

Policy Manual



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INTRODUCTION

Purpose

These Policies are enacted by the City of Lacey to further the following goals:

1. To provide a uniform system of personnel administration throughout the City, consistent with federal, state, and local law,
2. To assist supervisors in the development of sound practices and procedures, and to make effective consistent use of the resources throughout the City, and
3. To provide an effective method of communication with all employees of the City.

Scope

These policies shall apply to all City employees, other than elected officials and independent contractors, or where precluded by a collective bargaining agreement. In case of a conflict between these Policies and any, Civil Service Commission rule, or state or federal law, or regulation, the terms and conditions of that rule, law, or regulation shall prevail. To the extent that there is any direct conflict between any of the provisions of this Handbook and any collective bargaining agreement, the collective bargaining agreement provision alone controls. Under no circumstances are these policies or this Handbook intended to be, and they should not be interpreted as, an independent or supplemental contract of employment for represented employees. In all other respects, however, these Policies and procedures shall apply except that when departmental operations require more restrictions than these Policies, the departmental policies shall prevail.

The City's Policies compiled in this Policy Handbook do not represent a contract of employment, or an independent or supplemental contract, for any employee or group of employees, and they do not promise or guarantee specific treatment in specific situations.

City's Right to Modify

The City reserves the right to modify, substitute, or eliminate the policies, procedures, and benefits described in these Policies after notice to affected employees. Provided, the provisions in the City's Policies that are required by federal or state law or regulations are subject to immediate change to comply with changes in those laws and regulations.

The City Manager is the only person who is authorized to supersede, supplement, modify, or waive any of the provisions of the City's Policies, and he/she is the only person who has the authority to enter into any kind of employment contract. Any and all such agreements — to supersede, supplement, modify or waive these Policies or to make an employment contract — will be in writing and dated and signed by the City Manager. Department Directors may establish departmental policies, procedures, and work rules consistent with these policies.

About Your Handbook

We hope you find this Handbook helpful. If at any time you have questions about these Policies, please do not hesitate to contact a representative of the Human Resources Department. We also appreciate your comments and suggestions to improve this Handbook. **Employees must return this handbook to Human Resources when their employment with the City ends.**

PERSONNEL
SECTION 1
DEFINITIONS

DEFINITIONS

Employee Classifications

The following classifications for City of Lacey positions are defined as follows. An employee may fall under one or more of the following classifications depending on the position in question.

Temporary Position - A position that is created to work for the City on a seasonal or project “as needed” basis. These positions are not continuous and are needed for a specific length of time based on the season or project. The temporary position generally does not exceed six (6) months; however, some projects may require a longer duration for completion. Employees in temporary positions are not eligible to participate in the City's benefit program; unless the position is originally authorized to work for more than six consecutive months on a full-time basis and benefits are specifically authorized at the time of hire (this typically may be approved for a project with a 12 to 18 month estimated duration). Employees in temporary positions may resign or be terminated at any time without cause or notice.

Probationary Position - All new hires appointed to regular positions are subject to a six (6) month probationary period. Probation begins on the first day of work (or the first day back at work for an employee who formerly worked for the City and has been rehired) and continues throughout the first six months of employment provided that the employee actually works at least 90% of his/her work time during that period. (Note: Civil Service positions require a twelve month probationary period.) An employee who completes the hours worked requirement and receives a satisfactory performance evaluation from his/her supervisor has successfully completed the probationary period. Employees in a probationary position may resign or be terminated at any time without cause or notice. **Successful completion of probation does not mean an employee is guaranteed employment for any specific length of time or that he/she cannot be terminated.**

Regular Part-Time Benefited Position - An approved, budgeted, continuous position that requires at least 20 hours of work per week but less than 40 hours. Employees in regular part-time positions are eligible to participate in the City's benefit programs as defined by the respective collective bargaining agreement, or the City benefits policy for non-represented positions.

Regular Part-Time Non-Benefited Position - An approved, budgeted, continuous position that requires less than 20 hours of work per week. Employees in these positions may resign or be terminated at anytime without cause or notice.

Regular Full-Time Position - An approved, budgeted, continuous position that requires at least 40 hours of work per week. Employees in regular full-time positions are eligible to participate in the City's benefit programs as defined by the respective collective bargaining agreement, or the City benefits policy for non-represented positions.

Exempt Position - A position that meets the exemption tests of the Federal Fair Labor Standards Act; thereby, making it exempt from the overtime pay requirements. (See *Hours of Work*, Section 3)

Nonexempt Position - A position that is eligible for overtime pay under the Federal Fair Labor Standards Act. Overtime for these positions is paid in accordance with the City's policies on overtime and the respective collective bargaining agreement. (See *Hours of Work*, Section 3)

Civil Service Position - All sworn police officers of the Lacey Police Department, excluding the Chief, are covered under the regulations of the Lacey Civil Service Commission and are civil service positions.

Represented Position - A position covered under the terms and conditions of a collective bargaining agreement with the City of Lacey.

Non-Represented Position - A position not covered under the terms and conditions of a collective bargaining agreement with the City of Lacey.

Other Definitions

Domestic Partner - The City defines domestic partner as individuals (same or opposite sex) who:

- share the same regular and permanent residence; and
- have a close, personal and exclusive relationship; and
- are jointly responsible for basic living expenses; and
- are not married to, or have a domestic partner relationship, with anyone else; and
- are each eighteen (18) years of age or older; and
- are not related by blood closer than would bar marriage in the State of Washington; and
- were mentally competent to consent to contract when the domestic partnership began; and
- are each other's sole domestic partner and are responsible for each other's common welfare.

Domestic partnerships must be declared on an affidavit to be eligible for the benefits available with the City.

PERSONNEL

SECTION 2

GENERAL POLICIES AND PROCEDURES

EQUAL OPPORTUNITY EMPLOYER AND SERVICE PROVIDER

Purpose

To designate the City of Lacey as an Equal Opportunity Employer and Service Provider, prohibit discrimination, and to establish policy guidelines providing for an open, competitive hiring process.

Policy

The City of Lacey is an Equal Employment Opportunity employer and does not discriminate against its employees or applicants for employment in its employment practices. Decisions regarding hiring, promotion, and/or tenure shall be free from unlawful discrimination based on age, color, creed, disability, disabled veteran status, gender, marital status, national origin, race, religion, sexual orientation or veteran status. This commitment also includes a mandate to all employees to promote and afford equal treatment and services to all citizens, employees, and City representatives.

