins as soon as the employee is hired. The EAP is available twenty-four (24) hours a day, seven (7) days a week for help with work stress, relationship problems, anger management, coping with change, family for parenting issues, anxiety or depression, alcohol or drug dependencies and grief or bereavement issues. A brochure with contact information is provided upon hire. If an employee does not have this information, they may contact their Departmental Director.

Section 10.0 – Training

Section 10.1 – Mandatory Training for All Employees

The following training is required for all employees. New employees shall be required to take this training as soon after hire as a class is offered.

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Type of Training	Who is Required to Take	How Often
Defensive Driving	All employees who drive a County vehicle, or are paid mileage by the County for driving their own vehicle on County business.	Upon hire and refresher every 3 years.
Blood Borne Pathogens	Potential Occupational Exposure (identified on job description) Little or No Exposure	Upon hire and annually thereafter. Policy upon hire and refresher every 2 years.
Workplace Hazards "Right to Know"	All Employees	As presented.
Anti-Harassment	All Employees	Upon hire and refresher every 2 years. Notified of County Anti-Harassment Policy upon hire.
Diversity, Inclusion and ADA	All Employees	Upon hire and refresher every 2 years.
Public Records Act	Elected Officials, Department Directors, Records Officers and All Employees who are responsible for responding to Public Records Requests or who use or have access to County computers, computer networks, internet, electronic mail and communication equipment.	Within 90 days of assuming duties of office. Refresher at intervals no longer than 4 years (May be more frequent).
Open Public Meetings Act	Members of Governing Bodies (Board of County Commissioners, Advisory Boards, and All Employees who provide support to Advisory Boards)	Within 90 days of assuming duties of office. Refresher at intervals no longer than 4 years (May be more frequent).
Records Management and Retention	Elected Officials, Department Directors, Records Officers and All Employees who use or have access to County computers, computer networks, electronic mail and communication equipment.	Within 90 days of assuming duties of office. Refresher at intervals no longer than 4 years (May be more frequent).
Cash Handling	All employees who handle cash	Every 2 years.
Fire Extinguisher	All employees	As presented or every 3 years.
HIPAA	All employees Required in Job Description	Notified of HIPAA Policy on hire. As presented.
First Aid	If required in Job Description	Renew card every 3 years.
CPR	If required in Job Description	Renew card every 2 years.
Network Security Awareness	All Employees	Upon hire and annually thereafter.

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Section 10.2 – Job Related Training

The County may reimburse employees or pay for pre-authorized job related training. To be eligible, the employee must demonstrate all of the following:

1. The training is necessary for improving skills in the current position or to qualify for promotion;
2. The money is budgeted in the operating budget;
3. It is in the County's best interest to pay for the training; and,
4. County services will be substantially improved by the authorization of the training.

For reimbursement from the County's Training Fund, an employee shall make their request in writing to the Departmental Director who shall forward it with comments and a recommendation to County Administrator for approval of the expenditure of funds. If the only training available is out of state, approval for the out of state travel is required prior to the training being scheduled.

Section 11.0 – Retirement

All regular employees who meet the criteria established by state law are contributing members to one or more of the following plans:

1. Washington State Public Employees Retirement System (PERS);
2. Washington State Public Safety Employees Retirement System (PSERS); or,
3. Law Enforcement Officers and Fire Fighters Retirement System (LEOFF).
4. Social Security

Section 12.0 – Other Pre-Tax Programs

In addition, the County also offers voluntary programs that provide saving in income tax for employees. Employees may participate in the Deferred Compensation program offered through the County payroll deduction program for retirement savings as well a Section 125 program for childcare and medical expenses. Employees who are interested should contact the Auditor's Office for more information. Other programs may be offered, at the discretion of the employer, as they become available to employees.

Section 13.0 – Reimbursement for Job-Related Travel Expenses

Travel must be approved by the employees' Departmental Director to be reimbursed for job-related travel expenses. (See the Jefferson County Travel and Transportation Policy and Procedures that is Appendix D of this Manual, for complete guidelines, which must be followed to ensure proper approval of travel and reimbursement of related expenses.)

Section 14.0 – Membership in Professional and Technical Societies

Employees are encouraged to be active in the technical and professional societies of their respective disciplines that are related to their position with the County. These activities are considered a benefit both to the County and to the employee because of additional knowledge or personal associations gained through the membership. Departmental Directors, through the budgeting process, will select what fees and dues it will pay for employees' membership in technical and professional societies. Any organization for which the County pays the dues, the County address shall be used on all mail. The County shall pay only basic national and local dues. The County shall not pay voluntary program contributions for these professional and technical societies.

Section 15.0 – Professional and Technical Registration

The County encourages professional and technical registration by providing the necessary experience under the direction of registered professionals and assumes that each qualified individual will want to achieve professional status at the earliest opportunity. The County shall pay fees for professional and technical certificates and licenses for its employees if determined by the Departmental Director, with concurrence of

the County Administrator, to be of benefit to the County. Such fees are to be included in and approved with the department's annual budget request.

Section 16.0 – Community Service Organizations

While the County encourages employees to be involved in community service organizations (i.e., Kiwanis, Rotary, Soroptimists), membership fees in such organizations are the sole responsibility of the employee and are not reimbursable by the County.

Chapter 7 – Job Classification System

Section 1.0 – Purpose

The Board of County Commissioners shall establish, maintain and revise a Job Classification System throughout the County.

The Job Classification System consists of a job description and a grade and step wage matrix for all positions, except elected officials, along with an organizational chart for each department.

Section 1.1 – Classifying Employment Positions

The purposes of the Job Classification System include:

1. Establishing qualification standards for employment eligibility;
2. Maintaining internal and external equity of compensation for similar positions;
3. Developing standards of work performance;
4. Establishing directions of career advancement;
5. Providing a means of analyzing organizational relationships of positions;
6. Assisting in determining budget requirements;
7. Identifying individual training needs; and,
8. Providing flexibility in the utilization and assignment of Human Resources.

Section 1.2 – Departmental Directors and Managers

Classifications for exempt Departmental Directors and management personnel are based on the above-referenced model.

Section 1.3 – Elected Officials

Salaries for Elected Officials are established by Resolution of the Board of County Commissioners. The provisions of the RCW define duties for Elected Officials.

Section 2.0 – **Analysis Required for New Positions**

The Board of County Commissioners shall establish, maintain and revise a Job Classification System throughout the County.

When a new position is created and the staffing schedule has been approved, the Departmental Director shall prepare a description of duties and responsibilities which will be analyzed and evaluated by the County Administrator, or a staff member designated by the County Administrator, for the allocation of the position to the appropriate grade within an appropriate wage schedule.

Section 2.1 – Reclassification

A Departmental Director may request a change in classification when the duties and responsibilities of a position have substantially changed. (See Chapter 10, Section 11 for more information on the procedures for reclassifications.)

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Chapter 8 – Compensation Plan

Section 1.0 – Salary Administration Policy

The County's compensation plan shall, prudent financial considerations permitting, be competitive with other comparable employers in similar job markets. Salary ranges of each classification shall be representative of the skills and the responsibilities required and shall be reflective of levels of authority and responsibility in the organization. The Board of County Commissioners is responsible for the development, maintenance and revision of an equitable compensation plan which provides minimum and maximum rates of pay for each classification not covered by a labor agreement with intermediate steps as deemed appropriate.

All salaries established in accordance with the provisions of this Manual are subject to the Board of County Commissioners' final approval of the County's annual budget. The Board of County Commissioners shall have the responsibility for the development, administration and amendments, as required of a uniform and equitable plan, which will generally provide equal pay for equal work.

Section 2.0 – Pay Administration

Section 2.1 – Salary Adjustments

Employee salary adjustments shall be pursuant to the County Salary Administration Policy (See Section 1.0), Labor Agreement, or County Resolution. Once determined, the appropriate Payroll Status Change Form shall be completed by the Departmental Director and appropriately routed.

Section 2.2 – Compensation for an Appointee

Upon initial appointment to full-time, regular part-time or temporary positions, the Departmental Director shall recommend the employee's salary at the minimum rate of the range provided for that classification. A Departmental Director may recommend an initial rate of pay beyond the minimum of a salary range if an appointee is exceptionally well qualified for, or experienced in, the position. The County Administrator shall approve all pay actions.

Section 3.0 – Payment of Salary and Wages

Employees are paid once each month. Employees normally will receive their pay by the 5th (fifth) day of the following month but not later than the 15th of the following month (RCW 36.17.040) and shall receive an accounting of that month's earnings, federal, state or locally mandated deductions or garnishments and voluntary deductions. Employees may elect to receive a draw against their monthly pay. (See Section 3.3.)

Section 3.1 – Pay Days

If the 5th (fifth) or the 20th (twentieth) of the month falls on a Saturday or Sunday or holiday, then the employee shall receive their wages on the Friday before the 5th (fifth) or the 20th (twentieth) or the day before the holiday if the holiday falls during the week.

Section 3.2 – Direct Deposit

Direct Deposit is available to employees upon hire and shall be implemented after the appropriate paperwork is completed and filed with the Auditor's Office. Unless an employee banks with a small bank or Credit Union, the money should be in their account by payday, which is the 5th (fifth) of every month, but no later than the 15th (fifteenth) of the month; or by the 20th (twentieth) if an employee has established a mid-month draw.

Section 3.3 – Mid-Month Draw on Pay

Employees may receive a monthly draw on their pay. A draw is an advance of up to 40% of the employee's monthly earnings and is paid on the 20th (twentieth) day of each month. Employees are encouraged to set up their draw requests with the Auditor's Office for the entire year; however, changes may be made if absolutely necessary. Clerk Hires shall not receive draw checks.

Section 4.0 – Overtime

Overtime work shall be compensated and administered in accordance with the Fair Labor Standards Act (FLSA), as amended and 29 CFR section 778. Overtime consists of all hours worked in excess of 40 (forty) hours of the employees' regularly scheduled workweek as defined by the Department. PRIOR to overtime being worked, the employee's Departmental Director must authorize it.

Section 4.1 – Compensatory Time in Lieu of Overtime

An FLSA Exempt Employee may request Comp Time in lieu of overtime. Any employee wishing to accumulate Comp Time in lieu of overtime must have a valid Compensatory Time Agreement on file in their departmental personnel file. Overtime, whether taken as overtime pay or as Comp Time, shall be compensated at the rate of one and one-half hours for each hour worked unless provided otherwise by the employee's collective bargaining agreement. An employee's request to use earned Comp Time shall be granted within a reasonable time unless to do so would be unduly disruptive to the work of the department.

Section 4.2 – Maximum Comp Time Accrual

Comp Time earned and not taken may be accrued to a maximum of 40 (forty) hours, unless the County Administrator authorizes additional accrual. When the maximum [Comp Time accrual](#) is reached, any subsequent overtime hours must be paid in cash. Whenever possible, employees should be encouraged to request, and Departmental Directors to permit, the use of Comp Time hours within 90 (ninety) days of earning it.

Each Department shall maintain the following records for Comp Time for each employee: (1) the number of compensatory hours earned and used by pay period and (2) the number of compensatory hours converted to and paid in cash, the amount paid and date of the work period in which they were paid.

Section 5.0 – FLSA Exempt Personnel

Any employee of the County who is exempt from the application of the Fair Labor Standards Act (FLSA) shall be responsible for working the number of hours per month required to accomplish the goals of the department. The nature of responsibilities associated with overtime exempt positions requires considerable flexibility in work scheduling to accommodate meetings and functions on weekends and evenings. FLSA Exempt personnel shall not record time off in increments of less than 4 hours.

Section 6.0 – Travel Time

The County shall pay for authorized travel and other incidental business expenses as specified in Appendix D of this Manual.

Commented [PA060]: Citation incomplete. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA061]: Revised for clarity. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA062]: Revised for consistent use of number format to this format: (1). This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA063]: Revised for consistent use of number format to this format: (1). This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Chapter 9 – Recruitment and Selection

Section 1.0 – Job Announcement

A job announcement may be made for any vacant position within the County service and shall be initiated upon request of the Departmental Director to the HRD, except in the case of Civil Service positions, which shall be initiated by the Civil Service Commission. The announcement shall include the title and beginning wage or salary for the position, the nature of duties performed, a summary of the qualifications required, a time and place to apply and the selection process to be used, when appropriate.

Section 1.1 – Internal Department Recruitment

When there is a job opening in a Department, the Departmental Director shall review the qualification of the Department's current staff members to determine if there are any staff qualified to move into the position. If there are qualified staff and the Departmental Director believes it is in the best interest of the County to offer the position to one of the current employees, that offer may be made. If the Departmental Director determines that it is in the best interest of the County to solicit a larger number of applicants for the position, the within County recruitment process shall be utilized.

Section 1.2 – Within County Recruitment

Job announcements subject to in-house posting shall be distributed to each department for posting internally for four (4) working days prior to, or concurrent with, outside advertising. The purpose of the ~~in-house~~within County announcement is to allow qualified employees who are interested to acknowledge to their Departmental Director their desire to be transferred into the vacant position if they are in the same department or to apply for the position if they are in a different department. Employees should review Chapter 10, Section 7.0 to understand how an employee-initiated transfer may affect certain benefits before submitting their application. (See also Section 4.5 Promotion, ~~Reclassification~~and Transfer Matrix.)

Commented [PA064]: Revised for consistency of terminology. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 1.3 – Recruitment - Outside (Public)

Job announcements shall be posted a minimum of ten (10) working days prior to the closing date, unless otherwise approved by the County Administrator.

Commented [PA065]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 2.0 – Application for Advertised Positions

All persons applying for advertised positions within County service shall complete an employment application in the form approved by the County Administrator. Civil Service applicants, in addition to completing the standard County application form, shall complete the selection process approved by the Civil Service Commission.

Section 2.1 – Distribution of Employment Applications

County departments shall not accept applications for employment with the County directly, and any person desiring to make application shall be referred to the Human Resources Department. All completed applications shall be returned to the Human Resources Department and shall then be forwarded to the appropriate Departmental Director or designee.

Section 2.2 – Potential Applicant Pool

The Departmental Director shall return all of the applications for persons who were not hired to the Human Resources Department where they shall be kept on file for a period of six (6) months for consideration by other County departments, if similar positions are advertised.

Section 2.3 – Applications Only Accepted for Advertised Positions

The HRD shall not accept applications for employment, unless such application is pursuant to an announcement for a position that has been approved through the County budgeting process by the Board of County Commissioners.

Section 3.0 – Eligibility

All applicants must meet the minimum qualifications described in the job announcement and the job description for the position at the time of application. Applicants who do not meet the minimum qualifications shall not be considered.

Section 4.0 – Selection

The selection method shall include evaluation of job-related knowledge, skills, abilities, experience, education, training, certification and when appropriate, aptitude and character. The selection method may require formal written or oral examinations. When appropriate, a specific selection process shall be outlined in the job announcement.

Selection criteria shall be based on the requirements of the position. Copies of the selection criteria and process results shall be reviewed to ensure compliance with applicable law and kept on file with the HRD.

Section 4.1 – Employment Reference Checks

An applicant's performance in previous positions may be checked by the County prior to the hiring decision being made. That information may come from a variety of sources including performance evaluations, performance related documentation and references from current or past supervisors and co-workers.

Section 4.2 – Provisional Offer of Employment

4.2.1 Starting Pay Rate:

Vacant positions are typically hired at step 1 of the current grade of the position. Department Directors have authority to offer a starting step up to 5% above step 1, provided there is adequate funding in their departmental budget. If a Department Director proposes to hire at a starting step that is more than 5% above step 1, it has significant budget impacts and is subject to County Administrator approval prior to making an offer to the candidate (See Resolution No. 01-14.) Except as previously noted, internal employee transfers or promotions, shall be handled pursuant to the policies outlined in Chapter 10, Employee Status.

Prior to appointment, but after a provisional offer of employment, applicants are required to submit to a background check.

4.2.2 Background Checks:

A criminal background check shall be conducted. A DOL (Washington State Department of Licensing) Abstract of Complete Driving Record shall be submitted to the HRD. The Driver's License Offices will issue this Abstract for a fee, which is the responsibility of the applicant.

4.2.3 Other Checks:

Applicants may also be required to submit to a credit check, a physical examination, psychological examination, fingerprinting and job-related fitness testing, depending on the position for which they are being considered. Deputy Sheriffs may also be required to submit to a polygraph test in accordance with RCW 49.44.120.

Section 4.3 – Results of the Hiring Process

Notice of the results of the hiring process shall be forwarded to all final candidates for the job by the hiring department. The hiring department shall also coordinate the paperwork necessary for appointment of the

new employee to County service. A copy of all paperwork shall be forwarded to the Human Resources Department.

Section 4.4 – On-the-Job Training Positions

Persons may be accepted for State and federally funded on-the-job training (OJT) programs (i.e., State Department of Labor and Industries retraining programs, Disabled Veteran retraining programs, or the State “Work First” program) where a portion or all of their wages are paid by a grant. These positions shall be allowed in departments where there ~~is~~ are sufficient guidance and supervisory personnel to develop employee potential. The Departmental Director shall determine the existence of such positions.

Commented [PA066]: Plural form should be used. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 4.5 – Promotion, ~~Reclassification~~ and Transfer Matrix

Section 4.5 -- Promotion/Reclassification/Transfer Matrix

ACTION	PROMOTION	RECLASSIFICATION	TRANSFER			
	<i>Within Department Only</i>	<i>Within Department Only</i>	Employee Initiated		Employer Initiated	
			<i>Same Department/Office/ Bargaining Unit</i>	<i>Different Department/Office/Bargaining Unit</i>	<i>Same Department/Office/Bargaining Unit</i>	<i>Different Department/Office/Bargaining Unit</i>
Recruitment - Internal	Yes	N/A	N/A	N/A	N/A	N/A
Recruitment - In-House	If not filled through internal recruitment	N/A	Yes	Yes	N/A	N/A
Recruitment - Outside (Public)	If not filled through in-house recruitment	N/A	Yes	Yes	N/A	N/A
Date, Position Anniversary	Establishes new date (effective date of promotion)	No Change	Establishes new date	Establishes new date	May Change	May Change
Date, Annual Review	Establishes new date (effective date of promotion)	No Change	Establishes new date	Establishes new date	May Change	May Change
Date, S/L & Vacation Accrual	Original Appointment Date	No Change	Original Appointment Date	Original Appointment Date	Original Appointment Date	Original Appointment Date
Comp Time, Balance Accrued	Accrual must be used or cashed out, if promoted to Exempt position.	May require use or cash out if employee moves from Union to Exempt position.	If transferred to Exempt position accrual must be used or cashed out.	Does not transfer. Must be used or cashed out.	If transferred to Exempt position accrual must be used or cashed out.	Does not transfer. Must be used or cashed out.
Union Initiation Fee	If required, employee responsibility	No Change	If required, Employee responsibility	If required, Employee responsibility	If required, EMPLOYER responsibility	If required, EMPLOYER responsibility
Union Dues	Rate may change	If applicable, rate may change	May Change - Employee responsibility	May Change - Employee responsibility	May Change - Employee responsibility	May Change - Employee responsibility
Health Insurance Benefits	May change, If change - COBRA is Employee responsibility	May change, If change COBRA is Employee responsibility	May change, If change - COBRA is Employee responsibility	May change, If change - COBRA is Employee responsibility	May change - If does EMPLOYER pays COBRA	May change -If does, EMPLOYER pays COBRA
Trial Period	Yes	N/A	Same as New Hire	Same as New Hire	N/A	N/A
Wage Change	Must be 3% or greater.	May change (up or down) or stay same.	Same as New Hire	Same as New Hire	May change (up or down) or stay same.	May change (up or down) or stay same.

Commented [PAO67]: Slash (/) can be used to mean both “and” and “or.” The slash (/) has been replaced with an “and,” an “or,” or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO68]: Slash (/) can be used to mean both “and” and “or.” The slash (/) has been replaced with an “and,” an “or,” or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Chapter 10 – Employee Status

Section 1.0 – Appointment

All appointments are made by the Departmental Directors with the concurrence of the County Administrator for the Board of County Commissioners.

Section 1.1 – Types of Appointment

Full-Time Employee: An employee who regularly works a minimum of 30 (thirty) hours per week. Employees working a 30 (thirty) hour workweek are eligible for 100% (one hundred) of the benefits as provided by the County.

Part-Time Employee: An employee working in a position that is authorized and scheduled to be filled at a rate of less than 30 (thirty) hours per week. Employees filling these positions shall receive no benefits other than those conferred by state or federal statute or a contract of employment or as provided in a collective bargaining agreement. Part-time employees shall receive a pro-rated share of holiday, vacation sick leave and PTO benefits. (See Chapter 6, Section 6.1.) Time spent as Clerk Hire, Casual or Temporary employees shall not be used in calculating consecutive years of employment.

Casual Labor: An employee who is hired to work on an intermittent or as-needed basis and may or may not be on a predetermined schedule. This position may also be known as “Clerk Hire” in some departments.

Clerk Hire: Positions that are not guaranteed any duration of employment, number of hours assigned or other scheduling of work and may be terminated at any time with or without cause. Clerk Hire positions are not entitled to any benefits that are based on seniority or regular employee status unless otherwise stipulated by state or federal law or statute. Clerk Hire positions have no standing to apply for an opening in a County department during the “in house” posting period.

County: Jefferson County, State of Washington.

County Administrator: A position appointed by the Board of County Commissioners to handle County administration.

FLSA Exempt Employee: An employee who is exempt from provisions of the FLSA and is not paid overtime wages. Exempt employees are usually salaried employees whose employment duties meet the federal test in one of the following categories: administrative, professional or executive.

Temporary Employee: An employee, who works for a fixed period generally not to exceed four (4) months as set by the Departmental Director and approved by the County Administrator. Such employee shall receive no benefits other than those conferred by state or federal statute. Temporary employees have no standing to apply for an opening in a County department during the “in house” posting period.

Non-exempt Employee: This refers to employees who are not exempt from earning overtime as defined by the Fair Labor Standards Act.

Regular Employee: An employee who has successfully completed the initial trial employment period and has received an appointment as a regular employee. Regular employees are credited with continuous service retroactive to the date of hire. Regular employees may be full-time or part-time.

Non-Regular Employee: A non-regular employee is an employee not appointed or designated as a regular employee.

Commented [PA069]: The defined term is “trial period.” Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 1.2 – Classes of Appointment

Trial Appointment Requirement: All appointments, including initial employment appointments and appointments made by employee-initiated transfer or promotion, shall be trial appointments. Employees shall remain in that status until certified to regular employment as specified in Section 4 of this Chapter or terminated.

Regular Appointment: An employee shall receive a regular appointment after: (a1) successful completion of their trial period; (b2) concurrence by the Departmental Director; and, (e3) concurrence of the County Administrator.

Temporary Appointment: Positions with duration of four (4) months or less.

Provisional Appointment: Appointment to a position pending the submission of required documentation. Such appointment shall not exceed two (2) weeks in duration, unless an extension due to extenuating circumstances is approved by the County Administrator. Positions subject to Civil Service Rules may be appointed provisionally to County service pending the results of the selection process to fill such a position. Such appointments shall not exceed four (4) months unless approved by the Civil Service Commission. (See Civil Service Rules.)

Emergency Appointment: Appointments made for a limited duration to meet an extraordinary need or to prevent public injury, as defined by the Board of County Commissioners, not to exceed 3 (three) months.

Section 2.0 – Orientation

The Departmental Director is responsible for conducting orientation sessions within their department. Upon appointment, employees shall receive an orientation session by their Departmental Director or the Departmental Director's designee who shall provide information regarding the County's structure, policies and procedures. Orientation shall include, but ~~is not~~ shall not be limited to, organization and services of the County, work rules, personnel policy and procedures, departmental rules and procedures, completion of payroll forms and introduction to other County personnel. The Human Resources Department provides orientation on benefits and County personnel policies and procedures.

Section 3.0 – Seniority

Seniority shall be based on this section, except as may be provided in employment or collective bargaining agreements.