To assure equal employment opportunity in the City's hiring practices; all hiring decisions are based upon a candidate's qualifications and abilities to perform the requirements of the position. Provided, the City may establish a bona fide occupational qualification for a position, in accordance with state and federal law, if the qualification is necessary to perform the essential functions of the position.

Additionally, the City's Human Resources Department practices include: 1) diversity training and awareness programs and, 2) measures designed to recruit a workforce which reflects the cultural diversity of our community.

Any employee, citizen or applicant for employment, who feels he or she has been the victim of discriminatory treatment in violation of this policy should bring this concern to his/her supervisor, the Human Resources Director, or the City Manager for appropriate investigation and action. Violations of this policy will be cause for disciplinary action, up to and including termination.

Recruitment Procedures

City of Lacey employees, and applicants for employment, shall be selected either for promotional or entry level positions through an open, competitive selection and screening process. This process applies to regular full-time, part-time, and temporary positions; recruitment for Civil Service positions will be in accordance with Civil Service rules and regulations.

Provided, the City may from time to time establish a "qualified applicant register" for positions with anticipated high turnover. A "qualified applicant register" will be competitively developed in accordance with this policy. The City may also occasionally hire from a previous applicant pool where a second or temporary vacancy occurs within a reasonably close period of time to a recent recruitment, and the recent recruitment resulted in an extremely outstanding candidate the City wishes to hire. Provided, to fill in for indefinite leaves, medical or military leaves, or emergency special project work, the City may utilize one of the following processes: competitively recruit to fill the temporary vacancy, hire from a previous applicant pool, recall a recently released employee (such as seasonal), hire temporary help utilizing temporary

services personnel, or assign work to current staff on a temporary or acting basis.

The best overall applicant for a vacancy will be selected based upon his/her qualifications, abilities to perform the essential functions of the position (with or without reasonable accommodation), acceptable references and background check, and demonstrated ability to meet the City's performance expectations and standards.

Advertisement and Collection of Applications

The Human Resources Department shall be responsible for timely advertisement of the vacancy, and collection of resumes and applications from interested applicants. All questions from interested job applicants regarding the position opening should be directed to the Human Resources Department.

Testing

Any testing to be utilized in the selection process shall be conducted and administered by the Human Resources Director and/or his/her designee.

Interview and Selection Committee

The Department Director and/or selected designee, in conjunction with Human Resources, shall select those individuals who will participate in the interview and selection committee. The Human Resources Director and/or his/her designee shall participate in, review the process of, and/or assist the interview and selection committee.

Reference/Background Checks

The hiring department and/or the Human Resources Department shall complete a thorough background investigation, including references from previous employers, and a check for criminal convictions reasonably related to the performance of the job prior to making an offer of employment to verify the applicant's ability to perform to the City's expectations and performance standards. These reference checks will in some cases include an on-site visit to the employee's current and/or previous places of employment to obtain background information from supervisors, co-workers, customers, and/or subordinates. As part of the application process, applicants will be required to sign a release authorizing the City to collect all relevant information from their prior employers, including information about their performance, discipline, and attendance.

The City will also request a current Motor Vehicle Driving Record from all applicants who are being considered for positions in which they may be required to, or would have occasion to drive while performing official City business. An applicant may be disqualified for employment if his/her driving record is unacceptable to the City or the City's insurance carrier if driving is an essential function of the position. (Driving restrictions may be imposed for poor records where driving is incidental to the position.)

Pre-employment Medical

The City will, for **all** applicants selected for hire in Operations maintenance positions, Animal Services field positions, Meter Reader positions and in positions performing safety sensitive duties, make a conditional offer of employment subject to an applicant passing a medical examination certifying the applicant is able, with or without reasonable accommodation, to perform the **essential** functions of the job. All applicants selected for hire in any position working as a commissioned law enforcement officer, a public safety

position such as Community Service Officer, Animal Control Officer, or a position that involves significant driving, such as Meter Reader, and all operations positions requiring a Commercial Driver's License must submit to and pass a drug test as part of the City's pre-employment medical examination. Human Resources will make all arrangements for pre-employment medical testing.

Reasonable Accommodation

The City of Lacey shall provide reasonable accommodation to the known physical or mental limitations of a qualified applicant and/or employee with a disability who is able to perform the essential functions of the position; unless such accommodation would impose an undue hardship on the operation of the City. Reasonable accommodation may include such things as:

1. Making facilities or equipment used by the employee readily accessible to and usable by disabled persons.
2. Elimination or modification of nonessential job duties; modified work schedule where the employee is still able to perform the essential functions of the position; or adjustment or modification of testing procedures.

The essential functions of the position are the fundamental duties of the position. These are the assigned duties of the position, which are basic, necessary, and vital to the position's performance for the City. Marginal duties are not considered essential functions.

Questions and arrangements regarding accommodations for qualified individuals with disabilities should be referred to the Human Resources Department. Accommodations shall be made in consultation with the disabled individual and his/her physician.

Employment Offers

Offers of employment shall be made by the Department Director and/or his/her designee and conditional upon an applicant successfully completing a medical examination testing for the ability to perform the essential functions of the position, negative drug test result in positions where a drug test is required (e.g. public safety positions including, but not limited to: commissioned, law enforcement officers and operations positions requiring a Commercial Driver's License), successfully completing a background investigation, and successfully completing a probationary period (probationary periods are 12 months after completion of basic police academy training and law enforcement officers and generally, six months for other City positions).

Hiring Washington State Public Employee Retirement System Retirees

The City of Lacey will hire retirees from Washington State's Public Employee Retirement System when they demonstrate they are the best person for the position available. All retirees interested in employment with the City of Lacey shall go through the hiring procedure established by this policy.

Restriction on Employment of Relatives/Friends

In order to avoid the appearance of and/or the possibility of a conflict of interest, improper influence, or favor, the City does not allow the hiring of close relatives (see specific restrictions below) or allow employees to give preferential consideration to friends or relatives when making hiring decisions. This provision does not apply to volunteer positions, except in those circumstances where a supervisor is dating or has an intimate relationship with the volunteer. Provided, spouses and/or partners are welcome to

volunteer to assist with incidental or special events the supervisor is directing insofar as steps are taken as needed to avoid the appearance of favoritism or a conflict of interest, and such participation is additive to the event.