Section 3.1 – For Purposes of Calculating Vacation and Sick Leave

Seniority shall be on the basis of continuous employment with the County.

Section 3.2 – For Task Assignments, Vacation Scheduling, etc.

For task and other assignments, selection shall be based on the employee's performance and ability in that classification. Where employees exhibit substantially equal performance and ability, seniority shall govern the assignment.

Section 3.3 – Trial Period Employees

During their trial period, an employee has no seniority status. At the end of the trial period, seniority shall be credited from the date of most recent appointment.

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Commented [PA073]: This is the preferred form. This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 3.4 – Regular Part-Time Employees

Regular part-time employees shall accrue seniority after two (2) years of consecutive regular part-time employment on the basis of full-time equivalency. One (1) year of seniority shall be accrued for every 1,820 (one thousand eight hundred twenty) part-time hours worked.

Section 3.5 – Casual, Temporary, Non-regular, Provisional or Emergency Employees

Seniority is not accrued by casual, temporary, non-regular, provisional or emergency employees.

Section 4.0 – Trial Period

The trial period is a time during which the County ~~can judge assesses~~ the performance and potential of an ~~new~~ employee ~~for permanent employment in a new position, and the new-an~~ employee may evaluate the County as an employer ~~for the new position~~. ~~This~~ The trial period is applicable to every employee, including current employees who are promoted or have initiated a transfer request. ~~It~~ The trial period also applies to former employees who return to their previous position after a voluntary break in service of greater than one (1) year.

Commented [PA074]: Modified for accuracy, since the focus should be on the new position, whether the employee is *new* to the county or not. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 4.1 – Length of Trial Period

The trial period is for six (6) continuous calendar months, except for Civil Service positions, which have a twelve-month (12) period. If extenuating circumstances interrupt the trial period or result in unsatisfactory completion, the Departmental Director may extend the trial period for up to an additional six (6) months with concurrence of the County Administrator. Employees may be terminated without notice and without cause during the trial period or at its completion. An employee may also leave their position during this period without prior notice to the County.

Section 4.2 – Performance Reviews During Trial Period

Performance of an employee will be evaluated in writing by their Departmental Director at least once every three (3) months during the six (6) month trial period. The Departmental Director shall review the performance of the employee at the end of the trial period and may recommend certification of the employee for regular appointment to the County Administrator by submitting a Payroll Status Change Form. If the County Administrator approves the Payroll Status Change Form will be placed in the employee's employment personnel file. Until such certification has occurred, all employees shall be deemed trial employees, even though the trial period may have expired.

Section 5.0 – Performance Evaluation

Departmental Directors ~~will shall~~ evaluate performance of regular employees in writing at least once every 12 (twelve) months. Performance evaluations will become a part of the employee's employment personnel file and will be considered in any future personnel actions.

Commented [PA075]: "Shall" is defined in JCC 01.01.040(h). "Shall" means mandatory. "Shall" should be instead of "cannot," "must" or "will." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Departmental Directors will use the performance evaluation process to identify training needs and potential for advancement. If an employee's performance is substandard, the Departmental Director will inform the employee of the necessary improvement expected. Employees who fail to meet the required performance level shall be terminated from County service.

Section 6.0 – Promotion

A promotion is an appointment of an employee within a department to a higher grade with a higher salary range that is not part of a career ladder. Promotions to vacant positions within a department shall be made after an evaluation of all department employees who meet the minimum qualifications for the position. Cross training of employees is deemed to be in the best interests of the County and expected whenever it is possible, but in and of itself does not justify promotion and does not constitute an automatic consideration for promotion. (See Chapter 9, Section 4.5 – Promotion, ~~Reclassification~~, and Transfer Matrix.)

Commented [PA076]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA077]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 6.1 – Placement in New Grade ~~and~~ Step

Upon promotion, an employee shall be placed in the new grade at a step commensurate to their knowledge, skills and qualifications that results in at least a three (3) percent increase to their base wage rate. If a Department Director proposes placement at a starting step that is more than 5% above step 1, it has significant budget impacts and is subject to County Administrator approval prior to making an offer to the employee. (See Resolution No. 01-14.) An employee promoted within the Department shall serve a six (6) month trial period within the higher classification, during which time they may be demoted without appeal if determined not qualified for the new position. After discussion with the Departmental Director, the employee may request to return to their previous position, displacing a less senior employee. For step increase purposes only (refer to applicable salary matrix), when an employee receives a promotion their position anniversary date changes to the effective date of the promotion.

Commented [PA078]: Slash (/) can be used to mean both “and” and “or.” The slash (/) has been replaced with an “and,” an “or,” or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 6.2 – Use of Vacation ~~or~~ PTO During Promotion Trial Period

An employee who is promoted to a position within a Department or to a position within another County Department may use up to forty (40) hours of accrued vacation ~~or~~ PTO during their trial period with the approval of the Department Director.

Commented [PA079]: Slash (/) can be used to mean both “and” and “or.” The slash (/) has been replaced with an “and,” an “or,” or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 6.3 – Temporary Promotion Due to Vacancy Created by Sick Leave

An employee promoted to fill a vacancy created by a regular employee on sick leave due to an injury or disability (including but not limited to maternity leave previously authorized in writing) shall hold such position subject to the return of the absent employee for up to one (1) year.

6.3.1 Documented Agreement Required:

An agreement for the regular employee’s return shall be completed prior to the expiration of the employee’s FMLA benefit and shall outline the conditions for return including that the returning employee shall be restored to the position they held previously or any other equivalent position in pay and status, if available, provided they return within one (1) year.

6.3.2 Placement After Temporary Promotion Ends:

The temporarily promoted employee shall return to their original position, or a comparable position, if available. Otherwise, the employee shall be permitted to exercise their qualifications and seniority to displace a less senior employee. All of this action is subject to appropriate funding and positions provided for in the current operating budget.

Commented [PA080]: Slash (/) can be used to mean both “and” and “or.” The slash (/) has been replaced with an “and,” an “or,” or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 7.0 – Employee-Initiated Transfers

For purposes of this Policy, an employee-initiated transfer occurs when an employee in a County department makes application to be considered for hire to a vacant position in another County department during the in-house or outside (public) posting period for the vacant position. (See Chapter 9.)

Vacant positions are typically hired at Step 1 of the current grade. Department Directors have authority to offer a starting step up to 5% above step 1, provided there is adequate funding in their departmental budget. If a Department Director proposes to hire at a starting step that is more than 5% above step 1, it has significant budget impacts and is subject to County Administrator approval prior to making an offer to the employee candidate. (See Resolution No. 01-14.) While the employee retains seniority ~~or~~ longevity with the County for determining vacation and sick leave benefits, they shall forfeit position seniority for the purpose of collective bargaining agreements and wage classifications. (See also Section 8.0 for information regarding employer-initiated transfers and Section 4.5 the Promotion, ~~Reclassification, and~~ Reclassification, and Transfer Matrix at the end of Chapter 9.)

Commented [PA081]: Slash (/) can be used to mean both “and” and “or.” The slash (/) has been replaced with an “and,” an “or,” or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA082]: Slash (/) can be used to mean both “and” and “or.” The slash (/) has been replaced with an “and,” an “or,” or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 8.0 – Employer-Initiated Transfer

Occasionally, the County may find it necessary to transfer an employee between departments. If the transfer requires that the employee also transfer to a new collective bargaining unit, the County shall pay for the employee's COBRA health insurance premiums until the employee completes the applicable waiting periods, as well as the employee's union initiation fees. (See also Section 4.5 the Promotion, Reclassification, and Transfer Matrix at the end of Chapter 9.)

Section 9.0 – Demotions

A demotion is the placement of an employee in a lower paying position or classification which may or may not be due to reasons related to performance.

Section 9.1 – Non-disciplinary Demotions

A non-disciplinary demotion occurs when an employee is placed in a lower paying position due to position reclassification, reduction in positions due to budget impacts or reorganization, or other circumstances, reasons unrelated to an employee's performance. When an employee experiences a non-disciplinary demotion, their salary shall be set at a place in the new salary range so that no decrease in base pay results. If such an employees' previous position is reinstated within one (1) year, the demoted employee will have first option for reinstatement to that position.

Section 9.2 – Disciplinary Demotions

A disciplinary demotion occurs when an employee is placed in a lower paying position due to reasons related to performance. When an employee is demoted for performance or disciplinary reasons, they may be placed in a lower classification and their salary shall be set at a place in the new salary range which results in a decrease in base salary of at least five (5) percent.

Section 10.0 – Reduction in Force, Consolidation, Reorganization

Departmental Directors may request that positions in their departments be cut back in work hours or eliminated that shall result in a layoff of employees due to changes in the duties of the organization, lack of work, lack of funds or for other reasons. Prior to such action, reasonable efforts shall be made to place an employee in another available position within the department or in another department by transfer. When layoffs are required, the Departmental Director shall use the following parameters, in the priority listed, to come to a decision:

1. The needs of the department;
2. Employee performance; and,
3. Seniority.

Employees covered by collective bargaining agreements shall utilize the layoff procedures outlined in the current agreement.

Section 10.1 – Notices

10.1.1 Initial Notice:

Affected employees shall be given two (2) weeks' notice of layoff, during which time the employee shall be allowed reasonable time off with pay to pursue other employment.

10.1.2 Consideration for Rehire:

If a laid off employee has filed a written request for reconsideration the County shall consider them for rehire within one (1) year of the layoff date if a suitable position becomes available. Qualifications and abilities being equal in the judgment of the Departmental Director, seniority shall be given preference for recall to available work. The employee shall retain his previous accrued hours for determining vacation and sick leave benefits.

Commented [PA083]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA084]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA085]: This language is not needed. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA086]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA087]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA088]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

For other benefits, such as health and retirement plans, employees should consult the program's summary plan description, the HRD or their Union representative.

Section 11.0 – Reclassification

An employee is reclassified if, based on performance of duties, an employee's position has changed in accordance with Chapter 7, Section 2.1 of this Manual. Cross training does not constitute an automatic consideration for reclassification. The employee's classification and salary shall be adjusted on the employee's anniversary date. If the reclassification places the position in a higher salary range, the employee's rate shall be adjusted to the step that provides an increase of no less than ½ (one-half) of one (1) percent. If a Departmental Director proposes placement at a starting step that is more than 5% above step 1, it has significant budget impacts and is subject to County Administrator approval prior to making an offer to the employee. (See Resolution No. 01-14.) If the reclassification places the position in a lower salary range, the employee's rate of pay shall be adjusted to the pay in the new range that is nearest, but not lower, than the employee's former pay.

Section 11.1 – Criteria

A Departmental Director may request a change in classification when the duties and responsibilities of a position have substantially changed and such changes are adequately documented pursuant to the criteria listed below. The County Administrator or their delegate, shall review the reclassification request and make a determination based on the position and its relationship to the organization without regard to the personal characteristics and abilities of the employee holding the position. The County Administrator shall make a determination as to the appropriate grade for employees who have been submitted for reclassification.

The Board of County Commissioners has outlined examples of criteria that shall be evaluated in considering reclassifications:

1. Any documented requirement of an employee to increase their level of formal education;
2. The requirement to substantially increase one's level of supervision over other employees;
3. Any substantial change in an employee's exposure to personal liability because of actions taken in the course of their employment; and,
4. Such other criteria as is deemed in the County's best interests by the Board of County Commissioners.

If the employee is performing the work of a classification that does not exist, the Departmental Director shall complete the Position Analysis Questionnaire to determine if a new classification needs to be created and submit the completed questionnaire to the HRD with a recommendation that the classification be established and added to the staffing schedule.

Section 12.0 – Termination from County Employment

Termination in employment occurs when:

1. An employee voluntarily ends their employment relationship with the County through resignation or retirement;
2. The employee is released from their employment relationship due to performance issues, RIF, etc.; or,
3. The employee has not reported for work in 3 (three) days without notification to their Departmental Director.

Section 12.1 – Return of County Property

Regardless of the manner in which termination of employment occurs, all County property, including but not limited to credit cards, uniforms, equipment (including but not limited to communication devices and

computers), identification badges and keys must be returned to the County before the employee's last day of employment.

Section 12.2 – Final Pay Check

A separated employee shall receive their final paycheck on the regular payday following the last day of employment. If the employee uses direct deposit, the final paycheck shall be issued through the direct deposit program.

Final paychecks shall account for any advances, deductions, garnishments or any other miscellaneous deductions as required by law or written agreement by the employee with the County. Consequently, the employee should be aware when making a draw that they could end up owing money back to the County for monies received, but not earned.

Section 12.3 – Sick Leave Cash Out

If an employee retires through one of the State retirement plans provided for employees or if termination from employment is a direct result of the employee's death or disability, the employee (or employee's beneficiary) may cash out their accumulated sick leave at the rate of one (1) hour of pay at their regular rate of pay for each four (4) hours of accrued sick leave to a maximum of 1,920 hours at the time of termination.

The sick leave cash out provisions do not apply if the employee resigns or leaves employment with the County and does not retire through one of the State retirement plans. Represented employees should refer to their respective labor agreements.

Section 12.4 – Resignation

A written resignation notice stating the employee's intention to leave County employment should be submitted to the employee's Departmental Director at least 10 (ten) working days prior to the effective date.

The Departmental Director shall notify the HRD of any resignation and the HRD shall insure that the employee has an opportunity for an exit interview.

Section 12.5 – Retirement

An employee who is eligible for retirement through one of the State provided programs, should submit a notice of retirement to their Departmental Director at least 30 (thirty) days in advance of their retirement date. In order for an employee to retire from County employment, they must meet all of the eligibility requirements of one of the following plans:

1. Washington State Public Employees Retirement System (PERS)
2. Washington State Public Safety Employees Retirement System (PSERS); or,
3. Law Enforcement Officers and Fire Fighters Retirement System (LEOFF)

The Departmental Director shall notify the HRD of the employee's retirement and who shall insure that the employee has an opportunity for an exit interview.

Section 13.0 – Inquiries Regarding Current or Prior Employees

Section 13.1

Requests for verification of employment from prospective employers shall be referred to [the Human Resources Department](#) for completion. The County only shall verify an employee's name, job title, salary and employment dates, unless authorized in writing by the employee or required by federal law, state law or court order.

Section 13.2

Requests for verification of employment for financial purposes shall be referred to [Payroll](#) in the Auditor's Office/[Payroll](#) for completion.

Commented [PA089]: "Human Resources" is not a defined term. Revised to the consistent use in this Manual of the "Human Resources Department," which should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

Commented [PA090]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

Chapter 11 – General Policies

Section 1.0 – Attendance

To maintain a safe and productive work environment, the County expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the County. Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

Employees shall work a complete designated workday. An employee shall not be absent from work without making prior arrangements with their Departmental Director. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they shall notify their Departmental Director, within one (1) hour of their start time, providing the reason for and the anticipated duration of the absence.

Any unauthorized absence, including tardiness, shall be considered an absence without pay. Departments shall maintain records of employee attendance.

Section 1.1 – Workday and Workweek

A workday is the number of hours during a 24 (twenty-four) hour period required of an employee to fulfill the job requirements as defined by the job classification and duties. A workweek is a period of seven (7) consecutive 24 (twenty-four) hour periods within which occurs a specified number of workdays. The standard workweek consists of the period from midnight Sunday to 11:59 p.m. on the following Saturday.

Departmental Directors shall determine the workday and workweek for personnel providing law enforcement or firefighting services.

Section 1.2 – Hours of Operation

The County's normal hours of operation are from 8:00 a.m. to 5:00 p.m. each day, Monday through Friday, except on days designated as County holidays.

Section 1.3 – Normal workweek

A normal workweek for full-time employees of the County shall be at least 30 (thirty) hours. The standard workday shall fall between the hours of 8:00 a.m. to 5:00 p.m. with one (1) hour for lunch.

Section 1.4 – Alternate Work Schedules

Due to the nature of the work, some departments may have different schedules, as determined by the Departmental Director and certified by the County Administrator. The Departmental Director, with the concurrence of the County Administrator, may terminate an alternate work schedule when the schedule ceases to meet the business needs of the Department or the County.

No alternate work schedule will result in more or less benefit to the employee than the normal workweek provides. Examples of alternate work schedules are:

1.4.1 Compressed workweek:

Any schedule which allows a full-time employee to work a 40 (forty) hour workweek in less than 5 (five) work days. Examples:

1. 4/10 workweek - a work schedule which allows employees to work 40 straight time hours per workweek in four (4) 10 (ten) hour days; or,
2. 9/80 workweek - a work schedule which allows employees to work 80 straight time hours per pay period over a 9-day period.

1.4.2 Flex Time:

A work scheduling system which allows employees to alter their own work hours within parameters set by the Departmental Director and with prior approval of the employee's supervisor.

1.4.3 Job Sharing:

An alternative work arrangement by which the responsibilities and job duties of a single full-time position are shared by two (2) part-time employees.

1.4.4 Written Agreement:

The terms and conditions of individual alternative work schedules shall be set forth in a written agreement signed by each participating employee and authorized prior to implementation by the Departmental Director and County Administrator.

Section 1.5 – Work Breaks

Employees are entitled to a 15 (fifteen) minute break during each four (4) hour shift. Employees working less than the standard workday are entitled to a 30 (thirty) minute lunch break for every five (5) hours of work. Breaks for all personnel should be taken in areas so designated by Departmental Directors or departmental directive. Consistent with Departmental operation needs, managers are encouraged to allow employees to flex schedules to fit physical activities into their work day during regular employee break times. Employees are encouraged to incorporate physical activity into their work day.

Physical Activity in the work place is encouraged, providing-provided it does not have a negative impact upon public service and does not impede the County from accomplishing its mission in an efficient and cost-effective manner.

Commented [PA091]: "Provided" is the correct word choice. This change provides clarity and should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 2.0 – Time Reporting

Maintaining accurate time records is essential in computing employee pay, ensuring compliance with laws and regulations, and providing accurate cost information for the County. Each employee is responsible for completing their own time sheet if required. The Departmental Director is responsible for ensuring that the payroll worksheets are maintained. Falsification of any claim for pay shall be grounds for disciplinary action, including termination. Falsification may also be a crime against the County and may result in criminal prosecution.

Section 2.1 – FLSA Exempt

Employees who are considered exempt from overtime under the Fair Labor and Standards Act FLSA are expected to maintain an attendance pattern that ensures completion of assigned tasks. FLSA Exempt Employees will not record absences from work of less than four (4) hours.

Commented [PA092]: "FLSA" is the defined term. Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 3.0 – Immigration Law Compliance

The Immigration Reform and Control Act (IRCA) makes it unlawful to knowingly hire, recruit, refer for a fee or continue to employ any person not authorized to work in the United States. IRCA also prohibits an employer's use of contract or day labor or subcontracting arrangements designed to circumvent the law; therefore, knowingly obtaining the services of an unauthorized alien. Similarly, an employer can-may be charged with "knowledge" on the basis of indirect or circumstantial evidence.

Commented [PA093]: "May" is defined in JCC 01.01.040(h). "May" means permissive. "May" should be used instead of "can." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Section 3.1 – Employment Eligibility

The employment eligibility of all employees shall be verified within three (3) working days after hire or, in cases of an employee hired for three (3) or less days, verification shall be completed before work on the first working day. On their first day of employment, each employee must complete Section 1 of the Employment Eligibility Verification (Form I-9). An otherwise eligible employee unable to locate documents may be given up to 90 (ninety) additional days to provide such documents if the employee

presents a receipt for application for obtaining the document within three (3) business days of the first date of hire.

The I-9 Form must be completely filled out. Attaching photocopies of the documents ~~cannot shall not~~ be substituted for completing the form; however, it is recommended that photocopies be retained in addition to the completed form. **If an employee refuses to sign an I-9 Form, they will not be employed.**

When an employee's work authorization expires, that person must be re-verified or employment shall be terminated.

In order to avoid discrimination issues, I-9 Forms shall be retained in separate files in the Human Resources Department and not as a part of an employee's personnel file.

Section 4.0 – Safety

The County shall use reasonable efforts to provide a safe working environment that protects employees and the public from injury. Departmental Directors are responsible for the development and maintenance of departmental safety programs. Such programs shall include basic information regarding published safety regulations and controls, equipment maintenance programs and training programs. Employees shall be responsible for working in a safe manner and reporting unsafe working conditions. Employees shall exercise caution in the performance of duties and shall follow and adhere to published safety regulations and controls.

If an accident occurs while an employee is performing their assigned duties, the employee shall immediately notify the Departmental Director and the Risk Manager who shall ensure that the employee seeks and is provided appropriate medical attention and that all necessary forms are completed. If a County vehicle or mobile equipment is involved in the accident, the law enforcement agency, Departmental Director, Risk Manager and Fleet Services Division must be promptly notified and an accident report form shall be completed. Refer to the County's Loss Control and Safety Manual for complete safety and health policies and procedures.

The County maintains specific policies regarding blood borne pathogens and hazardous chemicals. Employees working in departments handling blood or hazardous chemicals shall receive training specific to their work areas. Refer to Resolution No. 85-93 (amended by Resolution No. 129-97 and Resolution No. 67-99) County's Loss Control and Countywide Safety Manual.

Section 5.0 – Health and Safety Workplace Requirements

Section 5.1 – Sick Employees Must Stay Home

To help prevent the spread of illness, employees must follow the following workplace requirements to keep all co-workers safe. This includes temporary employees.

1. If you are sick, please contact your supervisor immediately and stay at home.
2. Medical certification from a health care provider may be required.
3. If you need to stay home to care for a sick family member, please do so.
4. Employees may use individual leave accruals in accordance with this Manual (e.g., sick leave, vacation, PTO, floating holidays and Comp Time) and may be eligible for Family and Medical Leave (FMLA) or Washington State Paid Family and Medical Leave (PFML).

Section 5.2 – Responses to a State of Emergency

In response to a State of Emergency, the County shall protect the health and safety of its employees. The County shall comply with health and safety workplace requirements in accordance with Washington State Department of Labor & Industries and the Washington Industrial Safety and Health Act Chapter 49.17

Commented [PA094]: "Shall" is defined in JCC [01.01.040\(h\)](#). "Shall" means mandatory. "Shall" should be instead of "cannot" or "will." This satisfies the requirement for regulatory reform in Resolution No. [17-19](#), where county legislation is expected to be consistent with other county legislation.

RCW. The County Department of Health and the HRD shall recommend to the Board of County Commissioners specific recommendations to address any State of Emergency that may be adopted by resolution and be included in this Manual during the State of Emergency.

Section 5.3 – Frequent and Adequate Hand Washing

To help prevent the spread of disease, employees must follow these workplace requirements:

1. Wash hands frequently and regularly with soap and water for at least 20 seconds as needed and including: when arriving at work, coming and going from different worksites, taking breaks, using the restroom, before and after eating, drinking or using tobacco products, after sneezing or coughing and after touching surfaces or handling objects touched by others or suspected of being contaminated.
2. Use hand sanitizer (between handwashing) after touching surfaces or handling objects touched by others or suspected of being contaminated.
3. Do not touch mouth, nose or eyes with unwashed hands.

Section 6.0 – Alcohol and Drug Free Workplace Policy

The County recognizes that the maintenance of an alcohol and drug free workplace is essential to the safety and welfare of its employees and, therefore, supports the requirements of the State of Washington and the United States Drug Free Workplace Act of 1988. Each employee is responsible for complying with the County's alcohol and drug free workplace policy as a condition of employment. A full description of this Policy and its applicable procedures [can be foundare located](#) in Appendix E of this Manual.

The following is a brief summary of some of the provisions of the County's Alcohol and Drug Free Workplace Policy.

1. For an altercation, accident, near-miss accident or other incident, the Departmental Director may direct an employee to a designated medical facility for a chemical dependency evaluation as part of the investigation of the incident.
2. Any possession, distribution, dispensing, use or manufacture of illegal drugs or any illegal or unauthorized possession, distribution, dispensing or use of alcoholic beverages or legal prescription drugs shall be grounds for immediate termination.
3. Any employee reporting to work under the influence of drugs, alcohol or in an otherwise unfit condition to work may be subject to suspension without pay, referral for testing, termination or other action as deemed appropriate by the employee's Departmental Director.
4. If an employee is convicted for an alcohol or drug-related offense or the status of their Drivers' License becomes other than valid, the employee is responsible for reporting the conviction, revocation or status change to the HRD within 3 (three) working days.
5. If an employee voluntarily seeks help regarding a drug or alcohol problem, they shall be referred to the HRD on a confidential basis. The HRD shall refer the employee to an appropriate counseling or medical facility for assistance.

Section 7.0 – Anti-Harassment Policy

As a condition of employment, each employee is responsible for complying with this Section 7.0 and Appendix F of this Manual, as well as related state and federal law.

All employees must review and understand this section and all provisions in Appendix F of this Manual. For further clarification, questions or concerns, an employee should contact their Departmental Director or the HRD.

Appropriate disciplinary action shall be taken against any employee who violates this Policy. Based upon the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension or termination of employment.

Commented [PA095]: This is a simpler and more understandable word choice. This change provides clarity and should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 7.1 – Required Work Environment Where All Individuals Are Treated with Respect and Dignity

The County is committed to a work environment in which all individuals are treated with respect and dignity. The County is committed to a professional atmosphere that promotes equal employment opportunities, without discriminatory practices, or unlawful harassment. In keeping with this commitment, the County does not tolerate any form of unlawful harassment, unlawful discrimination or inappropriate conduct defined in this Policy against employees, County customers or the public by anyone, including Elected Officials, Departmental Directors, other employees, vendors, clients or customers. All employees are expected to avoid any behavior or conduct that could reasonably be interpreted as unlawful harassment, unlawful discrimination or inappropriate behavior of employees, the public or persons who do business with the County.

Section 7.2 – Reporting

The County encourages reporting of all reasonably perceived incidents of discrimination, harassment or inappropriate conduct. It is the policy of the County to investigate such reports. Retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports is prohibited.

Section 7.3 – Individuals and Conduct Covered

This Policy applies to all applicants, County officers, employees, volunteers, vendors, consultants or visitors.

Conduct prohibited by this Policy is unacceptable whether or not the conduct occurs on County property, whether or not incidents occur during working hours and whether or not the incidents occur in person, by social media or other communication means. In addition, individuals covered by this Policy also are subject to this Policy if they engage in prohibited conduct with any member of the public in the workplace or in any workplace setting, such as during business trips, business meetings and business-related or County sponsored social events.

Section 8.0 – Violence in the Workplace

All employees are responsible for complying with the County's violence in the workplace policy as a condition of employment. All employees must review and understand this section and all provisions in Appendix G of this Manual. For further clarification, questions or concerns, employees should contact their Departmental Director or the HRD.

Section 8.1 – Reporting Potentially Violent Situations

Any potentially dangerous situation must be reported immediately to a Departmental Director or the HRD. All reported incidents shall be investigated.

Section 8.2 – Individuals and Conduct Covered

These policies apply to all applicants, Elected Officials, employees, volunteers, vendors, consultants or customers, whether related to conduct engaged in by fellow employees or someone not directly connected to the County.

Section 8.3 – Enforcement

In an effort to ensure the safety of employees, it is a County objective to create and maintain a safe workplace. All illegal activities on County property or against employees may be prosecuted to the full extent of the law. Non-employees engaged in violent acts on County property shall be reported to the proper authorities and may be ~~fully~~ prosecuted to full extent of the law.

Commented [PA096]: This is the better word choice. This change provides clarity and should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 9.0 – Employee Identification Badges

The County is concerned with the overall safety and security of its facilities and employees and has an interest in providing security for its employees, visitors and property. An ID badge system creates a system for identifying who is authorized to be in the various areas within County facilities. To assist in accomplishing these goals, employees, volunteers, temporary workers and sometimes visitors or contractors, shall be issued official County identification badges.

Section 9.1 – Use of ID Badges

Employees ~~are required to~~ shall wear their County ID badges when on County property during normal working hours, and when attending training sponsored by the County. “Normal Working hours” does not include approved breaks away from County property. Employees conducting County business away from County property must have their badge with them. The County ID badge ~~can~~ may be used as identification when traveling on County business to secure the “government rate” which represents a savings to the County.

Commented [PA097]: Shorter and simpler to use “shall” here. This is a simpler and more understandable word choice. This change provides clarity and should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 9.2 – Exception to Wearing ID Badges for Safety Risks

An exception shall be made to this requirement when wearing the ID badge would cause a safety risk. In such circumstances, employees are still required to have their ID badge on their person for display, if necessary. Departmental Directors must pre-approve safety risk all exceptions to this Policy.

Section 9.3 – Replacement of ID Badges

If an employee needs a new badge due to loss, wear, name or other personal information change, job title, department change or a significant change in appearance (e.g., change in hair color or drastic change in hair style) they should contact the Human Resources Department.

Commented [PA098]: “May” is defined in JCC 01.01.040(h). “May” means permissive. “May” should be used instead of “can.” This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Section 10.0 – Firearms and Other Weapons

Section 10.1 – Weapons in the Courthouse – Prohibitions and Exceptions

Pursuant to RCW 9.41.300 and JCC 8.100.020, Weapons are prohibited within the interior of the entire courthouse building with the following exceptions:

- (1) Sheriff’s deputies whether on or off duty may carry their issued service weapon.
- (2) Other law enforcement officers whether on or off duty may carry their issued service weapon.
- (3) On-duty armed forces personnel entering the courthouse pursuant to their official duties may carry their issued service weapon.

“Weapon” means any firearm, explosive as defined in RCW 70.74.010, or any weapon of the kind usually known as slingshot, sand club or metal knuckles or any knife, dagger, dirk, or other similar weapon that is capable of causing death or bodily injury and is commonly used with the intent to cause death or bodily injury.” Except as noted in RCW 9.41.300, any person, including employees, who has a weapon (including a licensed concealed weapon) must, before entering the Courthouse, secure their weapon in the lock box located near the East side entrance to the Courthouse.

Section 10.2 – Employees with a Concealed Weapons License

Pursuant to RCW 9.41.050 any employee with a concealed weapon must have their concealed weapon license in their immediate possession at all times and shall display the same upon demand to any law enforcement officer or to any other person when and if required by law to do so. Any violation is cause for a Class 1 civil infraction under Chapter 7.80 RCW and shall be punished accordingly pursuant to Chapter 7.80 RCW and the Infraction Rules for Courts of Limited Jurisdiction.

Section 11.0 – Whistleblower Protection

Each employee is responsible for complying with the County’s whistleblower protection policy as a condition of employment. Any employee having information regarding the wrongdoing of an Elected Official, an employee or a volunteer shall not be discriminated against for “Blowing the Whistle” on such wrongdoing provided the procedures explained in Appendix H of this Manual are followed.

For purposes of this Section, employees represented by a Union may seek representation through this reporting procedure or report the alleged improper government action through the Union. The Union shall follow reporting procedures according to the collective bargaining agreement with the County, or, in the absence of ~~Whistle-Blower~~whistleblower protection procedures within the agreement, the procedures outlined in Appendix H of this Manual.

The identity of a reporting employee shall be confidential except as required to properly evaluate, investigate or otherwise process the reported inappropriate action.

Section 12.0 – Personal Data Changes

Employees shall report any changes in name, address or phone number to their Departmental Director and the Human Resources Department. It is important that the County have accurate information, particularly should the employee or family members need to be contacted in case of emergency. Additionally, changes in marital status, withholding allowances and any other pertinent data should be reported to Payroll in the Auditor’s Office/~~Payroll~~ as soon as possible in order to avoid payroll errors.

Section 13.0 – Job Descriptions

All positions within the Job Classification System have job descriptions that have been approved by the HRD. (Refer to Chapter 7 for further information on the Job Classification System.) All employees within the Job Classification System are entitled to a copy of the job description for their position. Job descriptions are available from the Human Resources Department.

Section 14.0 – Nepotism Policy

In keeping with the County’s Code of Ethics, the County has established a nepotism policy.

Relatives shall not be hired if such employment would immediately result in one relative supervising or auditing another. If one employee becomes a relative to another employee as defined above, and a supervisory or audit relationship exists, one of the affected employees must transfer or terminate employment.

Section 15.0 – Outside Employment

Employees engaged in outside or “other” employment, authorized in writing by the County, must agree and comply with the following restrictions. The outside or other employment shall not:

1. Be conducted during the employee’s hours of employment with the County;
2. Distract from the efficiency of the employee while performing County duties;
3. Present any conflict of interest with County business;
4. Take preference over extra duty required by County employment; or,
5. Create any liability for the County.

The County may require a written contract between the employee and the outside or other employer before approving the outside or other employment.

In order to maintain public confidence in the performance of individual offices and departments, Departmental Directors may develop, in addition to the limitations listed above, other limitations on outside employment.

Commented [PA099]: Revised for consistency. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0100]: Slash (/) can be used to mean both “and” and “or.” The slash (/) has been replaced with an “and,” an “or,” or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Any employee engaged in outside or other employment that conflicts with the requirements of this section shall resign from such outside or other employment or shall be terminated upon refusal to resign.

Any outside or other employment that ~~could~~ potentially could interfere with emergency call-out situations must be reported to the Departmental Director. If, after accepting outside or other employment, situations arise which could interfere with the employee's job as provided in Subparagraph may violate the restrictions ~~above~~, the employee shall immediately report that situation to their Departmental Director.

Commented [PA0101]: Revised for clarity. This is a really confusing construction. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

If an employee is unsure of the criteria or effect of outside or other employment, the employee should contact the Departmental Director to obtain clarification.

Section 16.0 – Volunteer Activities of Employees

The County recognizes that its employees may engage in volunteer activities for the County (on behalf of, on work time or as a representative of the County). To assure that employees are paid for work when it is required, these guidelines are provided to help determine what is volunteer activity and what is work.

Section 16.1 – Volunteer Activity

For hourly employees, volunteer activity is any work performed at the employee's own initiative, outside of normal working hours, that is not consistent with the employee's normal job duties with the County.

Section 16.2 – When Employees must be paid for Volunteer Activities

An employee is normally entitled to compensation under the following circumstances:

1. The volunteer activity is performed for the County, a department of the County or an event sponsored by the County;
2. The volunteer activity involves performance of the same type of duties that the employee normally performs in their regular position with the County; or,
3. The volunteer activity benefits another public agency and has been approved by the employee's Departmental Director.

The County reserves the right to determine the work performed and the compensation for such volunteer activity.

Section 16.3 – Authorization to Do Volunteer Activity for the County

Employees should obtain authorization from their immediate supervisor prior to performing volunteer activity for the County. If an employee believes that he or she should be paid for the volunteer activity, a request for compensation should be sent to the Departmental Director.

Section 17.0 – Use of County Equipment and Vehicles

Section 17.1 – Business Use of County-owned Cellular Telephones

Employees are discouraged from using cellular phones while driving alone in a County owned vehicle, but if they must, these guidelines should be followed:

1. If you receive a call while driving, let voice-mail answer it or find a safe area to stop and call back;
2. Never dial while the vehicle is moving;
3. Never use the cell phone in heavy traffic or bad weather;
4. Use speed dialing as much as possible;
5. Use a hands-free phone if possible;
6. Never look up phone numbers while driving;
7. Never have stressful conversations while driving; and,
8. Keep your eyes on the road while on the phone.

Section 17.3 –Memory Devices, Files and Software

Due to the susceptible nature of networked personal computers to malware and viruses, all employees shall comply with the following procedures:

1. Any portable storage device or media brought into the work place, whether from the outside or from other persons, must be scanned for malware and viruses prior to use on any personal computer owned by the County.
2. Any files downloaded from the Internet should be downloaded to a portable storage device or media and scanned for viruses before the file is accessed on a County computer. If it is not feasible to download directly to a portable storage device or media, then the hard drive on which the file was placed should be scanned immediately following the download.

Section 17.4 – Computers, Internet, ~~and~~ Intranet Access, E-Mail and Voice Mail

Refer to Jefferson County Network, Internet, Intranet, E-mail and Voice Mail Use Policy, Resolution No. 17-98.

Section 17.5 – Personal Use of County Office Equipment

Use of the fax machine, copier or other office equipment may be authorized by the Departmental Director provided the employee is charged the same fee as the public would be charged when requesting the same service.

Section 17.6 – Use of County Owned Vehicles

Employees who use County owned vehicles, as part of their job duties must maintain the following throughout their employment or be subject to possible disciplinary action.

1. A valid Washington State Driver's License;
2. Proof of valid insurance coverage;
3. Acceptable Driving Record; and,
4. Certification of completion of the County's Defensive Driver's Training Course or a comparable course approved by the County.

The County reserves the right to restrict an employee's use of a County vehicle based on their driving record.

Section 17.7 – Personal Equipment

Certain job assignments require that employees furnish personal equipment. If an employee is required to furnish any ~~itemspersonal equipment~~, their Departmental Director shall provide a list of the necessary ~~itemspersonal equipment~~. The County is not responsible for lost or stolen personal equipment (employees must be careful to secure such equipment) or money or valuables employees bring to the workplace.

Section 18.0 – Emergency Closures and Inclement Weather

All County offices and activities shall be open and in operation during established working hours, unless there is a County-ordered curtailment of operations, as discussed below. 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 or inclement weather conditions prevail which prevents employees from reporting to work, it shall be the responsibility of the employee to contact their Departmental Director to indicate an anticipated absence from work or late arrival to work and the reason for such absence or tardiness.

Commented [PA0102]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0103]: Revised for internal consistency. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 18.1 – Time Loss If Employee Is Unable to Report to Work

Any employee unable to report to work shall be given the option of having pay deducted for the time lost or for applying accrued PTO, accrued vacation or Comp Time to offset any loss of pay, subject to the approval of the employee's Departmental Director.

Section 18.2 – County Ordered Curtailment of Operations

Should conditions prevail that require the Board of County Commissioners to announce curtailment of County operations for the safety and welfare of employees, no pay shall be deducted for time lost during the first two (2) days of such curtailment of operations, nor shall employees be required to use PTO, vacation or Comp Time for the first two (2) day period, unless the employee had already scheduled the time as PTO, vacation or Comp Time. This provision does not apply to essential service personnel.

In announcing the curtailment of County operations, the Board of County Commissioners shall prescribe specifically which County operations or facilities are affected. Any operation or facility not specifically mentioned in the announcement will-shall not be affected by the closure.

Section 19.0 – Department Rules

Departmental Directors may establish rules and procedures that regulate the work activities and the conduct of employees within their specific departments. Departmental rules and procedures shall not conflict with the policies contained in this Manual, any collective bargaining agreements or federal, state or local statutes, regulations or ordinances and shall be binding only upon the employees of that department, and only to the extent of those regulations.

Section 20.0 – Suggestions

All employees are encouraged to make suggestions that will-might improve the efficiency of County operations or employee job satisfaction without fear of reprisal. Ideas for any department of the County are also helpful. Suggestions may be written or verbally given to the employee's Departmental Director at any time. The Departmental Director shall then discuss the idea with the appropriate person or group.

Section 21.0 – Personal Appearance and Dress

Employees shall wear appropriate attire for their positions and departments. Departmental Directors may issue rules regarding appropriate attire. Appropriate attire shall mean clothing and accessories (i.e., jewelry) that are suitable for the requirements of the job being performed, with attention given to the type of equipment the employee will be operating. Employees shall present a clean and neat appearance, and attire should not be considered offensive or provocative to members of the public.

Section 21.1 – Uniforms

Should uniforms be required for non-represented employees, the employee shall be treated the same regarding the purchase and cleaning of the uniforms as bargaining unit employees of the appropriate union.

Section 22.0 – Health and Fitness

Employees are expected to maintain the physical and mental health necessary to effectively perform the essential duties of their positions. If an employee's health status appears to affect the performance of their job duties, the Departmental Directors may require the employee to undergo a physical examination. The examination shall be confined and directly related to the employee's ability to perform the duties of the job adequately and safely. The County shall pay the costs of such examination that exceeds any payment made by the employee's health insurance, and shall pay the employee's regular salary during the time necessary to complete the examination.

Commented [PAO104]: "Shall" is defined in JCC 01.01.040(h). "Shall" means mandatory. "Shall" should be instead of "cannot," "must" or "will." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Commented [PAO105]: "Might" is the better word choice here. This change provides clarity and should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO106]: Missing word. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

If the physical examination results indicate that the employee is not capable of continuing to perform the job duties, the County shall attempt to restructure the job to accommodate the employee's condition in accordance with the requirements of the Americans with Disabilities Act. If restructuring proves unreasonable, the County shall attempt to place the employee in another position they are capable of performing and for which they are qualified by education or experience. ~~Failing-If~~ a reasonable effort to accommodate the employee ~~fails, they-the employee~~ shall be placed in layoff status due to lack of work suited to the employee pursuant to Chapter 10, Section 10.0 of this Manual.

Section 22.1 – Physical Activity Encouraged

The County recognizes the role of physical activity in the maintenance of good health and wellbeing. The County encourages a workplace culture where regular physical activity is valued.

Physical activity includes any bodily movement that expends energy, including, but not limited to activities such as walking, taking stairs, using public transit and active transportation. The benefits of physical activity include increased energy levels, weight management, stress relief, productivity and social connectedness.

The County encourages a physically active working environment through a variety of means, which may include: promoting local physical activity opportunities, encouraging commuting via public transit and active transportation, encouraging the use of stairs, posting announcements of employee health insurance incentive events and gym membership flyers and other means.

Consistent with Departmental operation needs, managers are encouraged to allow employees to flex schedules to fit physical activities into their work day during regular employee break times. Employees are encouraged to incorporate physical activity into ~~their~~ work day, identify walking paths and promote them with signs and route maps, consider participation in walking meetings, ~~initiate~~ develop social support among colleagues for walking two or three times per week at set times for 30 minutes each, spend less time sitting, change positions, stand for some tasks and walk more.

Physical activity in the work place is encouraged provided it does not have a negative impact upon public service and does not impede the County from accomplishing its mission in an efficient and cost-effective manner.

This Policy shall not be construed as creating a term, condition or privilege of employment, and the County retains sole discretion to modify or revoke this policy in whole or in part at any time. The County is not responsible for damage to personally owned clothing or equipment.

Section 23.0 – Breastfeeding

23.1 – Breastfeeding support in the workplace

In 2010, the ~~Fair Labor Standards Act~~ **FSLA** was amended to include protection for breastfeeding employees. It states that up until the child's first birthday, employers shall provide breastfeeding employees with "reasonable break time" and "a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk." A bathroom, even if private, is not a permissible location for the employer to provide for pumping breast milk. The location provided must be functional as a space for expressing breast milk. If the space is not dedicated to the nursing employee's use, it must be available when needed by the employee in order to meet the statutory requirement. A space temporarily created or converted into a space for expressing breast milk or made available when needed by the nursing employee is sufficient provided that the space is shielded from view and free from any intrusion from co-workers and the public. The County is committed to being a breastfeeding-friendly workplace by creating an environment that makes it comfortable and easy for - employees to continue breastfeeding when they return to work after delivering their baby.

Commented [PAO107]: Missing word. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

Commented [PAO108]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

Commented [PAO109]: "FSLA" is the defined term. Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

23.2 – Schedule Flexibility

With their managers' approval, employees who are breastfeeding their infants age 0 through 12 months, may be granted the ability to return to work with a schedule that meets the needs of the employer and allows flexibility to continue breastfeeding. Staff ~~can~~ may use scheduled breaks and lunch to pump and breastfeed. Any additional time other than scheduled break time may be approved by the supervisor.

Commented [PAO110]: "May" is defined in JCC 01.01.040(h). "May" means permissive. "May" should be used instead of "can." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

23.3 – Private Space

The County shall provide a room for nursing employees to breastfeed their infant or express milk. This space is shielded from view and free from intrusion, provides a place to sit and a flat surface, other than the floor, to place breast pump and a sink with running water close by for hand washing and rinsing out breast pump parts. The room shall have a door that can be locked. If a breakroom refrigerator ~~or~~ freezer is available, employees may store breastmilk in a breakroom refrigerator ~~or~~ freezer in clearly marked containers. Alternate arrangements for suitable private space shall be made for employees that are assigned to work in the field or away from County facilities.

Commented [PAO111]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

22.4 – Lactation Support

If interested, employees may schedule an appointment, during their personal time, with a knowledgeable and experienced member of the County Public Health Department maternal-child health team. This person who has specialized skills in breastfeeding management and care, shall work upon employee request to arrange a consult. This consult by phone or set appointment time is to address questions or concerns regarding meeting employee breastfeeding goals.

Commented [PAO112]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

This Policy shall not be construed as creating a term, condition or privilege of employment, and the County retains sole discretion to modify or revoke this policy in whole or in part at any time.

According to RCW 49.60.030(1)(g) and RCW 49.60.215, breastfeeding employees are protected under state anti-discrimination law, and ~~can~~ may breastfeed their children in public places such as restaurants, pools, theaters, government buildings, museums, libraries, busses or parks. No one, including business owners or employees ~~can~~ has the authority tell a mother to leave, go to the restroom or cover the child.

Commented [PAO113]: "May" is defined in JCC 01.01.040(h). "May" means permissive. "May" should be used instead of "can." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Section 24.0 – Smoking

The County endorses a smoke free, tobacco-free workplace, which supports our health priority of preventing and mitigating the impact of chronic disease. Employers have the responsibility to provide a safe and healthful work environment for their employees and to comply with Chapter 70.160 RCW (Smoking in Public Places) and the Jefferson County Board of Health Ordinance 04-0216-06 (Smoking in Public Places). It is the policy of the County to discourage tobacco use.

Commented [PAO114]: Revised for clarity. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

24.1 – Definitions

Tobacco: Tobacco includes all tobacco products, including chewing tobacco, cigarettes, cigars, hookahs, pipes, snuff, etc.

Battery-powered vaporizer: Battery powered vaporizers include e-cigarettes and vapor pens ("vapes" and "mods") that heat liquid nicotine (aka e-liquid, e-juice or smoke juice) to a temperature that causes the liquid to vaporize; the vapor is then inhaled in the same fashion as tobacco smoke.

Smoking of any substance whether it be by heat inducement or battery powered vaporization (including electronic or e-cigarettes) is prohibited inside all workplaces, inside any vehicles or at any service sites. Smoking is prohibited within 25 feet of site entrances or windows that open. This Policy does not preclude

the use of tobacco or battery-powered vaporizers during rest or lunch periods in accordance with Chapter 296-126 WAC.

1. All buildings, outside areas within 25 feet of Jefferson County building entrances and windows that open, service sites and Jefferson County owned vehicles are designated tobacco-free and battery powered vaporizer free areas.
2. Vehicles includes Jefferson County-owned, leased or rented cars, truck pickups or other vehicles which contain an enclosed operating area.
3. All meetings sponsored by the County are [designated as](#) smoke-free, tobacco-free and battery-powered vaporizer free.
4. The County may provide employees who wish to stop tobacco use, various incentives and support as approved by the County. Such support may include: participation in health insurance tobacco cessation programs, free use of space for participation in tobacco cessation classes or support groups and self-help materials.

Commented [PA0115]: Missing words. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

Section 25.0 – Bulletin Boards

There are bulletin boards located in each County facility which are to be used as [followsrequired by this section](#).

Commented [PA0116]: Revised for clarity. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

Section 25.1 – Legal Notice Bulletin Board

The bulletin board to the right of the main entrance doors (as you enter the building) to the Courthouse is for legal notices (i.e., hearing notices, land use documents that must be posted and notices of Sheriff's sales.) Check with the HRD before posting anything on this bulletin board.

Section 25.2 – Official County Bulletin Board

Each County facility shall have an official bulletin board to keep employees informed of various items of interest such as information pertaining to personnel policies and procedures, department work rules, announcements required by law and official postings such as safety information and other notices. Each County department shall notify employees of the location of the facility bulletin board.

Section 26.0 – Employee Parking

Except for reserved spaces, parking is on a first come, first served basis around County buildings. When parking, employees should not occupy more than one parking space per vehicle. Employees are expected to be courteous, watch vehicle doors and drive safely in County parking lots. The County assumes no responsibility for vehicles or their contents in these parking areas.