Hiring

No close relatives shall be hired by the City of Lacey when:

- ◆ A current employee is a relative and would have the authority or practical power to supervise, appoint, remove, or discipline the other, affect employment decisions and/or employment actions related to said employee;
- ◆ One relative would be responsible for auditing the work of the other;
- ◆ Other circumstances exist which would place the relatives in a situation of actual or potential favoritism or conflict between the City's interests and their own; or
- ◆ He/she is a close relative of: an elected official of the City, a Board or Commission Member (who is associated with a department and the opening is in that department), the City Manager, department heads, or policy level officers of vendors, regulatory agencies, or others with whom the City deals in an enforcement or regulatory capacity.
- ◆ In most cases, the City will not hire relatives into the same department, although there may be exceptions made to this rule as needed to comply with state law (e.g. state law prohibits discrimination on the basis of marital status except when one or more of the above conflicts or restrictions would exist). Or, an exception to this policy may be approved by the City Manager on an emergency basis if: 1) the work is incidental; e.g. for a special or one-time event or involves less than 16 hours per week; and, 2) a recruitment is held and no other qualified candidates are found.

Relatives and friends not falling within the scope of this policy exemption are eligible to apply for positions for which they are qualified as long as it will not create a conflict of interest. However, relatives and friends are not entitled to preferential consideration.

For the purposes of this policy, close "relative" is defined as: spouse/domestic partner, mother, father, brother, sister, son, daughter, uncle, aunt, niece, nephew, grandparent, grandchild, cousin, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or any persons living in the same household.

Relationship Occurring During Employment

If two employees who were not previously within the scope of this policy became subject to this policy, they will have thirty days from the date they become subject to this policy to present to the City Manager a proposal for coming into compliance with this policy. In this circumstance, employees may be allowed to both work in the same department so long as one of the employees would not have the authority or practical power to evaluate the work of, appoint, promote, transfer, discipline, audit the work of, affect employment decisions and/or employment actions related to said employee, or circumstances exist which would place both employees in a situation of actual or potential favoritism or conflict between the City's interest and their own.

If the employees fail to make a timely proposal (for example, by one employee seeking to transfer to another job,) or if the City Manager determines that the proposal is inconsistent with the City's employment needs, the City may take steps to bring the employees into compliance with the rules; up

to and including transfer, demotion and/or termination of one of the employees.

If the employees fail to make a timely proposal (for example, by one employee seeking to transfer to another job,) or if the City Manager determines that the proposal is inconsistent with the City's employment needs, the City may take steps to bring the employees into compliance with the rules; up to and including transfer, demotion and/or termination of one of the employees.

HARASSMENT/SEXUAL HARASSMENT/DISCRIMINATION

Policy

It is the policy of the City to foster and maintain a positive, respectful and productive work environment, where all employees can perform his or her duties free from any form of unlawful workplace harassment. **The City will not tolerate behavior, comments, or slurs of a discriminatory, demeaning and/or harassing nature by any employee to or about any employee, applicant, or the public.** It is a violation of City policy to harass or discriminate against a fellow employee and/or member of the public.

The Human Resources Director is responsible for ensuring that all complaints are promptly and thoroughly investigated in as confidential a manner as is possible under the circumstances.

Sexual Harassment

Definition

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature if (1) submission to the conduct is in any way made a term or condition of employment; (2) submission (or rejection) is used as the basis for **any** employment-related decisions; or (3) the conduct has the purpose or effect of unreasonably interfering with work performance or creating an intimidating, hostile, or offensive work environment. Harassment of a sexual nature may include verbal behavior such as unwanted sexual comments, suggestions, jokes, derogatory references to sexual orientation, physical behaviors such as pats and squeezes, repeatedly brushing against someone's body, or circulation or display of written or graphic material of a sexual nature.

Supervisor No-Dating Provision

In furtherance of this policy, the City of Lacey prohibits supervisors from dating or having an intimate or sexual relationship with any subordinate or volunteer they supervise. Supervision is defined as the authority to direct the daily work of, evaluate the work of, or the practical power to hire, appoint, promote, transfer, discipline, audit the work of, and/or affect employment decisions and/or employment actions related to said employee or volunteer. Such relationships can be disruptive to the work environment, create a conflict or the appearance of a conflict of interest, and lead to charges of favoritism, discrimination, and claims of sexual harassment. While the City of Lacey has no desire to interfere with the private lives of its employees, or their off-duty conduct, the City finds it necessary to implement policy restrictions where off-duty conduct has a high potential to negatively impact the work environment.

Other Forms of Prohibited Harassment

The City maintains a working environment free from all forms of unlawful harassment. This includes behavior, or actions (including personnel actions) taken because of an employee's age, color, creed, disability, disabled veteran status, gender, marital status, national origin, race, religion, sexual orientation or veteran status. Also prohibited are offensive or derogatory comments and/or use of "slang" terms, circulation or display of graphic or written materials, that are derogatory to or stereotypical of a person because of their protected status such as race, age, etc., if the actions have the purpose or effect of unreasonably interfering with work performance or creating an intimidating, hostile, or offensive working environment.

Procedures for Addressing/Reporting Harassment

If you feel that you have been harassed, or if you witness or suspect any violation of this policy, you should report the incident to your supervisor, department director, or Human Resources Director and request assistance in dealing with the matter. Or, you may address the matter yourself in cases representing minor policy violations, such as an inappropriate remark, if you are comfortable doing so. If you elect to address the situation yourself, you should be specific and respectfully request the behavior or action to stop. If it does not stop, you should immediately report the matter to your supervisor, Department Director, or the Human Resources Director.

If you are unsure if a situation would be considered harassment, but are concerned about it, you should discuss it with your supervisor, your Department Director, or Human Resources Director. The person you talk to will assist you with the available options to resolve the matter.

The City will respond to and resolve complaints as quickly as possible. Generally, it will be preferable to resolve problems at the lowest level possible. However, in cases where an investigation is required, the Department Director, Human Resources Director and/or designee will conduct an impartial investigation, and/or arrange to have an outside investigation conducted when appropriate. To the extent possible, the City will protect the confidentiality of the harassment complaint. To fully investigate and respond to a complaint, it will likely be necessary to review the complaint with the respondent to the complaint and/or discuss specifics of a complaint with witnesses. Employees and/or witnesses to a sexual harassment complaint may not be retaliated against for reporting a situation or responding to an investigation inquiry. The findings of the investigation will be forwarded to the respective Department Director who will review the matter with the Human Resources Director and City Manager. The Department Director will make the decision regarding any corrective and/or disciplinary action which may need to be taken.

Policy Violations

Appropriate disciplinary corrective action will be taken (up to and including termination) where violations of this policy are found to have occurred.