Employees are requested not to park along Jefferson Street that runs in front of the Courthouse or in the parking lot on the east side (Cass Street) of the Courthouse to allow ample parking for visitors.

APPENDIX ‘A’ – Equal Employment Opportunity and Affirmative Action Policy

Section 1.0 – Affirmative Action Statement

It is the policy of the County to be fair and impartial in all of its relations with employees and to recognize the dignity of the individual. In furtherance of this Policy, the County maintains an environment ensuring recognition of each employee’s efforts, achievements and cooperation.

Treatment of any employee who wants to advance in the organization shall be fair, impartial and without prejudice, as openings occur and the employee’s abilities warrant.

This Policy is established to promote and afford equal treatment to all employees and applicants for employment regardless of race, creed, religion, color, national origin, sex, age, marital status, sexual orientation, political affiliation or the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a disabled person. Acts of discrimination are wasteful in terms of lost skills and talents. This Policy shall apply to every aspect of employment practices, employee treatment and public contact.

Section 2.0 – Definitions

The following definitions shall be used for the purposes of this Policy.

Board of County Commissioners: The board comprised of the elected county commissioners of the County.

Clerk of the Board: A position that is appointed by and serves as the clerk to the Board of County Commissioners.

Complainant: A person that brings a complaint under this Policy.

County: Jefferson County, State of Washington.

County Administrator: A position appointed by the Board of County Commissioners to handle County administration.

County Equal Opportunity Board (CEOB): The CEOB is composed of three County management personnel appointed by the County Administrator to assist in the resolution of grievances that are filed by employees under the Equal Employment Opportunity and Affirmative Action Policy.

County Risk Manager: A position appointed or designated by the Board of County Commissioners or by the Board’s designee.

Departmental Director: An Elected Official, manager or supervisor directly in charge of a specific department (e.g., the County Treasurer is the Departmental Director of the Treasurer’s Office; the Public Works Director is the Departmental Director of the Public Works Department.)

Elected Official: A person elected to an office listed in RCW 36.16.030.

Employee: Any person employed or appointed by the County who is compensated by payment of wages where federal, state or local taxes are withheld. Independent contractors are not employees.

Equal Opportunity Advisor: A position appointed or designated by the Board of County Commissioners or their designee assigned the specific task of assisting all departments in implementing the Equal Employment Opportunity and Affirmative Action Policy.

Human Resources Director (HRD): A position appointed or designated by the Board of County Commissioners or their designee to handle personnel, staffing and other related matters.

Policy: This Equal Employment Opportunity and Affirmative Action Policy.

Section 3.0 – Equal Employment Opportunity Statement

The County is an Equal Employment Opportunity employer. It is against the County's policy for an employee to discriminate against an applicant for employment or another employee on the basis of race, creed, religion, color, national origin, sex, marital status, sexual orientation, age, political affiliation or the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a disabled person. Furthermore, no employee of the County ~~is to~~ shall discriminate against any applicant or fellow employee with the status of disabled veteran or veteran of the Vietnam era. The County shall make reasonable accommodations, including modification of County policies and procedures in appropriate cases for qualified individuals with disabilities if it can do so without undue hardship.

This Policy applies to all employment practices as they pertain to any position for which an applicant or an employee is qualified.

All personnel actions including transfers, promotions, compensation, benefits, education, training and all other terms and conditions of employment shall be administered in accordance with the objectives of this Policy ~~of non-discrimination~~.

A copy of this Policy shall be provided to all offices and employees of the County, and an additional copy shall be readily available to members of the general public.

Section 4.0 – Assignment of Responsibility

The Board of County Commissioners shall bear the general responsibility of carrying out this Policy and shall strive to meet the goals outlined in this Policy.

The Human Resources Director (HRD) is designated as the Equal Opportunity Advisor by the Board of County Commissioners and shall be assigned the specific task of assisting all departments in implementing this Policy.

In addition, a County Equal Opportunity Board (CEOB) which shall be composed of three (3) County management personnel shall be appointed by the County Administrator, as needed. The CEOB shall assist in the resolution of grievances that may be filed by employees who believe they may have been treated unfairly in employment because of race, creed, religion, color, national origin, age, sex, marital status, political affiliation or the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a disabled person or any protected class.

All Departmental Directors shall be responsible for creating an employment environment that provides equal opportunities to all applicants and employees in their respective division, department or work area.

Commented [PA0117]: "Shall" is the better word choice. This is a simpler and more understandable word choice. This change provides clarity and should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0118]: Unnecessary words deleted. This change provides clarity and should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 5.0 – Employment Process

Section 5.1 – Recruitment

After a County Department has received approval to hire through the proper procedure, a job announcement shall be forwarded to the HRD. Announcements for positions available for public application shall be posted on the Jefferson County website where copies of the job description, information on the recruitment procedure and application for employment shall be made available.

Advertisements for applicants **will-shall** not indicate a gender preference, unless there is a bona fide gender requirement as determined by a Departmental Director and consistent with law.

Announcements of job openings **will-shall** be placed only with those employment agencies that strictly adhere to equal employment practices.

Section 5.2 – Selection

Application forms shall be revised to eliminate questions that may discriminate or induce bias contrary to law and policy.

Interviewers shall base employment decisions only on valid job-related factors as set forth in position requirements.

Selection shall be based initially upon the possession of the required skills and qualifications as outlined in the approved job description. The Departmental Director's evaluation of those skills, as well as interpersonal skills possessed by the candidate, shall also be an important element of the process. The candidate that is deemed to be the best overall match to the County's needs, based on the above criteria, shall be selected.

Section 6.0 – Complaint Process

The success of this Policy depends largely on the attitude of the community as well as the employee. Opinion as to what constitutes fair and equal opportunity and treatment may vary widely, and grievances may result. The following steps shall be taken immediately for any grievance arising from the employee-supervisor and County-community relationships:

Section 6.1 – Reporting the Grievance

All complainants, including employees, applicants or residents, shall bring any grievance regarding unlawful harassment or discrimination in an employment decision to the attention of the Departmental Director who shall investigate as necessary to determine the cause of the complaint and work with the complainant to affect an equitable solution. Every effort shall be made to resolve the grievance at the Departmental Director level. When a grievance is against a Departmental Director, the complainant may file the complaint directly with the HRD. Departmental Directors and the HRD shall keep the County Risk Manager informed of potential liability issues.

Section 6.2 – Investigation

At the option of either party, the Equal Opportunity Advisor shall interview both persons and conduct additional investigations when necessary. Reports and recommendations shall then be made to the Board of County Commissioners or their designee for resolution.

Section 6.3 – Resolution of Grievance

If that mutual agreement cannot be achieved and binding resolution is required by the County, signed statements detailing the grievance and specific investigation action shall be obtained by the Equal Opportunity Advisor from the complainant, employees and the Departmental Director. The Equal

Commented [PAO119]: "Shall" is defined in JCC 01.01.040(h). "Shall" means mandatory. "Shall" should be instead of "cannot," "must" or "will." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Commented [PAO120]: "Shall" is defined in JCC 01.01.040(h). "Shall" means mandatory. "Shall" should be instead of "cannot," "must" or "will." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Opportunity Advisor shall forward these statements, along with their own investigation report and recommendations, to the Board of County Commissioners or the Board's designee for resolution.

Section 6.4 – County Equal Opportunity Board

The Board of County Commissioners or their designee may elect, as deemed necessary and as circumstances so dictate, to refer the grievance to the County Equal Opportunity Board (CEOB). Members of the CEOB directly involved in the grievance shall not be voting members of this board and shall be temporarily replaced. Proceedings of the CEOB shall be documented, and their decision shall be final and binding, subject to review only by the Washington State Human Rights Commission or through the Federal Equal Employment Opportunity Commission. The Equal Opportunity Advisor as a matter of permanent record shall maintain all reports, decisions and other documentation generated by the grievance procedure.

Section 6.5 – Confidentiality

Confidentiality shall be maintained to as high a level as possible given the nature of the matter and the needs of the County and its employees to process the grievance.

Section 7.0 – Evaluations

Annual evaluations by the HRD shall be made to [the Board of County Commissioners to](#) ensure effectiveness of this Policy. The Board of County Commissioners or their designee shall direct changes in staff efforts as necessary to ensure successful implementation of this Policy.

Commented [PA0121]: Revised for clarity. This change provides clarity and should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

Section 8.0 – Individual Acts

The County hereby repudiates the acts of any employee or Departmental Director that are inconsistent with this Policy. Such acts, if committed, are the acts of a person who is then solely responsible for any repercussions resulting from such activities. The County has provided a grievance procedure for use by persons who believe they are injured by such acts. Injured persons are encouraged to use this grievance procedure.

Appendix 'B' – Code of Ethics Policy

Section 1.0 – Purpose

The County maintains a Code of Ethics to prevent County Officers and employees from taking actions that could damage the County's reputation and otherwise result in serious adverse consequences to the County and to the individuals involved. This code's purpose is the establishment of ethical standards of conduct for all County Officers and employees.

Section 1.1 – Principles

An employee's actions under this Policy are significant indications of the individual's judgment and competence. Accordingly, any disregard of the ~~principles~~ standards of this Policy shall be grounds for appropriate disciplinary action.

Employees must be committed and bound by the following principles:

1. Public belief in the integrity of government based on the actions of the government's employees;
2. Independent, impartial, accountable and responsible behavior in duty to the County and its residents;
3. Governmental decisions and policies made within the proper channels of the governmental structure; and,
4. Public office is not to be used for personal gain.

Commented [PA0122]: "Standards" is the better word choice. This change provides clarity and should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0123]: Missing colon. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 2.0 – Definitions

The following definitions shall be used for the purposes of ~~these policies and procedures~~ this Policy.

Commented [PA0124]: Revised for consistency. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Board of County Commissioners: The board comprised of the elected county commissioners of the County.

Contract: Any contract, sale, lease or purchase.

County: Jefferson County, State of Washington.

County Administrator: A position appointed by the Board of County Commissioners to handle County administration.

County Officer: All elected and appointed officers of the County, together with all deputies and assistants of such an officer, and all persons exercising or undertaking to exercise any of the powers or functions of a County officer.

Departmental Director: An Elected Official, manager or supervisor directly in charge of a specific department (e.g., the County Treasurer is the Departmental Director of the Treasurer's Office; the Public Works Director is the Departmental Director of the Public Works Department).

Elected Official: A person elected to an office listed in RCW 36.16.030.

Employee: Any person employed or appointed by the County who is compensated by payment of wages where federal, state ~~and~~ or local taxes are withheld. Independent contractors are not employees.

Family member: Includes spouse or registered domestic partner, father, mother, brother, sister, son, daughter, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, persons living in the same household or anyone otherwise financially dependent upon an employee.

Commented [PA0125]: "Or" is defined to include "and/or." Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Financial Interest: Any financial benefit, direct or indirect, as a result of a transaction that is, or may be the subject of, an official act or action by or with the County, except for such contracts, transactions, zoning

decisions or other matters that by their terms and by the substance of their provisions confer the opportunity and right to realize the accrual of similar benefits to all other persons and/or property similarly situated. "Financial Interest" does not include the cases listed as exempt in RCW 42.23.030. For the avoidance of doubt, "financial interest" also does not include service on the board of another government entity or the board of a non-profit organization who engages in contracts or transactions with the County.

Gift: A voluntary transfer of any item that has a greater than nominal retail value from one person or entity to another made without cost that does not result in any kind of legally enforceable contract. Gift does not include the solicitation, acceptance, receipt or regulation of political campaign contributions regulated in accordance with provisions of federal, state or local laws governing campaign finances.

Human Resources Director (HRD): A position appointed or designated by the Board of County Commissioners or by the Board's designee to handle personnel, staffing and other related matters.

Nominal Retail Value: A value of less than \$25.00 (twenty-five dollars).

Official action: Any legislative, administrative, appointive or discretionary act of any employee of the County or any agency, board, committee or commission thereof.

Related Business Entity: Any corporation, general or limited partnership, sole proprietorship or individual (including a private consulting firm), joint venture, unincorporated association or firm, institution, trust, foundation or other organization, whether or not organized for profit with which a County Officer or employee: (1) Is an officer, director, member or employee; or, (2) owns or controls an interest either directly or indirectly.

Remote Interest: An interest of: (1) A non-salaried officer of a nonprofit corporation; (2) An employee or agent of a transacting party where the compensation of such employee or agent consists entirely of fixed wages or salary; (3) A landlord or tenant of a transacting party; or, (4) A holder of less than one percent of the shares of a corporation or cooperative, which is a transacting party.

Respondent: The individual named in a complaint allegedly causing harm.

Transacting Party: Any person, partnership, association, cooperative, corporation or other entity which is a party to a transaction with the County.

Transaction: Contract, subcontract, decision or other matter that is or may be the subject of, an official action by or with the County.

Volunteer: A person who performs any assigned or authorized duties for the County or a board, commission or committee or department of the County, by their own free choice, who receives no wages and who is registered and accepted as a volunteer by the County. For the avoidance of doubt, volunteers include jurors, poll workers and advisory board members.

Section 3.0 – Applicability

This Policy shall be applicable to all County Officers, employees, transacting parties and volunteers. (See Chapter 42.23 RCW.)

Section 4.0 – Conflicts of Interest Defined, Generally

County Officers and employees are expected to use good judgment, adhere to high ethical standards and avoid situations that create an actual or perceived conflict between their personal interests and those of the County. The County requires that the transactions County Officers and employees participate in are ethical

Commented [PA0126]: "Or" is defined to include "and/or." Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

and within the law, both in letter and in spirit. Whenever employees are in doubt, they should consult with their supervisor, Departmental Director, the HRD or the Prosecuting Attorney's Office.

While it is not possible to develop a comprehensive detailed set of rules to cover every situation, the County shall strictly enforce any and all state laws or regulations relating to conflicts of interest, appearance of fairness and ethics that are applicable to County Officers, employees and transacting parties.

If a County Officer or an employee or their family member has a financial interest that is not a remote interest with a transacting party, then the County Officer, employee or volunteer must disclose that "financial interest" and seek resolution of any potential conflict of interest in accordance with this Policy.

An employee must disclose a financial interest that is not a remote interest in writing to their Departmental Director. The Departmental Director with the help of the County Administrator and the HRD shall determine what course of action, if any, must be taken to resolve any conflict of interest that may exist.

A County Officer who is not an employee should disclose a financial interest that is not a remote interest to the Prosecuting Attorney or the Chief Civil Deputy Prosecuting Attorney. The Prosecuting Attorney's Office shall advise the County Officer who is not an employee what course of action, if any, should be taken to resolve any conflict of interest that may exist.

Section 4.1 – Determination of Conflicts of Interest that Require Action by the County

The County has the sole discretion to:

1. Determine whether a conflict of interest exists that requires action by the County; and,
2. Determine a course of action to be taken to remove or end the conflict of interest.

A conflict of interest may arise, by way of example only, if a County Officer or an employee:

1. Accepts non-nominal gifts from a transacting party;
2. Accepts any form of remuneration or non-business related entertainment from a transacting party;
3. Sells to third persons any information, products or materials acquired from the County;
4. Engages transactions in such a way or to such an extent that the outside business activities adversely affect the County or their job performance;
5. Performs outside work for a vendor of the County or any transacting party (See Chapter 11, Section 15.0 on Outside Employment.);
6. Engages in any outside employment or any other business undertaking to their personal gain that is, or ~~can also could~~ be, perceived to be prejudicial to the best interests of the County; or,
7. Uses proprietary or confidential information for personal gain or to the County's detriment or uses assets or labor for unauthorized personal use unless the use is as specified in Chapter 11.

If the conflict ~~of interest~~ is severe enough the County may ask a County Officer or an employee to resign or may, at its sole discretion, no longer engage in transactions with that transacting party.

Employees are encouraged to seek assistance from their supervisor or Departmental Director with any legal or ethical concerns. However, the County realizes this may not always be possible. As a result, employees may contact the HRD to report anything that they ~~cannot are unable to~~ discuss with their supervisor or Departmental Director.

County Officers who are not employees are encouraged to seek assistance from the Prosecuting Attorney's Office.

Commented [PAO127]: "Could" is the simpler and more understandable word choice. This change provides clarity and should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO128]: Revised for clarity. This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 4.2 – Political Activities

County Officers and employees shall comply with provisions of RCW 41.06.250 as the same exists or is hereafter amended, which generally prohibits compulsory assessment or involuntary contributions and solicitation on public property for any partisan political purposes. If an employee, an employee's spouse or the parent or guardian of an un-emancipated minor employee is elected to the Board of County Commissioners, the employee shall be deemed to have resigned from County employment upon the date of certification of the results of the election, if required by State law.

APPENDIX 'C' – Employee Standards of Conduct Policy

Section 1.0 – Policy

This Policy applies only to employees. An employee's conduct should reflect favorably on the employee, their fellow employees and the County at all times, whether off-duty or on-duty. Off-duty misconduct may result in [corrective-disciplinary action](#) when it renders an employee less capable of performing their duties and responsibilities or when it reflects unfavorably upon an employee's continuing qualifications for employment. Employees may be transferred, demoted, terminated or have other action taken as a result of on-duty or off-duty conduct that results in a loss of public confidence in the employee as a member of the County staff.

Commented [PA0129]: Appendix C - Employee Standards of conduct mostly uses "disciplinary action."

It is the County's policy to place as few restraints on employee personal conduct as possible. The County relies on each employee's good judgment and sense of responsibility as the principal source of guidance for conducting day-to-day duties and responsibilities; however, for the protection of the public interest and other employees, certain rules of conduct have been established and must be followed. These rules are to minimize the likelihood of any employee, through misunderstanding or otherwise, becoming subject to disciplinary action. The listed rules in this Policy are not all inclusive.

Section 2.0 – Definitions

The following definitions shall be used for the purposes of this Policy.

County: Jefferson County, State of Washington.

County Administrator: A position appointed by the Board of County Commissioners to handle County administration.

Departmental Director: An Elected Official, manager or supervisor directly in charge of a specific department (e.g., the County Treasurer is the Departmental Director of the Treasurer's Office; the Public Works Director is the Departmental Director of the Public Works Department).

~~*Termination Committee:* A committee appointed to conduct a pre-termination meeting. The membership of the committee is 1) a Departmental Director from a department other than the department of the terminated employee, 2) the HRD and 3) the Clerk or Deputy Clerk of the Board.~~

Commented [PA0130]: Moved down so this definition is in alphabetical order.

Disciplinary Action Form: Any written document (memo, letter, specific form, etc.) which the employee is asked to sign that includes the employee's name, job classification and department and describes the nature of the misconduct.

Elected Official: A person elected to an office listed in RCW 36.16.030.

Employee: Any person employed or appointed by the County who is compensated by payment of wages where federal, state or local taxes are withheld. Independent contractors are not employees.

Financial Interest: Any financial benefit, direct or indirect, as a result of a transaction that is, or may be the subject of, an official act or action by or with the County, except for such contracts, transactions, zoning decisions or other matters that by their terms and by the substance of their provisions confer the opportunity and right to realize the accrual of similar benefits to all other persons [and/or](#) property similarly situated. "Financial Interest" does not include the cases listed as exempt in RCW 42.23.030. For the avoidance of doubt, "financial interest" also does not include service on the board of another government entity or the board of a non-profit organization who engages in contracts or transactions with the County.

Commented [PA0131]: "or" is defined to include "and/or." Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

Human Resources Director (HRD): A position appointed or designated by the Board of County Commissioners or their designee to handle personnel, staffing and other related matters.

Indirect Beneficial Interest: Any interest by any relative of an employee, or any organization which employs or is about to employ the employee or any relative.

Personnel File: Refers to both the employee's employment personnel file and the employee's departmental personnel file.

Transacting Party: Any person, partnership, association, cooperative, corporation or other business entity which is a party to a transaction with the County.

Termination Committee: A committee appointed to conduct a pre-termination meeting. The membership of the committee is (1) a Departmental Director from a department other than the department of the terminated employee, (2) the HRD and (3) the Clerk or Deputy Clerk of the Board.

Policy: This Employee ~~Corrective Action~~ Standards of Conduct Policy.

Section 3.0 – Acts Subject to Immediate Termination

There are certain kinds of actions that ~~cannot shall be permitted to occur prohibited~~ because of their impact on other employees, the public and the County. Such ~~offenses actions~~ may result in immediate dismissal. Employees are subject to ~~corrective disciplinary~~ action, including up to immediate termination, for engaging in any of the following acts:

1. Theft, misappropriation or removal of County property or the property of other employees, clients, customers and residents;
2. ~~Acknowledged, intentional or repeated falsification~~ Falsification of any application for employment or any report, record, time sheet or County record;
3. Soliciting or accepting payment, gifts or any item of value for services performed during the regular work day, whether or not the services are performed on behalf of the County and whether or not County vehicles or equipment are used;
4. Willful alteration, destruction or waste of County property, facilities, records or equipment, wherever located or the destruction of another employee's or resident's property;
5. Possession or use of alcohol, narcotics or other controlled substances on County property, in County vehicles or during any occasion which is associated either directly or indirectly as work performed for the County (except when such possession is pursuant to the employee's employment duties);
6. Engaging in any act prohibited by RCW 42.23.030, RCW 42.23.070 or 2 CFR Section 200.318(c), as they now exist or may be amended in the future, including but not limited to:
 - a. Holding or seeking to hold a financial interest in any contract which may be made by, through or under the supervision of the employee, in whole or in part, who holds or seeks to hold a financial interest in violation of RCW 42.23.030, as it now exists or may be amended;
 - b. Holding or seeking to hold a financial interest in any contract made for the benefit of the employee's office in violation of RCW 42.23.030, as it now exists or may be amended; or,
 - c. Accepting, directly or indirectly, any compensation, gratuity, favor, reward or anything of monetary value in connection with any contract from any transacting party which may be made by, through or under the supervision of the employee in violation of RCW 42.23.030, as it now exists or may be amended, unless otherwise authorized by law; or,
7. Using a position at the County to secure special privileges or exemptions for ~~themselves~~ self or others;
8. Directly or indirectly, giving or receiving or agreeing to receive any compensation, gift, reward or gratuity from a source except the County, for the services performed by the employee for the County, unless otherwise authorized by law or this Manual;

Adopted: ~~March 17~~ April, 2025

Commented [PA0132]: Revised for consistent use of number format to this format: (1). This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0133]: Revised for consistent use of number format to this format: (1). This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0134]: Revised for consistent use of number format to this format: (1). This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0135]: Revised to match the title of the Policy. This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0136]: Revised for clarity. This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0137]: Appendix C - Employee Standards of conduct mostly uses "disciplinary action." This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0138]: Revised for consistency of formatting. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0139]: More complicated than necessary. This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

9. Accepting employment or engaging in business or professional activity that the employee might reasonably expect would require or induce the employee by reason of the employee's position to disclose confidential information acquired by reason of the employee's position;
10. Disclosing confidential information gained by reason of the employee's position, or using such information for the employee's gain or benefit;
11. Serious or repeated disorderly conduct, horseplay or insubordination, ~~including - This include, but is not limited to:~~
 - a. Neglect of duty or refusal or failure to obey orders or instructions in the line of duty;
 - b. Public disrespect displayed toward any resident, fellow employee or supervisor while performing work for the County;
 - c. Hostile or abusive language to any resident, fellow employee or supervisor;
 - d. Threatening, intimidating, coercing or interfering with the work routine of supervisors or other employees;
 - e. Physical confrontation or deliberate attempts to cause bodily harm;
 - f. Sleeping during working hours (except regularly scheduled breaks if not in public view);
 - g. Unauthorized possession of firearms, explosives or any dangerous weapons while performing County work;
 - h. Participating in a work stoppage or slowdown;
 - i. Recklessness resulting in an accident while on duty, whether on County property or while driving a County vehicle; or,
 - j. Racial or sexual harassment directed toward another person, including but not limited to demands for sexual favors in exchange for employment, retention of job, promotion or other employment benefits.

Commented [PA0140]: Revised for clarity. This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 4.0 –Acts Usually Not Subject to Immediate Dismissal

The following acts are prohibited and are subject to ~~corrective disciplinary action~~ but are usually not subject to immediate dismissal:

1. Ignoring safety rules or common safety practices;
2. Engaging in disorderly conduct or horseplay;
3. Insubordination;
4. Conduct that would be of detriment to the image of the employee;
5. Using uncivil, insulting, vile or obscene language;
6. Failure to report occupational injuries or accidents, including motor vehicle accidents, promptly to the employee's supervisor;
7. Engaging in activities other than assigned work during working hours or while operating County equipment, without approval in advance by an employee's Departmental Director;
8. Acting in an insulting, rude, insolent or uncivil manner toward any customer or other person while working for the County, or while operating County equipment, or on County premises;
9. Failure to exercise the care and attention to one's work required by the circumstances;
10. Smoking or vaping in restricted or prohibited areas, whether on County property or otherwise;
11. Accepting employment or engaging in business for profit with another employer without written authorization from the Departmental Director or County Administrator (for appointed managers);
12. Acting in any manner inconsistent with rules of conduct necessary to the welfare of the residents, the County or its' employees;
13. Un-excused or excessive absences or tardiness;
14. Leaving work before the end of the workday or not being ready to begin work at the start of the workday or working overtime without permission of the employee's supervisor;
15. Loafing or spending unnecessary time away from the job;
16. Unauthorized possession or use of any County property, equipment or materials;
17. Carrying an unauthorized passenger in a County vehicle;
18. Contributing to unsanitary or unsafe conditions; or,
19. Use of County property or time for personal financial gain or financial gain of another person.

Commented [PA0141]: Appendix C - Employee Standards of conduct mostly uses "disciplinary action." This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0142]: Revised for consistency. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

This list is not intended to be all inclusive. [Further, repeated violations of the above actions may be subject to immediate termination.](#)

Commented [PA0143]: Added to make clear that multiple violations of the above list may result in immediate termination. This change should improve the ability to enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

Section 5.0 – Investigation

As soon as a Departmental Director becomes aware of a possible violation of the standards of conduct, the employee should be interviewed and an investigation started.

Section 5.1 – Employee Interview

As soon as possible after the event, an interview should be conducted with the employee suspected of the misconduct. The employee's Departmental Director should conduct the interview in private. If the misconduct is serious, the Departmental Director should have another management representative present in case a witness is needed to verify what occurred during the interview. The employee may also request to have another employee present during the interview.

The employee should be given a chance to explain what happened and why it happened, and should be encouraged to identify any other employees who may have knowledge of the incident. The Departmental Director must inform the employee that they will be contacted after the investigation has been completed. The Departmental Director may decide to suspend the employee with or without pay during the course of the investigation.

Section 5.2 – Investigation

As soon as a Departmental Director becomes aware of a possible violation of the standards of conduct, they should immediately contact the HRD, who will-shall assign a non-involved person to conduct a preliminary investigation. An essential requirement of the investigator is that they be capable of objectively evaluating the facts and the persons involved. The investigator should conduct interviews with all witnesses as soon as possible after the event and detailed notes should be taken. The investigator may obtain signed statements from the witnesses.

The investigation should determine the following:

1. Whether or not the incident occurred;
2. Who was involved in the incident;
3. Names of any witnesses and signed statements, if appropriate;
4. The specific nature of the incident and when it occurred; and,
5. Any consequences of the incident such as injuries, reduced productivity, damage to County property, etc.

Employees are required to cooperate with an investigation. Refusal to cooperate with an investigation may lead to progressive corrective-disciplinary action, up to and including termination.

A simplified version of the above process may be followed.

Section 6.0 – Disciplinary Action

Once an investigation has been conducted and it has been determined that a violation to this Policy has occurred, one or more of the following disciplinary actions may-listed in this section be taken. The County may skip steps in this sequence whenever, in its judgment, circumstances require an abbreviated disciplinary procedure. A review of the employee's employment personnel file and departmental personnel file shall be conducted to identify circumstances that would support either increasing or reducing the imposed disciplinary action.

The employee's Departmental Director must complete a written disciplinary action form. The employee's name, job classification and department should be identified on the form. In describing the nature of the misconductviolation of this Policy, the following information should be provided:

1. The date and time of the violation;
2. A brief description of the events;
3. A list of rules or policies that were violated; and,

Adopted: March 17 April, 2025

Commented [PAO144]: Missing word. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO145]: "Shall" is defined in JCC 01.01.040(h). "Shall" means mandatory. "Shall" should be instead of "cannot," "must" or "will." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Commented [PAO146]: Appendix C - Employee Standards of conduct mostly uses "disciplinary action." This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO147]: Revised for clarity. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO148]: Revised for consistency. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

4. The effective date and nature of the corrective action. If the corrective action is a final warning, it should be clearly stated that a future offense ~~will shall~~ result in immediate termination.

The employee must be allowed to review the disciplinary action form and must be told exactly what action shall be taken should another violation occur. The employee should be asked to sign the disciplinary form. If the employee refuses to sign, the Departmental Director should attempt to have the employee sign a notation that they refused to sign the disciplinary action form. If the employee refuses to sign the notation, the Departmental Director should have another Departmental Director verify the employee's refusal.

It is important that detailed notes are kept of this meeting and to have another person present to witness the proceedings.

Section 6.1 – Oral Warning

Oral warnings may be given for minor violations of this Policy or to bring to the attention of an employee potential work performance problems. Oral warnings may include an explanation of the violation or problem and requests for corrective action on the part of the employee. A notation of each oral warning should be placed in the employee's departmental personnel file and maintained by the Departmental Director for future reference. In addition, the offending employee may be given a written notation of the warning.

Section 6.2 – Written Warning

A written warning may be given for a more serious offense or when the employee, who has received one or more oral warnings for minor ~~offenses-violations of this Policy~~ or problems in their work performance, repeats them or fails to take corrective action. A copy of the written warning is to be signed by and given to the employee and a copy entered into the employee's departmental personnel file.

Section 6.3 – Suspension/Final Warning

A suspension may be given for serious violations of ~~employee rules of conduct~~ this Policy for which immediate termination is not appropriate for repeated offenses, or for failure to correct an action for which a written warning was previously given. A suspension is time off without pay for disciplinary reasons.

6.3.1 Non-Exempt Employees:

The number of days of suspension is dependent upon the nature of the violation and the employee's record.

6.3.2 FLSA Exempt Employees:

In the case of FLSA Exempt Employees, time off without pay shall be for the entire pay period.

In each case of disciplinary suspension, a written memo shall be prepared. After review with the employee, a copy ~~of the written memo~~ shall be given to the employee and a signed copy shall be entered into the employee's departmental personnel file.

Section 6.4 – Termination

When the Departmental Director believes that the nature of a violation warrants termination or if the termination is a result of the disciplinary procedure where the desired corrective action was not achieved by one or all of the steps above (written warning, suspension, etc.), the Departmental Director shall prepare a written report and submit it to the HRD.

6.4.1 Pre-termination Meeting:

A pre-termination meeting shall be conducted by the Termination Committee, which is composed of one (1) Departmental Director from a department other than the department of the terminated employee, (2) the HRD or designee and, (3) the Clerk or Deputy Clerk of the Board, who shall act as secretary of the meeting. The County Administrator shall

Commented [PA0149]: "Shall" is defined in JCC 01.01.040(h). "Shall" means mandatory. "Shall" should be instead of "cannot," "must" or "will." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Commented [PA0150]: Revised for consistency. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0151]: Revised for consistency. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0152]: Revised for clarity. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

make appointments to the termination committee as needed. The termination committee may use the services of legal counsel or consultants as required.

6.4.2 Not a Public Meeting:

The pre-termination meeting shall not be a public meeting, unless required by law. The employee shall be provided with a written notice of the charge or grounds for termination and a summary of the County's evidence. The employee shall be given an opportunity to respond to these charges, either orally or in writing and to explain why the County should not go ahead with the termination.

No employee who has completed a trial period shall be terminated for any reason without a pre-termination meeting of the Termination Committee, ~~except for those acts subject to immediate dismissal.~~

Commented [PA0153]: Do we want this to be so strict?

Although the Departmental Director's explanation of the County's evidence should be sufficient to inform the employee of the basis for termination, this procedure shall not be construed to limit the County at any subsequent hearing or proceeding, from presenting a more detailed and complete case including the presentation of witnesses or documents not introduced at the pre-termination meeting. Should the termination committee determine to proceed with the termination or some alternative disciplinary action, the County shall give the employee written notice of corrective action without undue delay.

Section 7.0 – Appeal Process

An appeal may be made by the employee within five (5) business days of the disciplinary action meeting. The appeal must be submitted in writing to the County Administrator or designee. The County Administrator or designee shall review the investigation notes and the employee's employment and departmental personnel files to ensure that the disciplinary action is fair and consistent within five (5) business days of receipt of the appeal.

If the employee is subject to a collective bargaining agreement, the employee shall follow the process as outlined in their ~~union contract~~ collective bargaining agreement.

Commented [PA0154]: Revised for clarity. For, example a person subject to a collective bargaining agreement may not be a union member. This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

APPENDIX 'D' – Travel & Transportation Policy

Section 1.0 – Introduction

Jefferson County has established a system for control of travel that provides for reimbursement of travel expenses incurred while on authorized travel. In order to ensure reimbursement, Travelers must follow the procedures explained in this Manual prior to travel. All travel requests shall be submitted to a Departmental Director or designee who is responsible for approving travel and for ensuring that appropriate funds are available for travel on County business.

This Policy is designed to ensure that any payments made under this section are reasonable, accurate and necessary for the conduct of County business.

Section 2.0 – Definitions

The following definitions shall be used for the purposes of this Policy.

Board of County Commissioners: The board comprised of the elected county commissioners of the County.

County: Jefferson County, State of Washington.

County Administrator: A position appointed by the Board of County Commissioners to handle County administration.

County Business: Activities performed in order to accomplish County programs or as required by the duties of a position of an employee or volunteer or by the office of an Elected Official.

County Credit Card: The County has purchasing cards that are used by Travelers as credit cards.

County Vehicle: A vehicle owned, leased or rented by the County.

Departmental Director: Elected Official, Department Head or authorized designee acting as the manager for that department.

Elected Official: A person elected to an office listed in [RCW 36.16.030](#).

Employee: Any person employed or appointed by the County who is compensated by payment of wages where federal, state or local taxes are withheld. Independent contractors are not employees.

GSA per diem rate: Per diem rates for government employees established by the U.S. General Services Administration to cover a government employee's living expenses when traveling. GSA per diem rates [can be found located](#) at www.gsa.gov. GSA per diem rates typically are updated annually in October.

Manual: This Personnel Administration Manual.

Official Workstation: The place where an Elected Official, employee or volunteer is assigned to work the majority of their work schedule.

Policy: This Travel & Transportation Policy.

Commented [PA0155]: Space after RCW missing. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

Commented [PA0156]: This is a simpler and more understandable word choice. This change provides clarity and should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

Single Day Meal Reimbursement: The reimbursement for meals when the travel does not include an overnight stay.

Short Term Rental Sites: Short Term Rental Sites are locations that rent out space for short term rentals includes but or not limited to Airbnb, Blueground, cozy, Hello Landing, Homestay and Vrbo.

Three Hour Rule: A Traveler on single-day travel who has been in Travel Status for three (3) hours beyond their regularly scheduled work day. The three hours may be any combination of time before ~~and~~ or after the scheduled working hours on the day in question. (See 7.3.1.2)

Traveler: An Elected Official, employee or volunteer who is on Travel Status.

Travel Status: Travel Status starts when an Elected Official, employee or volunteer who is on County business leaves their home or official workstation, whichever is closer to their destination, for a destination outside of Jefferson County.

Volunteer: A person who performs any assigned or authorized duties for the County or a board, commission or committee or department of the County, by their own free choice, who receives no wages and who is registered and accepted as a volunteer by the County. For the avoidance of doubt, volunteers include jurors, poll workers and advisory board members. Independent contractors are not volunteers.

“West End:” The common term for the area of Jefferson County that is separated from the eastern portion of the County by the Olympic National Park and is not accessible by ~~Highway~~ highway without traveling out of Jefferson County.

Section 3.0 – Applicability

Unless otherwise provided by law, these regulations are applicable to all Travelers. If specific travel circumstances arise which are not covered in this Policy, ~~the~~ Washington State Office of Financial Management (~~OFM~~) Travel Regulations shall be used as guidance in determining acceptable practices and expenditures.

Section 4.0 – General

Section 4.1 – Care When Incurring Travel Expenses

Travel funds are an important public resource and should be spent wisely and judiciously. It is ~~assumed~~ and expected that expenses incurred under this Policy shall be appropriate to the circumstances, and consistent with the best interests of the County and its desire to minimize travel costs. A Traveler traveling on County business is expected to exercise the same care in incurring expenses and accomplishing the purposes of the travel that a prudent person would exercise if traveling on personal business. Travelers are responsible for excess costs and any additional expenses incurred for personal preference or convenience.

Section 4.2 – Travel Itinerary

The travel itinerary of a Traveler shall be planned to eliminate unnecessary travel in the performance of work assignments. Whenever it is feasible for two or more Travelers to travel on official County business in one vehicle, they shall do so.

Section 4.3 – Health and Safety of Travelers

The health and safety of Travelers is a top priority in the conduct of travel related activities. It is considered advantageous to the County for travel plans and itineraries to be established and altered with consideration

Commented [PAO157]: “Or” is defined to include “and/or.” Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO158]: Should be lower case. This change provides consistency and should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO159]: OFM is not otherwise defined and only is used one more time. Acronym makes reading Section 10 much harder, so this acronym should be deleted. This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO160]: Deleted as unnecessary. This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

of hazardous inclement weather and other situations that could threaten the health and safety of County personnel.

Section 4.4 – Revised Travel Plans Due to Illness or Severe Inclement Weather

A Traveler shall contact their supervisor as soon as possible if the alteration of travel plans and itineraries likely will result in extra travel expenses (including meal ~~and~~ or lodging costs) due to emergencies such as a sudden onset of illness or because of severe inclement weather. Notes on the Travel Reimbursement form are required, including the name of the supervisor who approved the alteration and the approval date and a short description of the reason for the change.

Commented [PAO161]: “Or” is defined to include “and/or.” Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 4.5 – Compliance with the Americans with Disabilities Act (ADA)

All County ~~personnel~~ ~~employees~~ are to be afforded equal opportunity to travel for County business even if the travel costs for disabled travelers would likely exceed what would normally be most economical to the County, unless costs would create undue hardship on the County as allowed by the ADA. Travel authorizations and travel claims should be annotated that the extra costs were required to comply with the ADA.

Commented [PAO162]: “Employee” is the defined term. Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 4.6– Grant Reimbursed Travel

When the County will be reimbursed for a Traveler’s travel expenses through a grant which uses a different reimbursement schedule, the County ~~will shall~~ honor that rate if the Traveler submits documentation from the grant contract that details the amount to be reimbursed. The ~~employee~~ ~~Traveler~~ must submit a copy of the grant with the reimbursement request.

Commented [PAO163]: “Shall” is defined in JCC 01.01.040(h). “Shall” means mandatory. “Shall” should be instead of “cannot,” “must” or “will.” This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Section 5.0 – Travel Reimbursement Method

Expenses incurred while traveling shall be paid by reimbursement to Travelers using the procedures in this Policy. The use of prudent judgment for travel expenses on County business is expected. Excessive or unnecessary expenses shall not be reimbursed. Refer to Section 8.1 – Overnight Travel Reimbursement.

Commented [PAO164]: “Traveler” is the defined and correct term. Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 5.1 – Authorization for Travel Reimbursement

Authorizations for travel shall be exercised through the Departmental Director from the properly authorized BARS travel line item of the Department budget. For travel outside the State of Washington, the Advance Travel/Out of State Travel Request Form must be completed and receive approval by the County Administrator before travel occurs.

Section 5.2 – Use of County Issued Credit Cards for Travel

Travel expenses may be paid with a County credit card issued to a County Department. (See also Resolution 64-08 regarding County credit cards.) Travelers using County credit cards must retain and submit expenditure receipts for all expenses that are charged to the County credit card.

Charges without receipts or which are not eligible for reimbursement shall be disallowed and the ~~employee~~ ~~Traveler~~ shall remain personally liable for such charges. If for any reason disallowed charges are not repaid within 10 (ten) days following return from travel, the County shall have a lien against and a right to withhold any salary payable to, or that will be payable to, the ~~employee~~ ~~Traveler~~ up to an amount equal to the disallowed charges plus interest at the same rate as charged on the County credit card. If not repaid, the Traveler shall not be allowed to use a County credit card for subsequent travel. The Traveler is required to surrender the County credit card upon demand by the County Administrator, the County Treasurer or the County Auditor.

Commented [PAO165]: “Traveler” is the defined and correct term. Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO166]: “Traveler” is the defined and correct term. Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 5.3 – Travel Lodging and/or Meal Reimbursement NOT AUTHORIZED

Reimbursement for lodging and/or meals shall not be authorized under any of the following conditions:

1. The Traveler does not incur expenses for lodging and/or meals;
2. The County provides direct payment to vendor for registration or conference fees or other travel expenses, i.e., lodging;
3. Reimbursement for spouses, guests or other persons not authorized to receive reimbursement under this Policy or State regulations;
4. Amounts paid for meals in excess of the GSA Per Diem rates will shall not be authorized;
5. The County shall not reimburse a Traveler for the cost of any alcoholic beverages;
6. Use of a County credit card to pay for fuel in a Traveler's personally-owned vehicle is prohibited; and
7. Meals reimbursement shall not be considered if provided by conference, training, hotel, etc., unless diet restrictions apply and are approved by Department Director with the reimbursement request.

Section 6.0 – Direct Payment to Vendors Supplying Meals or Lodging

On occasion a department may negotiate meal or lodging rates directly with a vendor or vendors in a specific area (i.e., the West End) in order to accommodate travel arrangements for several Travelers at the same time and/or to receive a cost savings.

Section 6.1 – Approval and Documentation for Direct Payment to Vendors

Approval of a Departmental Director must be obtained prior to authorizing direct billing to the County and direct payment by the County. Any payments made according to this section are to be supported by documentation consisting of:

1. A list of Travelers and their respective departments.
2. An invoice from the vendor detailing the number of meals served and price per meal.
3. Lodging information including date(s) of reservation, room rate and all Traveler names occupying the room.
4. Lodging and meals are required to follow the GSA per diem rate.

Section 6.2 – Travel by Commercial Carrier (Airline, Train, Bus)

- 6.2.1 Advance Bookings:
Purchases are authorized to pay for airline or other commercial carrier tickets prior to a scheduled trip. Purchasing reasonable travel insurance or refundable airfare in case of cancellation is suggested and must be approved by the Department Director.
- 6.2.2 Most Cost-Effective Route:
Air and train transportation are to be by Economy Class and by the most direct or cost-effective route.
- 6.2.3 Purchasing reasonable travel insurance or refundable airfare in case of cancellation is suggested. Purchase of travel insurance or refundable air fare must be approved by the Department Director.

Section 7.0 – Reimbursable Meal Expenses

Department Directors shall determine whether meal reimbursement expenses shall be paid by per diem or actual expense. To qualify for meal reimbursement for a meeting, training or conference, a copy of the schedule or agenda is required. The Department Director may approve meal reimbursement for an employeea Traveler with dietary restrictions regardless if the meal is provided by the conference, training, hotel, etc. There are two options for reimbursement: per diem and actual expense.

Commented [PAO167]: "Or" is defined to include "and/or." Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO168]: "Or" is defined to include "and/or." Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

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Commented [PAO176]: Deleted duplicate language in section 6.2.3. This change provides clarity and should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO177]: "Traveler" is the defined and correct term. Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 7.1 PER DIEM Basis

1. GSA Per Diem Rates shall serve as the amount of the meal cost reimbursement for travel within and outside the State. The Per Diem rate includes the basic cost of the meal, applicable sales tax, and any gratuity up to 18% (eighteen) percent of the cost of the meal.
2. Per Diem rate is based on the travel destination County.
3. If the Traveler uses a County credit card to pay for a meal, they shall not be reimbursed based on Per Diem.

Section 7.2 ACTUAL EXPENSE Basis

Detailed receipts listing all of the items purchased must be obtained for each meal to qualify for reimbursement. Reimbursement for meal costs based on actual expense shall not exceed the limits listed in the GSA per diem rates allowable for travel, which includes the basic cost of the meal, applicable sales tax and gratuity not exceeding 18% (eighteen) percent of the cost of the meal.

Section 7.3 Reimbursement for Cost of Meals on Travel Status

Elected Officials, Employees-employees and volunteers must be on Travel Status to qualify for meal reimbursement.

7.3.1 Single Day Travel:

Meal reimbursements for single day travel are considered taxable fringe benefits by the IRS subject to all employment taxes and shall be included in annual taxable gross wages. Employees-Travelers are required to complete the "Single Day Meal Reimbursement" form and attach detailed receipts for submittal to the Jefferson County Auditor's Office/Payroll. The form is available in public directories \Public\Forms\Travel Forms\.

7.3.1.2 Three-Hour Rule for Meal Reimbursement Eligibility on Single Day Travel

A Traveler may be reimbursed for meal expenses only after they have been in Travel Status for three (3) hours beyond their regularly scheduled work day. The three hours may be any combination of time before and/or after the scheduled working hours on the day in question. For example, a Traveler working an 8 hour day must be traveling 11 hours to meet this rule while a Traveler working a 10 hour day must be traveling 13 hours. A Traveler may not stop for a meal just to meet the three-hour rule.

7.3.2 Multi-Day Travel

To qualify for meal reimbursement, the travel window is 7am – 7pm. Special considerations for first and last day of travel status are as follows:

First Day of Travel:

Breakfast – Travel must start by 7am.

Lunch – Travel must start one hour before the Traveler's regularly scheduled lunch.

Last Day of Travel:

Lunch – Travel must conclude one hour after the Traveler's regularly scheduled lunch.

Dinner – Travel must conclude after 7pm.

7.3.3 More than One Traveler on a Claim

Reimbursement may be claimed by one person for several Travelers traveling together, as long as all the names are listed on the Travel Reimbursement form and receipts are attached.

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Section 7.4 – Meeting Out of the County When Not on Travel Status

When not on Travel Status, the provisions of Resolution No. 40-96 apply. Reimbursement ~~only may only~~ be made for meals that are scheduled as an integral part of an official proceeding or program related to County business. The Departmental Director must approve the meals in advance of the meeting, convention, conference or training session, qualifying it is advantageous to the County and is related to the ~~person's-Traveler's~~ job responsibility. See Resolution No. 40-96 for complete text.

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Section 8.0 – Lodging Reimbursement

Reimbursement for lodging is based on the actual cost supported by the lodging receipt. Maximum reimbursement is not to exceed the rate specified in the GSA schedule. Approval by the ~~Departmental Director or Elected Official~~ is required for any quoted commercial lodging that exceeds per diem.

Commented [PAO183]: "Departmental Director" is the defined term and it includes "Elected Officials." Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Lodging in a hotel or motel is encouraged. Payment in advance for lodging is discouraged due to possible cancellations, and incorrect rates or dates.

A note of caution when using accommodation at a Short Term Rental Site: Unlike hotels and motels, Short Term Rental Sites typically include hidden fees such as security deposits, cleaning fees and other service-related costs in addition to the lodging rate. The total cost of using a Short Term Rental Site should not exceed the GSA per diem rates.