It is a violation of this policy to knowingly report false allegations of harassment. Persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

Protection Against Retaliation

City of Lacey officials and employees are prohibited from taking retaliatory action against a City employee because he/she in good faith reports alleged harassment in accordance with the provisions of this policy. Any employee who believes they have been retaliated against should immediately report the matter to their Department Director, the Human Resources Director and/or the City Manager.

EMPLOYEE TRAINING AND DEVELOPMENT PROGRAM

Purpose

To establish policies and procedures to assure a highly skilled workforce, and an efficient and effective employee training and development program.

Policy

The City provides employees with developmental, customer service, technical, and/or safety training programs utilizing consultants and/or skilled employees as trainers. The courses have been selected to provide Lacey employees with the skills and abilities to offer Lacey citizens quality, responsive service and cost-effective public operations.

The City's general training program is coordinated by Human Resources. An in-house training program provides several advantages such as, providing training for more employees at a reduced cost per attendee, providing more opportunities for employee training, and reducing travel time and related expenses.

Procedure

A current training schedule will be distributed by Human Resources. Supervisors are responsible for monitoring an employee's training schedule and approving time off for training. Supervisors are encouraged to contact Human Resources with specific training needs not being offered by the City. Specialized and/or division specific training can often be accommodated in-house with advance notice.

In cases where unique or specialized training needs are required, but are not cost effective to provide in-house, employees may be authorized to attend seminars or workshops provided off-site. The City may, subject to budgetary and operating needs, reimburse an employee's *"reasonable unique or specialized training expenses"* if qualified (see chart 1 below); and, as a result of training:

1. The employee will be better able to perform the duties of his/her position (more accurately, efficiently, or with improved service skills);
2. City operation costs will be reduced or the potential for mistakes and/or errors reduced;
3. Employee will be able to better explain to customers the "whys" of his/her job or regulations/requirements he/she is enforcing; and/or
4. Employee will be more creative, better prepared, innovative and/or capable of handling or resolving emergent issues and problems likely to occur on the job on their own.

An employee's "reasonable unique and/or specialized training expenses" eligible for reimbursement by the City will meet the "yes" criteria outlined below:

Chart 1

Unique/Specialized Training Costs Eligible/Not Eligible for Reimbursement

<u>Length of Training</u>	<u>1-3 days</u>	<u>4-5 days</u>	<u>5+ days</u>	<u>College gtr/sem</u>
Directly job related*	yes	yes**	maybe***	no
Indirectly job related*	yes	no	no	no
Professional Development	yes	no	no	no
Unrelated to Public Field/Career Path	no	no	no	no

*Provided the curriculum/training is not offered through the City's in-house training program (e.g., time management, supervisory, and leadership training)

**Subject to operational considerations (budget, work load, etc.)

***Will be evaluated on a case by case basis. Must be pre-approved by City Manager. Reserved for special circumstances where employee needs extensive specialized training; has demonstrated high outcomes/performance; and employee is "additive" to the organization (outstanding performance, exceptional project or public relations skills, progressive

Travel request forms are available by contacting the Finance Department, City policy and procedures regarding reimbursement for travel and expenses are provided in the Finance Policy on "Reimbursement for Expenses Incurred in Conduct of City Business".

New Employee Orientation

The orientation of a new employee is the joint responsibility of the hiring Department Director, supervisor, and the Human Resources Department. The Human Resources Department is responsible for advising the new employee of the City's general employment practices, general safety policies, and medical and fringe benefits programs. Within the employee's first six months with the City, he/she will be required to participate in the following training to be offered by Human Resources: Customer Service, Public Workplace Rules, Ethics, Interpersonal and Team Behavior Standard. Additionally, new supervisors will receive training on Performance Management and Employee Evaluation, Managing a Discrimination Free Work Environment, and Substance Abuse Problems and Procedures. The Department Director/supervisor is responsible for orienting and training the new employee to his/her new job duties and responsibilities, on-the-job safety, and the proper handling of hazardous chemicals encountered on the work site.

RESIGNATION/EXIT INTERVIEWS

Purpose

To establish policies and procedure related to employee resignation/exit interviews.

Policy

An employee wishing to leave City service in good standing shall file a written resignation letter with his/her Department Director at least two weeks in advance of the anticipated separation date. The department director will forward a copy of the employee's termination letter to the Human Resources Director. An exit interview may be held with the Human Resources Director and/or the Department Director at the employee's request.

Procedure

1. Employees leaving City employment are responsible for contacting Human Resources to schedule an appointment regarding important separation and benefit issues.
2. An employee who has resigned, retired, or otherwise terminated may also schedule an appointment with the Human Resources Director at a mutually convenient time prior to the effective date of termination.

EMPLOYEE LAYOFF AND RECALL

Purpose

To establish layoff and recall guidelines.

Policy

The City may layoff employees where there are changes in duties or a reorganization of positions, a position or service is abolished, there is a lack of work or shortage of funds, or other appropriate reasons. Efforts will be made to integrate affected employees into other available positions.

Guidelines:

1. Whenever a layoff is anticipated, employees whose jobs may be affected will be notified of the situation, and what options may be made available to them. Notice of a layoff will be given at least four weeks (20 working days) prior to the date of layoff.
2. Temporary employees performing similar work in the same department or division will be laid off before regular employees are affected.
3. Options such as part-time work schedules, job sharing and voluntary time and/or pay reductions may also be explored, if in the opinion of the Department Director, such options are feasible.
4. Regular employees will be retained based on length of service when job performance and qualifications are equal. Comparative job performance will be determined by the Department Director on the basis of relative qualifications, experience, past and current job performance. Qualifications will be determined by the knowledge, abilities and skills required for an affected position as stated in the class specification, and for the employee's ability to perform the remaining work without further training.
5. Human Resources Department will provide limited placement services to regular employees who have been laid off, such as job counseling, assistance in development of resumes and assistance in locating contacts and resources that may lead to other suitable employment.
6. For a period of twelve months from the date of layoff, regular employees who were laid off may be offered the first opportunity to fill comparable vacant positions that become available. If more than one employee is eligible, selection will be based on the outcome of a competitive recruitment. These employees may be placed on the City's job announcement mailing lists for twelve months from the effective date of the lay off to assist them in applying for other job vacancies with the City for which they are qualified.
7. An employee who is reemployed to his/her former position after layoff shall be paid at the same step in the salary range for the position that he/she was receiving at the time of layoff and will be given credit for time previously worked for accrual of benefits. The employee's subsequent anniversary date for step increases shall be adjusted to subtract for the number of months the employee was off work. Credit for months worked in the year prior to the layoff will be given towards progress to the next annual step adjustment.