1. If the total cost of lodging in a Short Term Rental Site is greater than the GSA, the ~~employee Traveler~~ must reimburse the County for the difference between the total cost of lodging and the GSA per diem rates.
2. If hotel lodging in the area is more than the GSA per diem rates, then a Short Term Rental Site is likely acceptable. However, if a Short Term Rental Site costs more than hotel lodging in the area and more than the GSA per diem rates, ~~the Elected Official, employee or volunteer Traveler~~ likely will be required to reimburse the difference between the total cost of lodging in a Short Term Rental Site and the total cost of hotel lodging in the area,

Commented [PAO184]: "Traveler" is the defined and correct term. Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

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Section 8.1 – Overnight Travel Reimbursement

In order to be eligible for lodging reimbursement, Travel Status is required and travel must be more than 50 miles one way or the travel time must exceed one hour (for example travel that may include mileage, as well as ferry and bridge travel time), unless deemed prudent by the Department Director. In addition, the reason for the travel must be for an event (training, conference, meeting, etc.) with a duration of more than four (4) hours.

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Section 8.2 – Shared Accommodations by more than one ~~County employee Traveler~~.

Lodging costs shall be reimbursed at the actual cost; therefore, the actual cost shall be pro-rated when accommodation is shared with more than one ~~employee Traveler~~.

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Section 8.3 – Family traveling with County employee.

Additional expense to accommodate for family traveling with ~~employee Traveler~~ shall not be reimbursed.

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Section 9.0 – Forms for Travel

Forms identified below are to be used by Travelers to submit an accounting of their authorized travel expenses for which they are seeking reimbursement. ~~Employees-Travelers~~ should submit a travel expense reimbursement claim for each month that they incur travel expenses. Following are four forms with instructions to claim reimbursement:

Commented [PAO189]: "Traveler" is the defined and correct term. Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

1. Travel Reimbursement Form_- Submit to Accounts Payable in the Auditor's Office/Accounts Payable.
2. Advance Travel/Out of State Travel Request Form- Submit to Accounts

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3. Payable/Auditor's Travel Expense Voucher – Mileage Only Form - Submit to Accounts Payable/ in the Auditor's Office.
4. Single Day Travel Meal Reimbursement Form - Submit to Payroll in the Auditor's Office/Payroll.

Forms are available in the public directories, Public\Forms\Travel Forms. The forms are in Excel spreadsheet or PDF editable format. Handwritten completed forms are discouraged due to calculations within the forms.

Section 9.1 – Travel Reimbursement Claim

Employees-Travelers must complete all paperwork regarding travel expense reimbursement claims in a timely manner.

- The Travel Reimbursement Form must be completed, signed and then submitted for approval to the Departmental Director with a copy of the meeting or training schedule, agenda or brochure.
- The receipts for lodging accommodations, miscellaneous expenses and meals (if being reimbursed on the actual expense basis) are required to be included when submitted with the Travel Reimbursement form.
- All transportation other than privately owned vehicles or County vehicles are required to be on commercial carriers.
- Reimbursements that lack adequate support or documentation shall be returned by the Auditor's Auditing Specialist and shall not be paid until the concerns are resolved.
- Processing and payment to the employee shall be made as expeditiously as possible.

Section 9.2 – Advance Travel/Out of State Travel Request Form

This form serves two purposes: (1) A request for an Advance Travel funds and/or (2) Out of State Travel Request approval.

9.2.1 Out of State Travel Requests

Out of State Travel Requests require approval from the Departmental Director and County Administrator prior to making travel arrangements. To complete this process,

1. The employee is required to shall submit the completed Advance Travel/Out of State Travel form to the Departmental Director for approval;
2. The Departmental Director shall forward the Advance Travel/Out of State Travel form to the County Administrator for review and approval; and
3. Once approved, the travel arrangements may be made by the Department of or by the travelerTraveler.

9.2.2 Request for Advanced Travel Funds

The employee-Traveler is required to shall submit the completed form to their Departmental Director for approval. Requests for Advance Travel funds shall be submitted to the Treasurer's Office a minimum of 5 (five) working days before the funds are required. The employee-Traveler shall pick up the advance travel check from the Treasurer's Office or the employee's-Traveler's Departmental Director. Clerk Hires shall not receive advance travel, except as authorized and approved by the County Administrator.

- There is a minimum amount for an Advance Travel request of \$100.00.
- If the requestor-Traveler has a County credit card, Advance Travel may only be used for per diem meals, mileage and other travel costs such as tolls for ferries or bridges. Multiple methods of payment for travel expenses increase the paperwork and bookkeeping. It would be simpler to use a credit card if you have one.

Commented [PAO191]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

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- Provide requests for Advance Travel to the Treasurer's one to two weeks prior to travel. Emergency requests should be called to 360-385-9152. Travel plans beyond 30 days should be held in the department until the 30-day timeframe is current.
- All travel expense estimates must be in accordance with the GSA schedule and per diem rates.

9.2.3 Accounting for Advance Travel Funds

Persons submitting claims with expenses in excess of the amount advanced shall be reimbursed for the difference by warrant. The ~~employee-Traveler~~ shall indicate on the Travel Reimbursement form as a deduction for all travel advance amounts received.

9.2.4 Unexpended Travel Advance Funds

Any unexpended portion of the travel advance is to be returned to the County no later than 15 (fifteen) days after the close of the authorized travel period. Payment by cash or check made payable to the County is to accompany a properly completed Travel Reimbursement form. Unexpended portion of travel advances are not to be carried forward to a subsequent travel period. A Traveler ~~may shall~~ not make requests for Advance Travel when they are delinquent in accounting for or repaying a prior travel advance (RCW 42.24.140.).

9.2.5 Default in Payment or Accounting

Any default in accounting for or repaying a travel advance shall cause the amount that is unpaid to become immediately due and payable. In order to protect the County for any losses from the Advance Travel Fund, the County has a lien against and shall withhold any and all amounts payable or that become payable by the County from the ~~employee's-Traveler's~~ pay, up to the amount of such travel advance.

Section 9.3 – Quarterly or Monthly Reimbursable Transportation Expenses

The Travel Expense Voucher – Mileage Only is for reimbursable transportation expenses using a privately owned vehicle when traveling is required to perform job duties. If recurring travel is between County facilities, the Recurring Mileage Chart (RMC) mileage should be utilized.

- Reimbursement for mileage between the ~~employee's-Traveler's~~ residence and official workstation is a personal obligation of the employee and is not reimbursable by the County.
- Mileage shall be based on departure from the ~~employee's-Traveler's~~ official workstation unless their residence is closer to their destination, in which case the mileage shall be calculated from the ~~employee's-Traveler's~~ residence.
- Vicinity mileage may be included, with an explanation.

Section 9.4 – Single-Day Travel Meal Reimbursement Form

A Traveler may receive reimbursement for meals in connection with County business that require travel outside of the County. Travel to the West End is considered travel outside of the County. To receive meal reimbursements, Travel Status is required for the *entire meal period*. Stopping for a meal alone does not meet the three-hour rule. Pursuant to IRS rules reimbursement for meals during single-day travel is a taxable fringe benefit and is reimbursed through payroll. The form is completed and submitted to the Auditor to be included in payroll processing. See Section 7.3 for detailed information.

Section 10.0 – Miscellaneous Travel Expenses

Miscellaneous travel expenses essential to the transaction of County business are reimbursable to the ~~employee-Traveler~~. Miscellaneous travel expenses must be ~~itemized specifically itemized~~ on the Travel Reimbursement Form with receipts attached. If a receipt is lost for miscellaneous expenses, the Lost Receipt for Miscellaneous Expenses is required to be completed. Reimbursable expenses include, but are not limited to:

- Taxi fares, transit fares, vehicle rentals, parking fees, ferry and bridge tolls.
- ~~Elected Officials, employees and volunteers~~ Travelers are required to stop and pay the toll with a County credit card or personal funds when using County vehicles. In any pool vehicle, the driver needs to stop and pay the toll.
- Taxi or transit fares incurred by on Travel Status going from a place of lodging to a restaurant for a meal when the ~~employee-Traveler~~ has no other means of transportation are considered a reimbursable miscellaneous travel expense.

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- Registration fees required in connection with attendance at approved conventions, conferences and official meetings if not previously paid.
- Rental of a room in a hotel or other place that is used to transact County business. The room rental is reimbursable as miscellaneous when authorized by the Departmental Director.
- ~~Employees-Travelers~~ shall be reimbursed for tipping expenditures, when claimed as actual expenses, not to exceed 18% (eighteen) percent.
- Vehicle rentals, registration fees, rental of rooms for County business and other miscellaneous travel expenses should be accomplished in advance, in accordance with prescribed purchasing requirements.

The cost for personal care attendant services which may be required by a Traveler with disabilities, in order for them to travel, shall be allowed as a miscellaneous travel expense. Such costs may include the fees and travel expenses of the attendant. Such costs are not limited by the dollar amount established above. Instead, the limit for such costs is pursuant to the ~~OFM-Washington State Office of Financial Management Travel Regulations as specified~~ in Section 3.0 of this Policy.

Section 11.0 – Non-Reimbursable Expenses

Certain travel expenses are considered as personal and not essential to the transaction of County business and, therefore, are not reimbursable. Such non-reimbursable expenses include, but are not limited to alcohol, laundry, valet, entertainment, room movie rental, pet accommodation (except service animals) and other items of similar nature.

Section 12.0 – Use of Privately-Owned Vehicles

Section 12.1 – General Requirements

~~The employee~~Travelers shall be reimbursed at the mileage rate established by the IRS. New rates typically are released annually January 1st.

- For a Traveler who is using their privately-owned vehicle and is seeking reimbursement for multiple meeting locations in one day, the employee shall provide beginning and ending odometer or map of locations visited with total miles driven.
- If travel reimbursement is requested from the work station, and ends at the workstation, all mileage shall be reimbursed.
- If travel begins outside of the County, or from the location of a non-County event, travel shall end at the ~~Elected-Official, employee or volunteer's~~Traveler's residence or official workstation.

Section 12.2 – Driver's License and Proof of Personal Insurance

~~Employees-Travelers~~ are required to have a valid Washington State driver's license and valid and current Proof of Personal Insurance in their possession while operating a privately-owned motor vehicle when conducting County business. The County recommends and encourages Travelers using their personally -owned vehicle for County business to be fully insured, i.e., Underinsured and Uninsured Motorist coverage. It is also recommended that Travelers advise their insurance carrier if they use their personally -owned vehicle for County business.

Damage that occurs ~~to a Traveler's~~Traveler's privately-owned vehicle while the privately-owned vehicle is being used for County business is the responsibility of the Traveler ~~and/or~~ their insurance carrier.

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Section 12.3 – Report of Accidents – Privately-Owned Vehicles

All traffic accidents, regardless of how slight, are to be reported by the employee within 24 (twenty- four) hours to the Departmental Director and proper law enforcement agency as required by law. Accidents involving personal injuries are to be reported by telephone and followed with a written report.

Section 12.4 – County Credit Cards – Personally-Owned Vehicle Fuel Purchase Prohibited

Purchase of fuel for a personally owned vehicle using a County Credit Card is prohibited.

Section 13.0 – Use of County-Owned Vehicles

Section 13.1 – General Requirements

The Departmental Director shall authorize the use of a County vehicle. County vehicles are to be used only on County business. Travelers who are authorized to take part in the County business that necessitated the use of the County vehicle, are allowed to accompany the employee in a County vehicle. Persons who are not Travelers may travel as passengers in County vehicles as long as they are directly engaged in activities which are associated with County business, and only as authorized by a Departmental Director.

Travelers shall adhere to careful driving practices and observe traffic laws and regulations at all times. Purchase of gas, oil and other items or emergency repairs to County vehicles are to be made in accordance with applicable regulations.

- Non-Accident Emergency During Normal Business Hours: Questions about the applicable regulations and County procedures for the purchase of gas, oil, other items or emergency repairs for any County vehicle should be directed to a Traveler's supervisor, if during working hours.
- Non-Accident Emergency After Normal Business Hours: If questions arise after normal business hours or on weekends the employee should contact JeffCom Dispatch for the number of the authorized "after hour" contact person.
- Accident Reports: Blank accident report forms are to be kept in the glove compartment of the County vehicle for the Traveler's use.

Section 13.2 – Driver's License

~~Operators~~ Travelers shall have a valid Washington State driver's license in their possession while operating a privately-owned vehicle or County vehicle. Travelers who operate County vehicles and who use privately-owned vehicles to conduct County business are recommended to complete a Defensive Driving course every three (3) years.

Commented [PA0221]: "Traveler" is the defined and correct term. Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

APPENDIX ‘E’ – Alcohol & Drug Free Workplace Policy

Section 1.0 – Policy Statement

The maintenance of an alcohol and drug free workplace is essential to employees’ safety and welfare. In recognition of this, the County supports the requirements of the State of Washington and the United States Drug Free Workplace Act of 1988.

In accordance with these guidelines:

1. Illegal use, possession, distribution or dispensing of alcoholic beverages during working hours is prohibited;
2. Being intoxicated during working hours is prohibited; and
3. Possession, distribution, dispensing, transfer or manufacture of illegal drugs is prohibited.

Prescription or non-prescription drugs are permitted in the workplace when taken in accordance with a lawful prescription or consistent with standard dosage recommendations.

Any employee reporting to work under the influence of drugs, alcohol or in an otherwise unfit condition, may be subject to suspension without pay, referral for testing, termination or other action as deemed appropriate by the employee’s Departmental Director.

Section 1.1 – County Responsibility

It is the responsibility of the County through management and supervisory personnel to fairly administer this Policy.

Section 1.2 – Employee Responsibility

It is the employee’s responsibility to ensure that they do not indulge in the illegal or inappropriate use of any substance that could affect their performance.

1.2.1 Use of Prescribed or “Over the Counter” Drugs: Any employee who uses a prescribed or over-the-counter drug that may cause adverse side effects (e.g., drowsiness or impaired reflexes or reaction time) shall inform their Departmental Director that they are taking such medication and of the possible effects of the drug on their performance and the expected duration of use. If the drug use could cause production or safety problems, the Departmental Director may grant the employee sick leave or temporarily assign the worker different duties.

1.2.2 Conviction for Violating a Drug Statute: Each employee has the responsibility to report to their Departmental Director the facts and circumstances leading up to a conviction for violating any criminal drug statute. Reporting must take place within 5 (five) days from the date of conviction.

Section 2.0 – Definitions

The following definitions shall be used for the purposes of this Policy.

Commercial Driver’s License (CDL): A specific type of driver’s license issued by the State of Washington in order to drive a commercial vehicle which is a vehicle with a gross vehicle weight over 26,000 pounds, or is designed to transport 16 or more persons (including the driver), or is used to transport hazardous materials.

County: Jefferson County, State of Washington.

Departmental Director: An Elected Official, manager or supervisor directly in charge of a specific department (e.g., the County Treasurer is the Departmental Director of the Treasurer’s Office; the Public Works Director is the Departmental Director of the Public Works Department).

Elected Official: A person elected to an office listed in [RCW 36.16.030](#) [RCW 36.16.030](#).

Employee: Any person employed or appointed by the County who is compensated by payment of wages where federal, state or local taxes are withheld. Independent contractors are not employees.

Employee Assistance Program (EAP): A benefit for full-time and part-time employees to help with work stress, relationship problems, anger management, coping with change, family [/](#) or parenting issues, anxiety or depression, alcohol or drug dependencies and grief or bereavement issues.

Policy: This Alcohol & Drug Free Workplace Policy.

Reasonable Suspicion: Includes, but is not limited to, physical signs of alcohol or drug use such as delayed motor skills, alcohol on the breath, etc.; performance issues, including but not limited to, frequently missed deadlines, frequent mistakes, decreased productivity, significant variations in productivity from day to day; inability to concentrate; frequent tardiness or absences for implausible reasons; long meal, coffee or bathroom breaks; disruptive behavior toward fellow employees; withdrawal from interaction with fellow employees; or, overreaction to constructive criticism.

Section 3.0 – Education and Training

The County shall afford employees an opportunity to deal with drug and alcohol related problems. The EAP provides information regarding the hazards of drug and alcohol abuse and the treatment of drug and alcohol related problems. Any employee may seek advice, information and assistance voluntarily. Medical confidentiality shall be maintained consistent with this Policy.

The County also provides periodic training on the effects of alcohol and drug abuse in the workplace. Part of the training involves becoming aware of the contents of this document and actively participating in training sessions.

Section 4.0 – Required Alcohol or Drug Testing

Section 4.1 – Employees Required to Have a Commercial Driver’s License (CDL)

Employees required by their job description to have a Commercial Driver’s License as part of their employment with the County are covered by Resolution No. 37-18 adopted August 13, 2018 for drug testing.

Section 4.2 – All Other Employees

Employees may be required to undergo substance abuse evaluation if there is reasonable suspicion (see definition), the employee may have a substance abuse problem or the employee is involved in an altercation, accident, near-miss accident or other incident.

Failure of the employee to report for a substance abuse evaluation is an act of insubordination and is subject to immediate disciplinary action. Based on the evidence produced from a substance abuse evaluation, the employee may be required, as a condition of continued employment, to participate in a comprehensive substance abuse treatment program. Regular satisfactory reports from the agency operating the comprehensive substance abuse treatment program shall be required as a condition of continued employment.

4.2.1 Upon Reasonable Suspicion Report to Departmental Director: If, there is reasonable suspicion that substance abuse is a factor in an employee’s performance; the matter shall be brought to the attention of the employee’s Departmental Director.

Commented [PA0222]: Space after RCW missing. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0223]: Slash (/) can be used to mean both “and” and “or.” The slash (/) has been replaced with an “and,” an “or,” or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

4.2.2 Investigation and Substance Abuse Evaluation.

The Departmental Director shall investigate the allegation of reasonable suspicion that substance abuse is a factor in an employee's performance and may require the employee to be evaluated for substance abuse by referring the individual to the EAP.

4.2.3 Altercations, Accidents and Other Incidents: When an altercation, accident, near-miss accident or other incident occurs, the Departmental Director may direct an employee involved to a designated medical facility for a chemical dependency evaluation as part of the investigation of the incident.

Failure to report an injury in the workplace may result in disciplinary action.

Section 5.0 – Alcohol or Drug Conviction

An employee convicted of an alcohol or drug related offense ~~might~~ may be required, as a condition of continued employment, to satisfactorily participate in a substance abuse assistance, rehabilitation or education program.

If participation in a substance abuse assistance, rehabilitation or education program is a requirement of continued employment, satisfactory reports from the agency must be received on a regular basis.

Section 6.0 – Confidentiality

The confidentiality of all complaints and reported violations of the provisions of this Policy ~~will~~ shall be strictly maintained, except as required by public disclosure laws, labor and employment laws, court order or as required in ordinary personnel actions.

Commented [PA0224]: "May" is defined in JCC [01.01.040\(h\)](#). "May" means permissive. "May" should be used instead of "might." This satisfies the requirement for regulatory reform in Resolution No. [17-19](#), where county legislation is expected to be consistent with other county legislation.

Commented [PA0225]: "Shall" is defined in JCC [01.01.040\(h\)](#). "Shall" means mandatory. "Shall" should be instead of "cannot," "must" or "will." This satisfies the requirement for regulatory reform in Resolution No. [17-19](#), where county legislation is expected to be consistent with other county legislation.

APPENDIX 'F' – Anti-Harassment Policy

Section 1.0 – Policy

It is the policy of the County to provide a work environment for all of its Elected Officials, employees, volunteers and customers that is reasonably harmonious and free from intimidation. To this end, the County will not tolerate any form of unlawful discrimination, unlawful harassment or other inappropriate conduct as defined in this Policy. Through enforcement of this Policy and by education of its Elected Officials, employees and volunteers, the County will-shall seek to prevent and respond with corrective-disciplinary action to behavior that violates this Policy.

All Elected Officials, employees and volunteers, regardless of their position, are covered by and expected to comply with this Policy, and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will-shall be taken against any employee who violates this Policy. Based upon the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension or termination of employment.

The County cannot assure employees and volunteers that they will like their supervisors or fellow employees and volunteers. This Policy only addresses unlawful conduct.

Section 2.0 – Definitions

The definitions in RCW 49.60.040 are incorporated by reference into this Policy. The following additional definitions shall be used for the purposes of this Policy.

Complainant: A person bringing a complaint under this Policy.

County: Jefferson County, State of Washington.

County Administrator: A position appointed by the Board of County Commissioners to handle County administration.

County Equal Opportunity Board (CEOB): A Board composed of three (3) County management personnel appointed as needed by the County Administrator.

Departmental Director: An Elected Official, manager or supervisor directly in charge of a specific department (e.g., the County Treasurer is the Departmental Director of the Treasurer's Office; the Public Works Director is the Departmental Director of the Public Works Department).

Elected Official: A person elected to an office listed in RCW36.16.030RCW 36.16.030.

Employee: Any person employed or appointed by the County who is compensated by payment of wages where federal, state or local taxes are withheld. Independent contractors are not employees.

Employee Assistance Program (EAP): A County funded benefit for full-time and part-time employees to help with work stress, relationship problems, anger management, coping with change, family or parenting issues, anxiety or depression, alcohol or drug dependencies and grief or bereavement issues.

Human Resources Director (HRD): A position appointed or designated by the Board of County Commissioners or by the Board's designee to handle personnel, staffing and other related matters.

Personnel File: Refers to both the employee's employment personnel file and the employee's departmental personnel file.

Respondent: The individual named in a complaint allegedly causing harm.

Adopted: March 17, 2025

Commented [PAO226]: "Shall" is defined in JCC 01.01.040(h). "Shall" means mandatory. "Shall" should be instead of "cannot," "must" or "will." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Commented [PAO227]: Appendix C - Employee Standards of conduct mostly uses "disciplinary action." This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO228]: "Shall" is defined in JCC 01.01.040(h). "Shall" means mandatory. "Shall" should be instead of "cannot," "must" or "will." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Commented [PAO229]: Missing word. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO230]: Space after RCW missing. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO231]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 3.0 – Prohibited or Discouraged Conduct Under This Policy

Section 3.1 – Discrimination

It is a violation of this Policy to unlawfully discriminate in the provision of employment opportunities, benefits or privileges, to create unlawful working conditions, or to use unlawful discriminatory evaluative standards in employment if the discriminatory treatment is based in whole or in part on the person's status in a protected class, including, but not limited to race, creed, religion, color, national origin, sex, age, sexual orientation, marital status, political affiliation, citizenship or immigration status, honorably terminated veteran or military status or the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a person with a disability is recognized as and declared to be a civil right.

This policy is intended to comply with all prohibitions stated in federal, state or local anti-discrimination laws. However, if any inconsistency exists, federal, state or local anti-discrimination laws control.

Employee conduct in violation of this Policy may be subject to severe disciplinary actions up to and including termination.

Section 3.2 – Unlawful Harassment - Prohibited

Unlawful harassment, including unlawful sexual harassment, is prohibited by this Policy, federal and state laws. Unlawful harassment is the use of words or physical conduct designed to unlawfully threaten, intimidate or coerce; unlawful verbal taunting (including racial and ethnic slurs) that, for a reasonable person, impair their ability to perform their job. Examples of unlawful harassment are:

Use of Words: Unlawful comments that ridicule, denigrate, insult, belittle or show hostility or aversion toward a person or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, marital or other protected status; or, Unlawful contemptuous words or phrases used to describe a person; slurs; negative stereotyping and relating to a person's status in a protected class.

Physical Conduct: Unlawful distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility or aversion toward a person or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, marital or other protected status.

This Policy prohibits unlawful harassment of any kind, and the County will take swift appropriate action to address any violations of this Policy.

Section 3.3 – Unlawful Sexual Harassment - Prohibited

Unlawful sexual harassment in any form is prohibited under this Policy, and federal and state laws. Unlawful Sexual Harassment is a form of discrimination and is unlawful under Title VII of the Civil Rights Act of 1964.

Unlawful sexual harassment "includes unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct is used as the basis for employment decisions or such conduct has the purpose or effect of creating an unlawfully intimidating, hostile or offensive working environment." Unlawful sexual harassment also includes unsolicited and unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature, when such conduct:

1. Is made explicitly or implicitly a term or condition of employment;
2. Is used as a basis for an employment decision; or,

3. Unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Unlawful sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. Unlawful sexual harassment is behavior that is unwelcome, that is personally offensive, and that lowers morale and therefore interferes with work effectiveness. Unlawful sexual harassment may take different forms. Examples of conduct that may constitute unlawful sexual harassment are:

Use of Words: Sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); verbal abuse or "kidding" which is oriented toward a prohibitive form of harassment, including that which is sexually oriented and considered unwelcome.

Distribution, Display or Discussion of Written or Graphic Material: The distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward a person or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles or e-mail that is sexual in nature.

Physical: Unwelcome, unwanted physical contact, including but not limited to touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling; forced sexual intercourse or assault.

Normal, courteous, mutually respectful, pleasant, non-coercive interactions between employees, that are acceptable to and welcomed by both persons, are not considered harassment, including sexual harassment.

3.3.1 Quid Pro Quo Harassment Prohibited

Quid pro quo sexual harassment is where submission to harassment is used as the basis for employment decisions. Employment decisions in quid pro quo harassment, include but are not limited to raises, promotions, better working hours, which are directly linked to compliance with sexual advances. Therefore, only someone in a supervisory capacity (with the authority to grant such benefits) can engage in quid pro quo sexual harassment.

Examples: A supervisor promising an employee a raise if she goes on a date with him; A manager telling an employee she will fire him if he does not have sex with her.

3.3.2 Hostile Work Environment Sexual Harassment Prohibited

Hostile work environment sexual harassment is where the harassment creates an offensive and unpleasant working environment. Hostile work environment sexual harassment can be created by anyone in the work environment, whether it be supervisors, other employees, volunteers, independent contractors or customers. Hostile work environment sexual harassment consists of the use of words of a sexual nature, unwelcome sexual materials or even unwelcome physical contact as a regular part of the work environment. Cartoons or posters of a sexual nature, vulgar or lewd comments or jokes or unwanted touching or fondling all fall into this category.

While any number of behaviors might create a hostile work environment, any conduct or actions that create an environment in which an employee dreads going to work is generally seen to create such a setting. While a supervisor might not be the original sources of a hostile work environment, supervisors are required to stop any hostile work environment sexual harassment.

Section 3.4 – Inappropriate Conduct

Inappropriate conduct is conduct that, while not rising to the level of unlawful discrimination or harassment, communicates a hostile, derogatory or negative message about persons based on protected status. Inappropriate conduct can be either verbal or nonverbal and includes slights, insults and other conduct that a reasonable person would find offensive. Such conduct is prohibited by this Policy.

Section 3.5 – Consensual Sexual Relationships

The County strongly discourages romantic or sexual relationships between management or other supervisory employees and a member of their staff because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions affecting the staff employee. Moreover, given the uneven balance of power within such relationships, consent by the staff member is suspect and may be viewed by others or later by the staff member themselves as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation, coercion or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy work environment. If there is such a relationship, the employees need to be aware that one or both employees may be moved to a different department, or other actions may be taken.

- 3.5.1 Burden of Proof: As in all cases, the burden of proving sexual harassment rests with the accuser. But when charges of harassment are brought by the subordinate employee during or subsequent to such a relationship, and the supervisor claims that the relationship was consented to by the employee, the burden will be on the supervisor to prove that the relationship was consensual and voluntary.
- 3.5.2 Relationships between Staff: If any employee enters into a consensual relationship that is romantic or sexual in nature with a member of their staff, or if one of the employees is in a supervisory capacity in the same department in which the other employee works, the employees must notify the HRD. Although the employees may feel that what they do during non-working hours is their business and not the business of the County, the potential issues regarding “quid pro quo” harassment necessitates this to be a mandatory requirement. This requirement does not apply to employees who do not work in the same department, or to employees who do not supervise or otherwise manage responsibilities over the other.

Once the relationship is made known to the HRD, the HRD will review the situation in light of all the facts (the reporting relationship between the employees, effect on co-workers, job titles of the employees, etc.) and will-shall determine whether one or both employees need to be moved to another job or department. If it is determined that one employee must be moved, and there are jobs in other departments available for both, the employees may decide who will be the one to apply for a new position. If the employees cannot amicably come to a decision, or the employee is not chosen for the position to which he or she applied, the employees will contact the HRD, who will-shall decide which employee should be moved. That decision will be based on which move will be least disruptive to the organization as a whole.

If it is determined that one or both employees must be moved, but no other jobs are available for either employee, the employees will be given the option of terminating their relationship or resigning.

Section 4.0 – Retaliation Prohibited

No hardship, no loss of benefit and no penalty may be imposed on an employee as punishment for:

1. Filing or responding to a bona fide complaint of discrimination or harassment;
2. Appearing as a witness in the investigation of a complaint; or,
3. Serving as an investigator.

Commented [PA0232]: “Shall” is defined in JCC 01.01.040(h). “Shall” means mandatory. “Shall” should be instead of “cannot,” “must” or “will.” This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Commented [PA0233]: “Shall” is defined in JCC 01.01.040(h). “Shall” means mandatory. “Shall” should be instead of “cannot,” “must” or “will.” This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Retaliation or attempted retaliation is a violation of this Policy and anyone who does so shall be subject to severe sanctions up to and including termination.

Section 5.0 – The Complaint Process

Any person electing to utilize this complaint procedure ~~will shall~~ be treated courteously, the problem handled as swiftly and as confidentially as feasible in light of the need to take appropriate ~~corrective disciplinary~~ action. The registering of a complaint ~~will shall~~ not be used against the employee, nor ~~will shall~~ it have an adverse impact on the individual's employment status. While reporting such incidents may be a difficult personal experience, allowing harassment activities ~~to continue~~ likely will ~~most certainly~~ lead to less desirable outcomes. For that reason, employees are strongly urged to utilize this procedure. However, filing groundless and malicious complaints is an abuse of this Policy, is prohibited, and may result in disciplinary action up to and including immediate termination.

Section 5.1 – Responsibilities

5.1.1 Employees

All employees share the responsibility of understanding and preventing unlawful discrimination and unlawful harassment. Ultimately, no satisfactory investigation or resolution of complaints can occur without the initiative and continued cooperation of the injured person. An employee who believes they have been discriminated against or harassed must inform their Departmental Director or the HRD of the act of discrimination, harassment or retaliation, recounting specific actions or occurrences whenever possible. If an employee is not sure an act or use of words violates this Policy, the act must none-the-less be reported.

5.1.2 Departmental Directors

Departmental Directors have the special responsibility to act promptly to eliminate any unlawful discrimination or unlawful harassment that may exist in their departments. If a Departmental Director knows that discrimination, harassment or retaliation is occurring or receives information that ~~unlawful~~ discrimination, harassment or retaliation might be occurring, they must take immediate action. Such action should include, but is not limited to, making an immediate report to the HRD and, if requested, speaking directly with the injured person, developing a specific account of the actions, omissions or occurrences that are alleged to be discriminatory, consulting with the HRD, and taking corrective or disciplinary action.

If the alleged ~~unlawful~~ discrimination, harassment or retaliation is not within their department, the Departmental Director must notify the HRD who must then take prompt steps to address the allegation.

5.1.3 Human Resources Director

The Human Resources Director has the primary responsibility of implementing and administering this Policy. In particular, the HRD shall respond to inquiries and complaints from management and employees regarding ~~unlawful~~ discrimination, sexual harassment, ~~other harassment~~ or retaliation; maintain records of these inquiries and complaints as well as their resolution; and keep the County Administrator and the Board of County Commissioners advised of them. The HRD and other designated staff also shall provide information and education to the employees and management on recognizing, understanding and combating unlawful discrimination and harassment.

Commented [PA0234]: "Shall" is defined in JCC 01.01.040(h). "Shall" means mandatory. "Shall" should be instead of "cannot," "must" or "will." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Commented [PA0235]: Appendix C - Employee Standards of conduct mostly uses "disciplinary action." This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0236]: "Shall" is defined in JCC 01.01.040(h). "Shall" means mandatory. "Shall" should be instead of "cannot," "must" or "will." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Commented [PA0237]: "Shall" is defined in JCC 01.01.040(h). "Shall" means mandatory. "Shall" should be instead of "cannot," "must" or "will." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Commented [PA0238]: Revised for clarity. This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0239]: Revised for consistency. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0240]: Revised for consistency. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0241]: Revised for consistency. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0242]: Deleted to eliminate confusion and difficulty in enforcement. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 5.2 – Supervisors Who Violate this Policy Are Subject to Disciplinary Action

Any employee with supervisory or hiring responsibilities who is found to have engaged in conduct prohibited under this Policy is subject to disciplinary action, including removal from their supervisory or hiring responsibilities.

Section 5.3 – Reporting Harassment by a Person Who is Not a County Employee

The County's ability to apply corrective-disciplinary action to a non-employee violation of this Policy (e.g., vendor, independent contractor, volunteer, or member of the public) may be limited by the degree of control, if any, that the County has over the alleged violator of this Policy. Nevertheless, any employee who, during the course of their employment, alleges unlawful discrimination, harassment or inappropriate behavior on the part of an outside source may use the same reporting process.

Commented [PA0243]: Appendix C - Employee Standards of conduct mostly uses "disciplinary action." This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0244]: Revised for consistency. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 5.4 – Confidentiality Before Filing a Complaint

It is the goal of the County to create a safe environment in which individuals are not afraid to discuss concerns and complaints, or to seek general information about unlawful discrimination, harassment and retaliation. The County recognizes that individuals may be concerned about the confidentiality of information they share and will strive to preserve confidentiality to the fullest extent possible.

Commented [PA0245]: Revised for consistency. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

5.4.1 **Contact the EAP:** The EAP provides confidential counseling services to employees. Individuals wishing to discuss an incident of possible unlawful discrimination, harassment or retaliation confidentially, or persons seeking information and advice without committing to future action are encouraged to contact the EAP. The role of the EAP in such cases shall be limited to personal counseling and treatment of the person who is then a client.

Commented [PA0246]: Revised for consistency. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

5.4.2 **General Information:** Discussions for the purpose of obtaining general information or advice from responsible administrators or managers (such as the HRD or legal counsel) may remain confidential. No action shall be taken when individuals wish only to make an inquiry as long as they do not disclose any identifying information about themselves or the person accused (e.g., names, department, position).

5.4.3 **No Guarantee of Confidentiality:** The anonymity described above cannot always be maintained if the individual wishes to have the County take some corrective or disciplinary action in a particular case. Moreover, the County may be legally obligated to act once an incident of unlawful discrimination, harassment or retaliation has been reported. Confidentiality cannot be guaranteed in such a case.

Commented [PA0247]: Revised for consistency. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 5.5 – Confidentiality During the Complaint Process

Once a person discloses identifying information and such information is sufficiently complete and specific to state a claim of unlawful discrimination, harassment or retaliation, they will be considered to have filed a complaint with the County.

Commented [PA0248]: Revised for consistency. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

5.5.1 Prompt Responsive Action

The County shall take prompt responsive action upon receipt of a complaint, unless the complainant expressly requests that no action be taken and the County determines in the exercise of its sole discretion, that this Policy or applicable laws do not mandate action.

5.5.2 No Guarantee of Confidentiality

While the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the complaining person for confidentiality cannot be guaranteed in every instance, they will be protected to as great a degree as is reasonably possible. The expressed wishes of the complainant for confidentiality will be considered in the context of the County's legal obligation to act upon the charge and the right of the respondent to obtain information. In most cases, however, confidentiality will be maintained by the County and those involved in the investigation.

5.5.3 Investigation Documents Confidential During Investigation

During the investigation, any notes or documents written by or received by the person(s) conducting the investigation shall be kept confidential to the extent possible under any existing state or federal law.

Section 5.6 – Complaint Procedure

The following complaint procedure shall be followed in order to address a complaint regarding unlawful harassment, discrimination, harassment or retaliation:

5.6.1 Tell the Person Doing the Harassment to Stop Immediately

The person experiencing the unlawful discrimination, harassment or retaliation, whenever possible should clearly inform the respondent that their behavior is inappropriate, offensive, unwelcome and should immediately cease.

5.6.2 What to Do If You Are a Target of Unlawful Sexual Harassment

What a person should do if they are a target of unlawful sexual harassment:

1. If you are the recipient of any unwelcome gesture or remark of a sexual nature, do not remain silent;
2. Make it clear to the respondent that you find such conduct offensive and unwelcome;
3. State clearly that you want the offensive conduct to stop at once;
4. The supervisor or manager cannot solve the problem if he or she is not aware of it. Even if you find it uncomfortable to confront the respondent, consider going to your supervisor or manager;
5. You may also go to the supervisor or manager of the respondent, if you find it uncomfortable to confront the respondent in the offensive conduct;
6. If the conduct does not stop after you speak with the alleged harasser or after you have gone to the alleged harasser's supervisor or manager, you should then notify your supervisor or manager;
7. Review the complaint procedure set forth in this document. If you decide to file a complaint, please contact the HRD and fill out the complaint form available in P:\Public\Forms\Personnel Forms\ or from the HRD); and,
8. You may wish to keep a written log of all incidents of harassment, noting the date and time, place and persons involved and any witnesses to the event. However, you should never let the conduct persist.

5.6.3 Initiate the Complaint Process

Any person who believes they are a target of unlawful harassment, discrimination, harassment or retaliation (the complainant) may initiate the complaint process by reporting the incident to the first non-involved Departmental Director within their department or by filing a written and signed complaint with the HRD. The complaint must include the nature of the unlawful discrimination, harassment or retaliation, the date(s) of the occurrence(s), the individuals involved and the names of any witnesses.

When a Departmental Director is a subject of the complaint, the employee may inform the Clerk of the Board, the HRD or the County Administrator.

If a Departmental Director becomes aware that unlawful harassment or discrimination, harassment or retaliation is occurring, either from personal observation or as a result of an employee coming forward, the Departmental Director shall immediately report it to the HRD.

5.6.4 HRD Gives Notice to the Board of County Commissioners or Designee

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Commented [PAO255]: Revised for consistency, where alphabetical order is used consistently. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO256]: Revised for consistency. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO257]: Revised for consistency, where alphabetical order is used consistently. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Upon receiving a complaint, or being advised by a Departmental Director that a violation of this Policy may be occurring, the HRD shall notify the Board of County Commissioners or designee and review the complaint with the Prosecuting Attorney's office or outside legal counsel appointed by the Washington Counties Risk Pool.

5.6.5 Other Duties of the HRD Within 10 Business Days

Within 10 (ten) business days of receiving the complaint, the HRD shall:

1. Inform the respondent of the complaint;
2. Initiate the investigation to determine whether there is a reasonable basis for believing that the alleged violation of this Policy occurred; and,
3. Select an investigator capable of objective evaluation of the facts and the persons involved, and who is perceived by the individuals involved as someone who is fair and objective.

5.6.6 Duties of the Investigator

During the investigation, the investigator shall interview the complainant, the respondent and any witnesses to determine what conduct occurred.

5.6.7 HRD's Progress Report

Within 15 (fifteen) business days of the complaint being filed (or the matter being referred to the HRD), the HRD shall provide a general progress report to the complainant with an estimate of the completion date. As promptly as a thorough investigation allows, the investigator shall conclude the investigation and submit a report of their findings to the HRD, or the Board of County Commissioners, or designee the Prosecuting Attorney's Office or outside legal counsel.

5.6.8 HRD's Recommendation of Appropriate Action

If it is determined that unlawful conduct in violation of the County's policy has occurred, the HRD shall recommend that appropriate action be taken by the County. The appropriate action will depend on the following factors:

1. The severity, frequency and pervasiveness of the conduct;
2. Prior complaints made by the complainant;
3. Prior complaints made against the respondent; and,
4. The quality of the evidence (first-hand knowledge, credible corroboration etc.).

5.6.9 Inconclusive Results of Investigation

If the investigation is inconclusive or it is determined that there has been no unlawful conduct in violation of this Policy, but some potentially problematic conduct is revealed, appropriate action may be taken.

5.6.10 HRD's Duties After the Investigation is Complete

Within five (5) business days or as promptly as circumstances allow after the investigation is concluded, the Departmental Director or the HRD shall meet with the complainant and the respondent separately, in order to notify them in person of the findings of the investigation and to inform them of the action being recommended.

5.6.11 Complainant May Challenge the Findings of the Investigation

The complainant and the respondent may submit statements to the Departmental Director or HRD challenging the findings. Any such statement must be submitted no later than five (5) business days after the meeting described in Section 5.6.10.

5.6.12 Review of the Decision with the Department Director

The Department Director shall review the original decision with the HRD. The HRD shall render a written decision as promptly as circumstances allow from the date the statements referenced in Section 5.6.11 were submitted. Written copies of the decision are provided to the complainant, the respondent and the Clerk of the Board.

5.6.13 Appeal Rights

Commented [PAO258]: Revise to account for the possibility of reporting to the PAO, instead of a "designee" of the BoCC. This change should improve the ability to enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Either the complainant or the respondent may make written appeal within five (5) business days from the date the parties were provided the copies of the first appeal decision to the County Equal Opportunity Board (CEOB).

5.6.14 CEOB Review

Within 10 (ten) business days from the date the CEOB receives the appeal, the CEOB shall review the investigative report and any statements submitted by the complainant or respondent, discuss results of the investigation with the HRD and other management staff as may be appropriate, and decide what action, if any, will be taken. The HRD shall report the CEOB's decision to the complainant, the respondent and the Departmental Director. The CEOB's decision shall be in writing and shall include a finding of fact and a statement for or against disciplinary action. If disciplinary action is to be recommended, the type of action shall be stated.

Section 5.7 – Alternative Legal Remedies

Nothing in this Policy shall prevent the complainant or the respondent from pursuing formal legal remedies or resolution through state or federal agencies or the courts.

APPENDIX 'G' – Violence in the Workplace Policy

Section 1.0 – Policy Statement

The County policy is to provide a safe workplace for all employees. The County does not tolerate any type of workplace violence committed by or against contractors, customers, Elected Officials, employees, members of the public or volunteers. Elected Officials, employees and volunteers are prohibited from making threats or engaging in violent activities.

In effort to ensure the safety of all Elected Officials, employees and volunteers, it is a County objective to create and maintain a safe workplace.

Prohibited workplace violence is not limited to homicides or physical assaults. All behavior that is prohibited by the laws of the United States, Washington State, or applicable county or municipal codes is prohibited on County facilities. The following list is a non-inclusive list of prohibited behaviors:

1. Causing physical injury to another person;
2. Making threatening remarks;
3. Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
4. Intentionally damaging employer property or property of another employee; or,
5. Committing acts motivated by, or related to, any type of harassment described in Appendix F of this Manual.

Any Elected Official, employee, or volunteer determined to be in violation of this Policy will be subject to appropriate disciplinary action up to and including immediate termination.

Section 2.0 – Definitions

The following definitions shall be used for the purposes of these policies and procedures.

Departmental Director: An Elected Official, manager or supervisor directly in charge of a specific department (e.g., the County Treasurer is the Departmental Director of the Treasurer's Office; the Public Works Director is the Departmental Director of the Public Works Department.)

Elected Official: A person elected to an office listed in [RCW 36.16.030](#) [RCW 36.16.030](#).

Employee: Any person employed or appointed by the County who is compensated by payment of wages where federal, state, or local taxes are withheld. Independent contractors are not employees.

Employee Assistance Program (EAP): A benefit for full-time and part-time employees to help with work stress, relationship problems, anger management, coping with change, family or parenting issues, anxiety or depression, alcohol or drug dependencies and grief or bereavement issues.

Human Resources Director (HRD): A position appointed or designated by the Board of County Commissioners or by the Board's designee to handle personnel, staffing and other related matters.

Personnel File: Refers to both the employee's employment personnel file and the employee's departmental personnel file.

Section 3.0 – Reporting Procedures

Any potentially dangerous situations must be reported immediately to the Departmental Director or the HRD. All reports shall be investigated. Reports or incidents warranting confidentiality shall be handled

Commented [PAO259]: Revised to include contractors, customers and members of the public. This change should improve the ability to enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

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Commented [PAO261]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PAO262]: Grammar correction. This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

appropriately and information shall be disclosed to others only on a need-to-know basis. All persons involved in a situation shall be counseled and the results of investigations shall be discussed with them.

Elected Officials, employees and volunteers shall report all incidents of violence even if there were no injuries. The HRD uses this information in determining if all preventative measures are being taken and where any improvements need to be made.

Section 4.0 – Risk Reduction Measures

Section 4.1 – Hiring

Pre-employment background investigations and any other available measures shall be taken to reduce the risk of hiring individuals with a history of violent behavior.

Section 4.2 – Safety Inspections

The County conducts periodic inspections of its facilities to evaluate and determine any vulnerability to workplace violence or hazards. Any necessary corrective-disciplinary action shall be taken to reduce all risks.

Section 4.3 – Individual Situations

While not all Elected Officials, employees and volunteers are skilled at identifying potentially dangerous situations, the County does expect them to exercise good judgment and to inform the Departmental Director if any employee exhibits behavior that could be a sign of a potentially dangerous situation. Such behavior can may include:

1. Inordinate discussion of using weapons in a violent or threatening manner;
2. Preoccupation with scenarios of weapons or violence;
3. Displaying overt signs of extreme stress, resentment, hostility or anger;
4. Making threatening remarks;
5. Sudden or significant deterioration of performance; or,
6. Displaying irrational or inappropriate behavior.

Section 4.4 – Employees at Risk

Because of the nature of their jobs, certain Elected Officials, employees or volunteers may be more at risk for becoming victims of violence. Specific training shall be conducted for those individuals or departments.

Section 5.0 – Dangerous or Emergency Situations

An Elected Official, employee, or volunteer who is confronted by or encounters an armed or dangerous person should not attempt to challenge or disarm the individual. Following are standard strategies for coping with violent persons:

1. Give the potentially violent person enough physical space;
2. Avoid glaring or staring, which may be seen as a challenge;
3. Speak softly;
4. Listen carefully; don't be judgmental;
5. Observe the individual's body language;
6. Avoid touching a potentially violent person;
7. Have a code or signal that informs others of potential violence; and,
8. Mentally design a safety plan.

If able to use the panic button or emergency intercom system without endangering safety of yourself or the safety of others, then do so immediately. Otherwise, cooperate and follow the instructions given. If safe to do so, call 911.

Commented [PA0263]: Appendix C - Employee Standards of conduct mostly uses "disciplinary action." This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0264]: "May" is defined in JCC 01.01.040(h). "May" means permissive. "May" should be used instead of "can." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Section 6.0 – Enforcement

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. All illegal activities on County property or against Elected Official, employees, or volunteers will be prosecuted to the full extent of the law. Any employee determined to have committed such acts ~~will~~ shall be subject to disciplinary action, up to and including termination. For non-employees, the County shall follow Chapter 8.85 JCC (Code of Conduct and Trespass from County Facilities). Non-employees engaged in violent acts on County property will be reported to the proper authorities and prosecuted to the full extent of the law.

Commented [PA0265]: “Shall” is defined in JCC 01.01.040(h). “Shall” means mandatory. “Shall” should be instead of “cannot,” “must” or “will.” This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Section 7.0 – Counseling

The EAP is a vital source of counseling for individuals who have been the victims of or have witnessed violence. The County will provide opportunities for post-trauma counseling. The County may also use the EAP to assist in counseling employees who may be vulnerable to committing violent acts.

APPENDIX 'H' – Whistle Blower Protection Policy

Section 1.0 – Policy Statement

It is the policy of the County that employees should be encouraged to disclose, to the extent not expressly prohibited by law, improper governmental actions of Elected Officials, and employees or volunteers. The purpose of this Policy is to meet the requirements of RCW 42.41.030(2) and protect complainants employees who make good-faith reports to appropriate governmental bodies and to provide remedies for such individuals who are subjected to retaliation for having made such reports.

Commented [PA0266]: Revised to include volunteers. This change broadens the list and should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 2.0 – Definitions

The following definitions shall be used for the purposes of this Policy.

Appropriate Persons: The persons within the County to whom to report improper governmental actions, as required by RCW 42.42.030(3).

Complainant: A person bringing a complaint under this Policy.

County: Jefferson County, Washington.

County Administrator: A position appointed by the Board of County Commissioners to handle County administration.