EMPLOYEE REFERENCE INFORMATION

Purpose

To establish policies and procedures regarding the City's release of reference information on previous employees.

Policy

The City will release information regarding an employee's resignation or termination from the City only to co-workers or parties who have a "need to know" about the reasons for the employee's separation from the City (e.g., a future employer that an employee has authorized the City to release reference information to, unemployment compensation claims representatives, federal or state disability or wrongful discharge claims investigators, court orders for information, etc.).

Procedure

All information provided by the City regarding an employee who has separated from the City must, whenever practical, be referred to and/or coordinated with the Human Resources Department. Other than verification of dates of employment and position held, other information may not be provided without a signed authorization for release of information and release of claims against the City for provision of requested information.

Only factual and relevant information (favorable and/or negative) relating to an employee's employment history should be provided in the release of reference or background information. If there were serious performance problems with a former employee of a sort that could be detrimental to others in a new work setting, Human Resources and/or supervisors should consult with the City Attorney or legal counsel about the type of information which should be relayed to potential new employers.

Human Resources and/or supervisors providing reference and/or post-termination information shall document the nature of the inquiry and the substance of the information they provided; and forward a copy of this documentation to Human Resources.

PERSONNEL
SECTION 3
HOURS OF WORK

HOURS OF WORK

Purpose

To provide for consistent administration and scheduling of work weeks, work hours, meal periods, and break times for City employees and to provide for payment of overtime for employees working in positions covered by the Fair Labor Standards Act. Employees working in positions covered by a collective bargaining agreement are subject to the overtime, compensatory time, and scheduling terms of the collective bargaining agreement where the agreement differs from this policy.

Policy

It is the City's policy to establish standard work weeks, work hours, meal periods, and break times for employees to ensure maximum staff availability and coverage and/or as needed to adequately meet public service needs in the field; and, to equitably administer work schedules throughout the organization.

Exceptions must be approved in writing by the City Manager and/or his/her designee for: (1) work schedules that vary from the norm typically established for the position, (2) to provide employees with reasonable accommodation under the Americans with Disabilities Act, or (3) for extenuating or unusual circumstances.

Fair Labor Standards Act

The Fair Labor Standards Act (FLSA) sets minimum wage, overtime pay, equal pay, recordkeeping, and child labor guidelines for employees in all "covered" City of Lacey positions. See Attachment A for the City's current designation of "covered" and "exempt" positions under the FLSA. These designations may be subject to change due to: (1) a change in the essential duties and responsibilities of the position, (2) a change or new ruling on a position from the Department of Labor, (3) case law or clarification of Department of Labor regulations regarding the definition of "exempt" and "covered" positions, or (4) change in federal or state law.

Positions that are determined to be exempt from the Fair Labor Standards Act are paid according to a pay system pursuant to principles of public accountability, under which the employee accrues personal leave and sick leave and the employee's pay is reduced and/or the employee is placed on leave without pay for absences for personal reasons or because of illness or injury of less than one work-day when accrued leave is not used by an employee because:

1. Permission for its use has not been sought or has been sought and denied;
2. Accrued leave has been exhausted; or
3. The employee chooses to use leave without pay.

Deduction from the pay of an employee for absences due to a budget-required furlough shall not disqualify the employee's FLSA exempt status in the workweek in which the furlough occurs and for which the employee's pay is accordingly reduced.

The City may additionally make adjustments to pay as allowed under the FLSA without resulting in a change to FLSA exempt status for disciplinary suspensions of one or more work days.

Work Week/Working Hours

The work week for City employees is any 40 hour period of work starting at 12:01 a.m. Sunday through midnight the following Saturday, except as designated by the Department Director in writing. Typically the 40 hours of work are performed during business days of Monday through Friday. The normal work day for full-time employees is eight (8) hours a day.

The typical work day for office and professional employees is from 8:00 am to 5:00 pm with one hour off for lunch. For maintenance and some field workers the typical work day has staggered start and end times with one-half hour off for lunch. Provided, employees covered by collective bargaining agreements are subject to the scheduling and work week provisions of their respective bargaining agreements.

Various factors such as operating needs, workloads, efficiency, and staffing needs will determine starting and quitting times and the total hours an employee works each day or week. An employee's supervisor will discuss scheduling with her/him. Supervisors may, **with approval from the City Manager**, designate a 40-hour work week schedule different from the City's typical work day and work week for specific positions if flexibility in scheduling is required to meet the duties and responsibilities of the position and/or operating needs of the City. Employees will be notified of all schedule changes in advance and a copy of the schedule will be placed in their personnel file.

Overtime

All overtime must be authorized in advance by the Department Director or supervisor in charge. Employees who are asked or instructed to work overtime are expected to do so.

Employees in non-represented positions that are covered by the Fair Labor Standards Act regulations and who are authorized to work overtime will receive one and one-half times the regular hourly rate of pay for all hours over 40 in any work week. For the purposes of calculating overtime under the City's policy, the use of vacation leave, sick leave and holidays will be included as part of a 40 hour work week.

See Attachment A for designation of which positions are covered by FLSA regulations and which are exempt.

Employees in represented positions who are covered by a collective bargaining agreement will be paid overtime and/or compensatory time in accordance with the provisions in the agreement and the Fair Labor Standards Act.

Compensatory Time

Compensatory time may be substituted for overtime pay if mutually agreed to by both the supervisor and employee. Compensatory time is accrued at one and a half times the hours worked. Represented positions will accumulate and be paid compensatory time in accordance with the provisions in the collective bargaining agreement. For non-represented positions the maximum compensatory time off accumulated shall not exceed 40 hours per employee. All hours accumulated over 40 hours shall be paid as overtime; provided the City Manager, with a request from a Department Director, may approve an increase to the maximum accumulation within the limits allowed under the FLSA and which must be reduced to 40 hours in the year accrued. Compensatory time may only be taken in the form of time off

from work. Compensatory time off must be scheduled in advance with the immediate supervisor and will be approved subject to the operational needs of the work unit.

Meal/Break Periods

Full-time maintenance and field employees receive at least a 30 minute unpaid meal period approximately midway through the day. Office and professional employees receive a 60 minute unpaid leave period approximately midway through the day. Police officers are required to be available for immediate call at any time during their tour of duty; per departmental policy the scheduling of meal breaks (see Police Department Manual) must be approved daily by a supervisor. An employee who is required to remain on duty on the premises will be compensated for the meal period. Except in very unusual or emergency circumstances, no employee will be required to work more than five consecutive hours without a meal period. Lunch periods may not be accumulated and/or added onto the beginning or end of a work day.

City employees may also take a 15 minute break period during paid working hours approximately midway through each 4 hours of work. Break periods may not be accumulated and/or added onto meal periods.

Supervisors will discuss the exact scheduling of meal and break periods with their employees.

ATTACHMENT A

CITY OF LACEY

June 2013 update

FLSA Covered Positions-Subject to Overtime

Administrative Assistant	Land Management Database Addressing
Applications Administrator	Specialist
All hourly positions	Maintenance Technician-Journey Level
Animal Care Technician	Management Analyst
Animal Services Assistant	Meter Reader
Animal Services Field Officer	Payroll/Accounting Services Specialist
Assistant Building Official	Museum Curator
Assistant Planner	Police Officer
Associate Planner	Police Sergeant
Building Code Specialist I	Police Services Specialist
Building Code Specialist II	Project Administrator – PW
Building Code Specialist/Fire II	IS Technical Project Administrator
Civil Engineer	Quality Control Technician
Code Compliance Specialist	Recreation Assistant
Community Services Officer	Recreation Coordinator
Computer Support Technician	Recreation Supervisor I
Controls Technician	Recreation Supervisor II
Customer Services Supervisor	Senior Electrical Maintenance Technician
Data and Systems Coordinator	Senior Facilities Maintenance Technician
Department Assistant I	Senior Management Analyst
Department Assistant II	Senior Maintenance Technician
Department Assistant III	Senior Planner
Deputy City Clerk/Administrative Specialist	Senior Utilities Controls Technician
DUI Coordinator	Shelter Manager
Electrical Inspector	Sweeper Operator
Electrical Maintenance Assistant	Systems Application Specialist
Electrical Maintenance Technician	Volunteer and Education Specialist
Emergency Resource Officer	Water Quality Analyst
Engineering Technician I	Water Resource Specialist
Engineering Technician II	Water Treatment Plant Operator
Engineering Technician III	Web Developer
Evidence/Property Technician	
GIS Coordinator	
Helpdesk Technical Support/Telecommunication Specialist	

INCLEMENT WEATHER/EMERGENCY CONDITIONS

Purpose

To establish policy and procedure to guide work related responses to inclement weather, natural disaster conditions or other emergency conditions.

Policy

As a public agency, the City of Lacey must be prepared to serve citizens of the community as scheduled, regardless of weather conditions or natural disasters — including snow, black ice, ice storms, earthquakes, and related adverse elements. It is each employee's responsibility to provide the solution to personal circumstances (e.g., distance to drive, equipment for vehicle, etc.) in order to be at work as scheduled.

Procedure

Emergency Response

During a major emergency or disaster of such magnitude that an extensive city response is needed (i.e. significant earthquake, volcanic eruption, etc.), *all* employees are to report in to work as soon as possible after attending to immediate family health and safety needs. During a lesser emergency affecting only a few operational areas or a smaller portion of the city (i.e. storm, riot, etc.), employees in those operational areas affected should contact their supervisor to see if they are needed (and/or respond in accordance with established department operational procedures for an emergency response).

Arrival at Work - First Day

On the first day of unexpected inclement weather or natural disaster which severely restricts vehicular traffic, two hours "grace" for those employees (except police officers or other designated essential services personnel) who arrive at work late may be granted at the discretion of the City Manager. Those who cannot get to work for good reason will be allowed to use vacation time (provided the employee calls in and obtains approval of his/her supervisor). On subsequent days, employees are expected to make whatever personal arrangements are needed (tire chains, car pools, etc.) to be at their work station as scheduled. Failure to do so will result in loss of pay for the day(s) absent unless the employee's supervisor approves vacation for the time absent.

The Mayor and/or City Manager have the authority to declare an emergency when a natural or man-made disaster creates a need for the services of a large number of personnel. Emergencies include:

Man-Made Emergencies

Plane Crash
Train Wreck
Riot
Hazardous Materials Incidents
Fire (major)
Explosion (extensive)
War (bomb attack, invasion, or terrorism)

Natural Disasters

Flood
Wind Storms
Earthquake
Volcanic Eruption
Major Winter Storms

The City's *Emergency Response Plan* and *Emergency Response Checklists* outline how City staff will

provide sufficient aid and equipment to any unusual emergency scene so the condition can be under control in the shortest possible time. The supervisors and employees of each department or division must be aware of their position's responsibilities as outlined in the *Emergency Response Plan* and *Emergency Response Checklists*.

The *Emergency Response Plan* also addresses staffing levels for the two phases/levels of an emergency as determined by the City Manager or his/her alternate:

<u>Phase</u>	<u>Duration</u>	<u>Work Shifts</u>
1	Short (1 to 8 hours)	Work shifts and staffing remain at normal levels
2	Longer (8 hours or more)	Work shifts and staffing determined by supervisor; 24-hour response will typically require 12-hour shifts

As required under State law, whenever an emergency is declared by the Mayor or City Manager, all employees, regardless of their regular assignment, must report for duty according to the staffing needs determined by their supervisor (see RCW 38.52.110).

All City employees are encouraged to have their own family disaster plan prepared which includes emergency supplies (water, food, clothing, etc.) and a means of communicating with family members.

PERSONNEL
SECTION 4
CLASSIFICATION AND COMPENSATION

CLASSIFICATION AND COMPENSATION

Purpose

To establish policy for the administration and maintenance of the City's Classification and Compensation Plans.

Policy

It is the policy of the City of Lacey to administer a compensation and classification system (subject to the City's revenues and ability to pay) that will allow the City to effectively recruit qualified personnel and to ensure that salaries are commensurate to the duties and responsibilities normally assigned to a position. Provided, any provisions of collective bargaining agreements with represented employees shall supersede any similar provision in this policy.

Classification Plans

The classification plan for the City of Lacey represents an assembly of positions into classes that can be compensated within the same range of pay due to a commensurate level of job difficulty, responsibility, requirements for qualifications, and/or working conditions. The classification of a position is generally based upon a combination of: (1) competitive labor market data, (2) availability of qualified applicants in a particular classification, and (3) internal equity.