Departmental Director: An Elected Official, manager or supervisor directly in charge of a specific department (e.g., the elected County Treasurer is the Departmental Director of the Treasurer's Office; the Public Works Director is the appointed Departmental Director of the Public Works Department).

Elected Official: A person elected to an office listed in RCW 36.16.030 RCW 36.16.030.

Commented [PA0267]: Space after RCW missing. This change should improve the ability to understand, comply with, and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Employee: Any person employed or appointed by the County who is compensated by payment of wages where federal, state, or local taxes are withheld. Independent contractors are not employees.

Emergency: Emergency as used in this Policy has the same meaning as in RCW 42.41.020(4). On the date of the adoption of this Policy, the definition of emergency in RCW 42.41.020(4) was: "'Emergency' means a circumstance that if not immediately changed may cause damage to persons or property."

Human Resources Director (HRD): A position appointed or designated by the Board of County Commissioners or by the Board's designee to handle personnel, staffing and other related matters.

Improper Governmental Action: Improper governmental action has the same meaning as in RCW 42.41.020(1). On the date of the adoption of this Policy, the definition of improper governmental action in RCW 42.41.020(1) was:

- (a) "Improper governmental action" means any action by a local government officer or employee:
 - (i) 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,
 - (ii) That is in violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety, or is a gross waste of public funds.
- (b) "Improper governmental action" does not include personnel actions including but not limited to employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions

in pay, dismissals, suspensions, demotions, violations of the local government collective bargaining and civil service laws, alleged labor agreement violations, reprimands, or any action that may be taken under Chapters 41.08, 41.12, 41.14, 41.56, 41.59, or 53.18 RCW, or RCW 54.04.170 and RCW 54.04.180.

Policy: This Whistle Blower Protection Policy.

Prosecuting Attorney: The County Prosecuting Attorney.

RCW: The Revised Code of Washington as it now exists or may be amended in the future.

Respondent: A person named in a complaint about improper governmental action.

Retaliatory Action: Retaliatory action as used in this Policy has the same meaning as in RCW 42.41.020(3). On the date of the adoption of this Policy, the definition of retaliatory action in RCW 42.41.020(3) was:

“Retaliatory action” means: (a) Any adverse change in a local government employee’s employment status, or the terms and conditions of employment including denial of adequate staff to perform duties, frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unwarranted and unsubstantiated letters of reprimand or unsatisfactory performance evaluations, demotion, transfer, reassignment, reduction in pay, denial of promotion, suspension, dismissal, or any other disciplinary action; or (b) hostile actions by another employee towards a local government employee that were encouraged by a supervisor or senior manager or official.

Section 3.0 – Right to Report Improper Governmental Action - Policies and Procedures

Section 3.1 – Right to Report Improper Governmental Action

Every complainant/employee has the right to report to the Appropriate Persons information concerning an alleged improper governmental action.

Section 3.2 – Posting and Providing Employees a Summary of this Policy

The County shall permanently post a summary of the procedures for reporting information on an alleged improper governmental action and the procedures for protection against retaliatory actions described in this Policy in a place where all complainants/employees will have reasonable access to it. A copy of the summary shall be made available to any complainant/employee upon request.

Section 3.3 – Written Complaint Requirement

Except in the case of an emergency, before a complainant provides information of an improper governmental action to a person or an entity who is not a County officer/Officer or an Appropriate Person, the complainant shall submit a written complaint pursuant to Section 4 of this Policy.

Section 3.4 – Good Faith Attempt to Follow this Policy Required to Receive Protections

A complainant who fails to make a good faith attempt to follow this Policy shall not receive the protections of this Policy or of Chapter 42.41. RCW.

Section 3.5 – Confidentiality of the Identity of the Complainant

The identity of a complainant shall be kept confidential to the extent possible under the law, unless the complainant authorizes the disclosure of their identity in writing.

Section 4.0 – Filing a Complaint

Section 4.1 – Union Representation

If a complainant is part of a union-collective bargaining unit, they may seek representation through their union. The union will-shall follow reporting procedures according to the collective bargaining agreement

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with the County, or in the absence of ~~Whistle-Blower~~whistleblower protection procedures within the collective bargaining agreement, the procedures in this Policy.

Section 4.2 – Requirements for a Complaint

The complaint about alleged improper government action must be made in writing and must include the specific relief requested within thirty (30) days after the alleged improper government action occurred.

Section 4.3 – Where to File the Complaint

4.3.1 Any ~~employee-complainant~~ reporting alleged improper government action on the part of any ~~Elected Officials, employees or volunteers~~other employee shall submit the written complaint to their Departmental Director or the Prosecuting Attorney, except as provided in Sections 4.3.2, 4.3.3, 4.3.4, or 4.3.5.

4.3.2 Any ~~employee-complainant~~ reporting alleged improper government action on the part of ~~the employee's~~a complainant's Departmental Director, then the complaint shall submit the written complaint to the County Administrator, the HRD or the Prosecuting Attorney.

4.3.3 Any ~~employee-complainant~~ reporting alleged improper government action on the part of County Administrator or the HRD, shall submit the written complaint to the Chair of the Board of County Commissioners or the Prosecuting Attorney.

4.3.4 Any ~~employee-complainant~~ reporting alleged improper government action on the part of the Chair of the Board of County Commissioners shall submit the written complaint to any other Commissioner or the Prosecuting Attorney.

4.3.5 Any ~~employee-complainant~~ reporting alleged improper government action on the part of a County Commissioner acting with the County Prosecuting Attorney, shall submit the written complaint to the County Administrator or the HRD.

Section 4.4 – Forwarding the Complaint to the HRD

Unless the complaint is about the HRD, all complaints shall be forwarded to the HRD. If a complaint is about the HRD, the complaint shall be forwarded to the Prosecuting Attorney.

Section 5.0 – County's Response to a Complaint

Section 5.1 – The HRD Coordinates the County's Response and Any Investigation

Unless the complaint is about the HRD, the HRD shall coordinate the County's response and any investigation conducted. If a complaint is about the HRD, the Prosecuting Attorney shall coordinate the County's response and any investigation. The person coordinating the County's response shall determine whether any investigation is required.

Section 5.2 – Investigation

5.2.1 Investigations shall be conducted by persons who are not responsible for law enforcement or criminal prosecution within the County organizational structure and who are familiar with proper investigation procedures.

5.2.2 In order to maintain the integrity of any investigations into the suspected conduct, no reports are to be made to any person except as provided above. Failure to protect the integrity of a future investigation shall result in ~~corrective-disciplinary~~ action for failure to follow proper procedures as outlined in this Policy.

5.2.3 Investigations shall be conducted promptly and documented. The investigator should be capable of objectively evaluating the facts and the persons involved. The complainant shall be informed of the results of the investigation and any proposed action.

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Commented [PA0276]: Revised to include Elected Officials and volunteers. Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0277]: Revised to use the defined term "complainant." Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

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5.2.4 The complainant shall be informed of the County's response to the complaint and any proposed action.

Section 5.3 – Deadline for the County's Response to the Complaint

The County must respond to the complaint within a reasonable time, considering all the circumstances, including but not limited to, the complexity of the issues raised in the complaint, the number of potential witnesses involved and the need for coordination with the County's risk pool or insurer.

Section 6.0 – Rights of Complainant Who Claims Retaliatory Action Occurred

A complainant claiming there was a retaliatory action has the rights contained in RCW 42.41.040. The rights in current RCW 42.41.040 are summarized in this [Section 6](#). If RCW 42.41.040 is revised by the legislature, the revised provisions shall apply.

Section 6.1 – No Discrimination or Reprisals

It is unlawful for any [Elected Officials, employees or volunteers](#) [local government official or employee](#) to take retaliatory action against a [local government employee complainant](#) because the [employee complainant](#) provided information in good faith in accordance with the provisions of this chapter that an improper governmental action occurred. Any retaliatory action taken against a complainant for complaints made pursuant to this Policy shall be allowed as a grievance under an applicable union contract. The County does not tolerate retaliation against a whistleblower or a witness in an investigation.

Section 6.2 – Written Notice of the Retaliatory Action Required

- 6.2.1 In order to seek relief under this section, a complainant shall provide a written notice of the [charge-claim](#) of retaliatory action to the HRD that: (a) Specifies the alleged retaliatory action; and, (b) Specifies the relief requested.
- 6.2.2 The [charge-claim of retaliatory action](#) shall be delivered to the local government no later than thirty (30) days after the occurrence of the alleged retaliatory action.

Section 6.3 – Deadline for Responding to Written Notice of the Retaliatory Action

The County has thirty (30) days to respond to the charge of retaliatory action and request for relief.

Section 6.4 – Hearing Request by the Complainant after County's Response

- 6.4.1 Upon receipt of the earlier of response of the County or after the deadline in Section 6.3, the complainant may request a hearing to establish that a retaliatory action occurred and to obtain appropriate relief as defined in this section.
- 6.4.2 The request for a hearing by the complainant shall be delivered to the HRD within the earlier of fifteen (15) days of delivery of the response from the County or the deadline in Section 6.3.

Section 6.5 – Application by the County to the State Office of Administrative Hearings for an Adjudicative Proceeding

Within five (5) [working-business](#) days of receipt of the request for hearing, the County shall apply to the state office of administrative hearings for an adjudicative proceeding before an administrative law judge. Except as otherwise provided in this section, the proceedings shall comply with RCW 34.05.410 through 34.05.598.

Section 6.6 – Rules for an Adjudicative Proceeding

The rules for an adjudicative proceeding are contained in RCW 42.41.040. The rules in effect on the adoption of this Policy are as follows:

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Commented [PAO289]: Added for clarity. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

Commented [PAO290]: "Business days" is the more common usage. This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

- 6.6.1 Burden of Proof. The complainant must prove their claim by a preponderance of the evidence.
- 6.6.2 Final Decision Consisting of Findings of Fact, Conclusions of Law and Judgment. The administrative law judge shall issue a final decision consisting of findings of fact, conclusions of law and judgment no later than forty-five days after the date the request for hearing was delivered to the County.
- 6.6.3 Authority to Grant Extensions. The administrative law judge may grant specific extensions of time beyond this period of time for rendering a decision at the request of either party upon a showing of good cause, or upon their own motion.
- 6.6.4 Relief that May Be Granted. Relief that may be granted by the administrative law judge consists of reinstatement, with or without back pay and such injunctive relief as may be found to be necessary in order to return the complainant to the position he or she held before the retaliatory action and to prevent any recurrence of retaliatory action. The administrative law judge may award costs and reasonable attorneys' fees to the prevailing party.
- 6.6.5 Civil Penalty. If a determination is made that retaliatory action has been taken against the complainant, the administrative law judge may, in addition to any other remedy, impose a civil penalty personally upon the retaliator of up to three thousand dollars payable by each person found to have retaliated against the complainant and recommend to the local government that any person found to have retaliated against the complainant be suspended with or without pay or dismissed. All penalties recovered shall be paid to the local government administrative hearings account created in RCW 42.41.060.
- 6.6.6 Judicial Review. The final decision of the administrative law judge is subject to judicial review under the arbitrary and capricious standard. Relief ordered by the administrative law judge may be enforced by petition to superior court.

Section 7.0 – Rights of Respondents

Section 7.1 – Information to Provide About the Investigation and Admonishments

Within five (5) business days of receiving the whistleblower complaint or as promptly as circumstances allow, whichever is earlier, the HRD shall advise a respondent of the following:

- 7.1.1 That a whistleblower complaint has been made against the respondent;
- 7.1.2 That a whistleblower investigation is being conducted pursuant to this Policy, while providing the respondent a copy of this Policy and the complaint;
- 7.1.3 The requirement in State law and this Policy that prohibits any employee, including the respondent, from retaliatory action against the complainant or any witness participating in the investigation;
- 7.1.4 That the respondent is not to discuss the complaint with the complainant;
- 7.1.5 That the respondent is not to take any action to disrupt or impede the investigation of the complainant;
- 7.1.6 That an investigator may be contacting the respondent to request an interview;
- 7.1.7 That the respondent may request a defense pursuant to Chapter 2.05 JCC; and,
- 7.1.8 That the respondent may wish to obtain legal counsel at their sole expense.

Section 7.2 – Participation in the Investigation

The respondent may refuse to be interviewed by the investigator in order to protect the respondent's rights against self-incrimination guaranteed in the United States Constitution and the Constitution of the State of Washington.

Section 7.3 – Request for Defense and Payment for the Respondent's Legal Counsel

The respondent may request a defense pursuant to Chapter 2.05 JCC.

APPENDIX 'I' – Telecommuting Policy

Section 1.0 – Purpose

Telecommuting allows employees to work at home, on the road or in a satellite location for all or part of their workweek. The County considers telecommuting to be a viable work option when both the employee and the job are suited to such an arrangement. Telecommuting may be appropriate for some employees and jobs but not for others. This Policy puts the responsibility for telecommuting where it belongs, namely with Departmental Directors.

Telecommuting is not an entitlement, it is not a County-wide benefit, and, except in full compliance with this Policy, it in no way changes the terms and conditions of employment with the County.

Telecommuting ~~can~~ may be informal, such as working from home for a short-term project or on the road during business travel, or a formal, set schedule of working away from the office as described below. Either an employee or a supervisor ~~can~~ may suggest telecommuting as a possible work arrangement. However, any telecommuting for more than seven days (one week) must be approved by a Departmental Director. (See Section 7.0, the "Ad Hoc" section of this Policy for Telecommuting situations up to seven calendar days.)

Section 2.0 – Eligibility

Before entering into any telecommuting agreement of more than seven days, the employee and the Departmental Director, with the assistance of the HRD (if needed), shall evaluate the suitability of such an arrangement by reviewing the following areas:

Section 2.1 – Job Suitability.

The employee and supervisor shall discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement. Telecommuting is authorized only if:

1. Clear work objectives can be established and met;
2. Minimal face-to-face interaction with co-workers, customers and supervisor(s);
3. Tasks can be completed in a telecommute environment;
4. Tasks and deliverables are clearly defined; and,
5. Periods of uninterrupted (or less-interrupted) time are more efficient to complete assigned tasks and duties.

Section 2.2 – Employee Suitability.

The supervisor shall assess the needs and work habits of the employee compared to traits customarily recognized as appropriate for successful telecommuting employees, such as:

1. Self-motivated and self-starter;
2. Results and product-oriented worker;
3. Able to work independently with limited supervision;
4. Familiar and comfortable with the expectations for the position; and,
5. Demonstrated ability in communicating electronically.

Section 2.3 – County's Interests Must Be Advanced.

The telecommuting arrangement should be of benefit to the County or Department in some way, and no significant detriment. Examples to consider include:

1. General communication between telecommuting employees or work units;
2. Team cohesion;
3. Morale;
4. Back-up duties; and,

Commented [PAO291]: "May" is defined in JCC 01.01.040(h). "May" means permissive. "May" should be used instead of "can." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Commented [PAO292]: "May" is defined in JCC 01.01.040(h). "May" means permissive. "May" should be used instead of "can." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

5. Front desk coverage, either physically or telephonically.

Section 2.4 – Access to Telecommuting Program Benefit

While approval of a telecommuting agreement for more than seven days is at the sole discretion of the Department Director or the HRD may be consulted if necessary to help assure equitable access to the telecommuting program benefit.

Section 2.5 – Required Agreement by Telecommuting Employee

If appropriate to proceed, the all of following shall be reviewed and agreed to by the telecommuting employee on a form provided-approved by Human Resources the HRD, and is approved by the Departmental Director:

1. Availability:
 - a. Telecommuting employees must be accessible by email, telephone or video conference during designated work hours.
 - b. If required, telecommuting employees must be available to come into the office to perform certain duties as requested by their supervisor.
 - b-c. To help assure this availability, the telecommuting employee's telecommuting location must be within 2 hours of their usual County work location, unless an exception is approved by the County Administrator.
 - e-d. Telecommuting employees must adhere to the attendance schedule of their designated work hours and get advance approval of the Department Director for any schedule changes; and.
2. Telecommuting employees shall not meet in-person with any person who is not an Elected Official or employee in private telecommuting locations such as a residence.
- 2-3. Generally, in-person County business should be conducted in County offices.
- 3-4. Telecommuting employees covered by FLSA shall observe all normal workhours, meal period breaks and rest period breaks as required by State and Federal law.
- 4-5. All overtime must be approved by the telecommuting employee's supervisor or their designee(s).
- 5-6. The supervisor, with their or Department Director concurrence, shall establish an appropriate written method for tracking and reporting on performance of job duties and task assignments. This may include, for example:
 - a. Daily e-mails outlining work assignments and status;
 - b. Weekly work logs documenting work hours, and assignments; or,
 - c. Other similar tools; and
- 6-7. Telecommuting employees must contact their supervisor if the telecommuting employee is uncertain about their work plan, has questions about duties, or has insufficient work to fill their scheduled workday.

Commented [PA0293]: Revised for clarity. This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0294]: Put in list format consistent with other such lists in this Manual. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Section 2.6 – Required Notice When Circumstances Prevent Effective Telecommuting

Telecommuting employees shall notify their supervisor immediately when circumstances prevent effective telecommuting. This includes illness, power or equipment failures, loss of connectivity, or any other circumstances that prevent a telecommuting employee from telecommuting. Supervisors may then direct the telecommuting employee to report to their County worksite, or other location.

Section 3.0 – Equipment

Telecommuting employees may be provided with county-owned equipment to perform their job duties or may be authorized to use their own personal equipment subject to configuration by Central Services IT. Telecommuting employees are responsible for maintenance and repair of their own personal equipment.

Section 4.0 – Security

Telecommuting employees shall ensure the security and protections of information accessible from their alternate work location and shall check with their supervisor when security matters are at issue. No confidential information (including administrator passwords) ~~will shall~~ be downloaded to any data storage device (including but not limited to hard drive, CD, DVD, or USB stick). Any information that is considered confidential or protected ~~will shall~~ only be accessed using the secure access tools provided by Information Services: it will not be physically removed ~~or~~ copied for use remotely.

Section 5.0 – Location and Safety

All of the following location and safety requirements shall be satisfied before any employee may telecommute:

1. The County has the right to inspect and approve a telecommuting employee's remote work location to assess suitability and safety issues, ~~including but not limited to. This includes~~ the ergonomic suitability of the remote work location's setup.
2. Telecommuting employees ~~shall~~ provide all necessary furniture, internet access and equipment except office supplies such as paper and other sundry supplies, ~~which. Office supplies such as paper and other sundry supplies will shall~~ be provided by the County.
3. The approved remote work location for a telecommuting employee shall not be changed without the prior and express written approval of the Department Director.
4. Telecommuting employees ~~are expected to shall~~ maintain their telecommuting workspace in a safe manner, free from safety hazards.
~~Injuries sustained by the telecommuting employee in a telecommuting workspace (including a home office location) in conjunction with their regular work duties may be covered by Workers' Compensation provided to employees by the Washington Department of Labor and Industries.~~
5. Telecommuting employees ~~are responsible for shall~~ immediately notifying their Departmental Director and the HRD County of any injury sustained by the telecommuting employee in conjunction with their regular work duties in a telecommuting workspace (including a home office location) ~~such injuries immediately to the Departmental Director and the HRD so that a determination of the availability of Workers' Compensation provided to employees by the Washington Department of Labor and Industries can be made expeditiously; and.~~
6. The telecommuting employee is liable for any injuries sustained by visitors to their telecommuting workspace (including a home office location).

Section 6.0 – Telecommuting Requirements

All of the following requirements shall be satisfied before any employee may telecommute on a non-ad hoc arrangement:

1. All duties, obligations, responsibilities and conditions of employment with the County remain unchanged and all County rules, regulations, policies and procedures pertaining to telecommuting employee conduct and performance of duties and health and safety must be followed.
2. Employees assigned to telecommute by their supervisor, with their Department Director's concurrence, shall agree to and sign a Telecommuting ~~and~~ Remote Work Agreement.
3. The ~~telecommuting Agreement agreement~~ shall be updated any time there is a change authorized by the Department Director.
3. ~~Tax and other legal implications.~~ The telecommuting employee ~~must shall~~ determine ~~and be responsible for~~ any ~~negative~~ tax or legal implications under IRS, state and local government laws, or restrictions of working out of a home-based office. ~~Responsibility for fulfilling all obligations in this area rests solely with the telecommuting employee.~~

Commented [PA0295]: "Shall" is defined in JCC 01.01.040(h). "Shall" means mandatory. "Shall" should be instead of "cannot" or "will." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Commented [PA0296]: "Shall" is defined in JCC 01.01.040(h). "Shall" means mandatory. "Shall" should be instead of "cannot" or "will." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Commented [PA0297]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0298]: This section has been modified to turn the list into a set of enforceable requirements. This change should significantly improve the ability to enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0299]: List format requires a lead in sentence. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0300]: Modified to list format used in the Manual. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0301]: "Shall" is defined in JCC 01.01.040(h). "Shall" means mandatory. "Shall" should be instead of "cannot" or "will." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

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Commented [PA0302]: This section has been modified to turn the list into a set of enforceable requirements. This change should significantly improve the ability to enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

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Commented [PA0304]: List format requires a lead in sentence. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

Commented [PA0305]: Slash (/) can be used to mean both "and" and "or." The slash (/) has been replaced with an "and," an "or," or a comma, depending of the context. This change should improve the ability to understand, comply with and enforce this Manual. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. 17-19.

4. ~~The Telecommuting-telecommuting employee shall be responsible for is not designed to be a replacement for~~ appropriate child care sufficient satisfy job performance and business demands while telecommuting;
5. Although an employee's schedule may be modified to accommodate child care needs, ~~the focus of the arrangement must remain on job performance and meeting business demands. Prospective prospective~~ telecommuting employees ~~are encouraged to~~should discuss expectations of telecommuting with family members prior to entering a trial period;
56. Evaluation of telecommuting employee's performance during the trial period ~~will~~shall include regular interaction by phone and e-mail between the telecommuting employee and the supervisor to discuss work progress and problems;
7. At the end of the trial period, the telecommuting employee and the supervisor shall each complete an evaluation of the arrangement and make recommendations for continuance or modifications;
68. Evaluation of telecommuting employee performance beyond the trial period shall be consistent with that received by employees working at the office in both content and frequency but will focus on work output and completion of objectives rather than on time-based performance; ~~and~~.
79. An appropriate level of communication between the telecommuting employee and supervisor shall be agreed to as part of the discussion process communicate at a level consistent with employees working at the office or in a manner and frequency that is appropriate for the job and the individuals involved.

Commented [PA0306]: "Shall" is defined in JCC 01.01.040(h). "Shall" means mandatory. "Shall" should be instead of "cannot," "must" or "will." This satisfies the requirement for regulatory reform in Resolution No. 17-19, where county legislation is expected to be consistent with other county legislation.

Section 7.0 – Ad Hoc Arrangements

Temporary telecommuting arrangements of up to seven (7) calendar days may be approved for circumstances such as inclement weather, special projects or business travel. Approval may be informal, such as an e-mail, to document the arrangement. These are approved on a needed basis only, with no expectation of ongoing continuance.

Other informal, short-term arrangements may be made for employees on family or medical leave to the extent practical for the employee and the department and with the consent of the employee's health care provider, if appropriate.

All informal telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the County.

Page 101: [1] Commented [PAO196] PAO Comment 3/31/2025 7:19:00 AM

Revised for consistent formatting to this form (1). This change should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

Page 101: [2] Commented [PAO200] PAO Comment 4/1/2025 6:46:00 AM

“Traveler” is the defined and correct term. Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

Page 101: [3] Commented [PAO202] PAO Comment 4/1/2025 6:47:00 AM

“Traveler” is the defined and correct term. Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

Page 101: [4] Commented [PAO203] PAO Comment 4/1/2025 6:47:00 AM

“Traveler” is the defined and correct term. Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).

Page 101: [5] Commented [PAO204] PAO Comment 4/1/2025 6:48:00 AM

“Traveler” is the defined and correct term. Using the defined term should improve the ability to understand, comply with and enforce this chapter. This change fulfills the regulatory reform mandate in Jefferson County Resolution No. [17-19](#).