Throughout the City's pay plans, position titles will generally be standardized as appropriate. Positions will be internally ranked and classified based upon an internal "whole" job ranking process; which includes, but is not limited to a comparison of the following:

- **Technical Knowledge** - The amount of specialized or subject knowledge required to perform the essential functions of the position.
- **Supervisory Skills** - The extent to which a position is required to exercise supervisory skills (i.e. organizing work, hiring, disciplining, training, and performance evaluation and management).
- **Interpersonal Skills** - The customer service and interpersonal communication skills required of a position including negotiation, mediation, facilitation, etc.
- **Problem Solving Skills** - The requirements of a position to analyze alternatives and to solve problems.
- **Responsibilities** - The amount of, and degree of, responsibilities for staff, budgets, public relations, projects, equipment, and/or customer service.
- **Working Conditions** - The degree of danger and adverse working conditions associated with the position.

Provided, nothing contained in this personnel policy, the compensation and classification plans of the City, or the City's past practices or customs relating to classification and pay, shall prevent the City from reducing its work force, laying off, promoting, demoting, restructuring the jobs of employees, reorganizing a department and/or section of a department, or modifying the City's pay plan and/or fringe benefits (subject to appropriate collective bargaining required of the existing collective bargaining

agreements with the City) or otherwise managing the direction and operation of the City and its work force as deemed necessary and proper.

Compensation Plan¹

The Compensation Plan establishes salary ranges with a series of salary steps allowing for progression through the steps based on length of service. The market based compensation schedule is reviewed periodically for non-represented positions, and in conjunction with the bargaining process for represented positions to maintain the integrity of the salary ranges and steps. The Human Resources Department analyzes the salaries of benchmark positions from comparable Washington cities. The plan is influenced by a number of factors such as collective bargaining process, ability to pay, supply of qualified labor and the current political, judicial and legislative climate. The plan is designed to be responsive to changing market conditions and any internal or external forces.

New Employees

As a general rule, all new employees will be appointed at the starting step of the salary range for their position. Provided, the City Manager or his/her designee may authorize a higher starting step for extenuating circumstances, such as exceptional qualifications, experience, technical training, or abilities.

Progression from Step to Step within Range

Progression from Step B to Step C, and further from step to step within the salary range shall normally be on an annual basis on the employee's anniversary date. Except if an employee starts in Step A, progression to Step B will be made after six months in the position and successful completion of the probationary period.

Promotions, Transfers or Reclassifications to Position with Higher Salary Range

Employees promoted to a higher classification which is on the same salary schedule as he/she is currently classified will advance to the minimum salary step in the range for the new position or to the step in that range which is at least five (5) percent greater than their previous salary, not to exceed the top step of the range. Employees who promote into a position which is on a different salary schedule, for example, from a position on the AFSCME schedule to one on the Management/Exempt schedule, shall have their starting salary negotiated DOQ (depending on qualifications). The date of the promotion/reclassification shall be the employee's new anniversary date for annual step increases.

Transfers to Position with Same Salary Range

An employee who transfers to a position that is classified at the same salary range shall continue to receive the same rate of pay. The employee's anniversary date for step increases shall remain the same as it was previous to the personnel action taking place.

Transfer or Reclassification to Positions with Lower Salary Range

An employee who voluntarily transfers or is reclassified to a position that is at a lower salary range will move to the step in the range equal to the employee's length of service with the City or the step that is closest or equal to the employee's current salary, whichever is lower. Provided, the City Manager may authorize the employee's salary be frozen until such time as the new salary range and step equal the employee's current rate of pay. The employee's anniversary date for step increases shall remain the same as it was previous to the personnel action taking place.

Reinstatement

An employee who has resigned from his/her position with the City and who is subsequently rehired shall have his/her salary and benefit accruals established the same as for any new hire of the City.

Reclassification - Procedure

Requests for reclassification may be submitted by Department Directors for consideration as a part of the budgetary process and, if approved, will be effective the first of the following year. Proposals for reclassification should be based upon the following: a proposed change in a position involving a significant or substantial addition, reduction or modification of assignments which would result in increased productivity and/or an increase in the level of customer services offered the public. Only substantial or significant changes in job duties and responsibilities will result in a reclassification, and that reclassification may be up or down. Provided, the City may choose to reassign work and/or transfer duties in lieu of making a reclassification. **(Note: Department Directors or supervisors are not authorized to assign work to an employee that would result in the need for a reclassification without prior approval from the City Manager).**

The Human Resources Director will review all requests for reclassification and will make a salary recommendation based upon consideration of the job duties and responsibilities, appropriate salary survey information, and internal equity considerations. The City Manager shall make the final determination.

Temporary Acting Pay - Working Outside of Classification

All supervisory requests to assign an employee to work outside of classification on a temporary basis must be authorized in advance by the City Manager. Employees in non-represented positions assigned to perform the full and complete responsibilities of a higher classification for a period of at least ten (10) consecutive work days shall be paid the minimum step of the higher classified position or five percent above their current rate, whichever is greater.

In cases where this policy is in conflict with a collective bargaining agreement, the provisions of the collective bargaining agreement shall prevail.

¹Salaries for Department Directors and certain designated management positions are established by the City Manager at the time of hire and are eligible for periodic adjustment for cost of living and merit subject to the discretion of the City Manager.

TEMPORARY DISABILITY/LIMITED DUTY ASSIGNMENTS

Purpose

To establish a policy and procedure for employees who are temporarily disabled allowing limited duty assignments on a short-term basis; provided, the City has a justifiable business necessity for the work to be performed.

Policy

The City Manager or Human Resources Director may approve a temporarily disabled employees' return to work in a limited duty status pending his/her recovery provided: (1) limited duty work is available and the City has a justifiable business necessity for the work to be performed; (2) the employee is able to perform the work safely and competently; and (3) the affected department(s) have the necessary fiscal resources.

Accommodations required under the Americans with Disabilities Act (ADA) for qualified disabling conditions will be evaluated on a case-by-case basis and will focus on accommodating the employee so that he/ she can perform the "essential functions" of the job.

Definitions

Limited-Duty Position - A position that does not require the employee to be able to perform all of the duties normally required by the department for the employee's particular rank or job classification. Such positions are not specifically reserved for temporarily disabled employees and may be filled by employees as regular assignments based on the needs of the department.

Temporary Disability - A disability incurred by an employee that a qualified physician or psychologist has determined will temporarily prevent the employee from performing all or a significant portion of the essential duties of the position to which he/she is normally assigned. Such disability, however, may not prevent the employee from temporarily performing in an appropriate limited-duty position.

Short-Term Assignment - For the purpose of this policy, the assignment of an employee with a temporary disability to a limited duty position for a period not to exceed sixteen (16) weeks. The sixteen week limit may be extended by the City Manager for extenuating circumstances if deemed advisable by the employee's physician and the City continues to have an operating need for the work to be performed.

Reasonable Cause - A situation or circumstance that is based on specific, contemporaneous, articulable observations concerning the behavior or speech of the employee.

Procedure

I. General Limited Duty Assignments

- A. Either the temporarily disabled employee or his/her supervisor may initiate discussions about limited duty. If the supervisor determines that limited duty is available, the employee and supervisor shall submit a written request to their Department Director. The request must include the following:

1. Identification of the work that will be performed and the reason it is needed;
 2. A medical release from the employee's attending physician describing the disability, the limitations it causes, a prognosis stating an approximate date of recovery, and a statement indicating the employee is medically qualified to perform in a limited-duty capacity. A job description of the limited-duty assignment will be given to the physician prior to making an evaluation.
- B. If the Department Director agrees, the request will be forwarded to the Human Resources Director. The Human Resources Director and City Manager will be responsible for the final approval of all limited-duty assignments. Limited-duty assignments may be denied if there is no business necessity for the work to be performed.
- C. If the assignment to limited duty extends beyond 15 work days, and the limited duties are normally paid at a salary level lower than the employee's usual duties, the employee's salary may be reduced to the lower level for the remainder of the assignment on a step for step basis.

II. Pregnant Employees Working in Law Enforcement or Field Positions

Law enforcement officers and field employees who are pregnant are encouraged to notify their physicians they are working in law enforcement or field occupations and explain the nature of their job duties at the earliest possible date to protect against job related risks to themselves or their fetus.

III. City Request for Medical Evaluation

- A. A supervisor who has reasonable cause to believe an employee's medical or general health condition may be interfering with the employee's ability to perform the job or poses a safety threat to him/herself, co-workers or the public, may, following review and approval by the Department Director and Human Resources Director, request the employee provide a medical evaluation and release from the employee's attending physician. The City may also request an objective medical evaluation at the City's expense.

PAYMENT OF FEES FOR CERTIFICATIONS, LICENSES, & ENDORSEMENTS

Purpose

To establish policy and procedure for determining financial responsibility for fees charged for specified certificates and licenses.

Policy

The City of Lacey will compensate employees for the maintenance of specific certifications, licenses, and/or endorsements when they are required of the occupied position. The City will also compensate employees to obtain specific certifications, licenses, and/or endorsements in approved circumstances.

Procedure

1. Employees in positions that require certifications, licenses, and/or endorsements per their job descriptions will receive compensation from the City to maintain current standing.

Examples may include:
 - First Aid/CPR
 - Water Distribution
 - Flagging
 - CDL test and endorsement (Additionally, the City will reimburse the physical examination required for renewal, up to \$60)
2. When the existing mandatory qualifications for a position are modified to include possession of certifications, licenses, and/or endorsements, the City will pay the fee for an employee's attainment of the required certifications.
3. All job announcements will indicate the required certifications, licenses, and/or endorsements for the position. It is expected that the applicant have the required certifications, licenses, and/or endorsements prior to hire with the City or within the timeframe specified in the job description.
4. In approved circumstances, the City will provide compensation for certifications earned which are not specifically required of the position. The Department Director and Human Resources Director will review the circumstances and issue an approval or denial of compensation.
5. If an employee fails the first attempt to earn the required certification, license, and/or endorsements for the position, the City will not pay for further attempts.
6. If an employee with a CDL is randomly selected to re-take their test and fails, another re-test is required at a fee. The Department Director will consider an exception to the policy for payment of the second re-test on a case-by-case basis. The reason for this exception is a question of unfairness or prejudice against the City's use of a third party tester for the original CDL endorsement. A third need to test will not be paid for by the City; except for extenuating circumstances in which a reasonable person would conclude the employee was not responsible

for failure to pass the second test.

Appeals

If an employee feels they were not reimbursed according to this policy or the decision to not reimburse was inappropriate, he/she may request a review of the circumstances by the Department Director. The employee may elevate this appeal to the City Manager within ten working days of the Director's decision. The City Manager's decision shall be final.

Personnel
Section 5
BENEFITS/LEAVES

BENEFITS

Purpose

To describe the benefits program for all regular employees of the City of Lacey.

Policy

All employees in regular full-time positions of the City of Lacey shall be covered by the benefits program outlined below and/or the benefits specified in the applicable collective bargaining agreement for the position in question. In the event of a conflict between the benefits as stated, and benefits as provided by collective bargaining agreement, the terms and conditions of the collective bargaining agreement alone shall prevail.

Employees in regular part-time positions who work a minimum of 20 hours per week are eligible for health insurance and additional benefits pro-rated in accordance with the number of hours normally worked. Benefits will be adjusted (up or down) if the position's hours change for periods greater than two full calendar months. Eligibility for Public Employees' Retirement System (PERS) or Law Enforcement Officers' and Fire Fighters' (LEOFF) retirement system is subject to meeting Department of Retirement Systems (DRS) eligibility requirements.

Health Insurance Benefits

The City provides all eligible employees with a benefit allowance that is applied monthly to the selected benefit plans. The amount of the benefit allowance is negotiated through collective bargaining or as set forth by annual review for non-represented employees.

Medical Insurance - The City will offer group medical coverage for employees in regular positions, their spouse or domestic partner (same or opposite sex) and eligible dependents as agreed to through collective bargaining or as set forth by annual review for non-represented employees. An employee must, at a minimum, subscribe to basic medical coverage for him/herself.

Dental Insurance - The City will offer group dental coverage for employees in regular positions, their spouse or domestic (same or opposite sex) partner and eligible dependents as agreed to through collective bargaining or as set forth by annual review for non-represented employees. An employee must, at a minimum, subscribe to basic dental coverage for him/herself.

Vision Insurance - The City will provide group vision coverage for employees in regular positions, their spouse or domestic partner (same or opposite sex) and their eligible dependents as agreed to through collective bargaining or as set forth by annual review for non-represented employees. Enrollment is mandatory for all employees and their family.

Life Insurance - The City will provide group term life insurance coverage for employees in regular positions as agreed to through collective bargaining or as set forth by annual review for non-represented employees. All employees are enrolled in the appropriate coverage.

Long Term Disability - The City will provide group Long Term Disability coverage for employees in regular positions if agreed through collective bargaining or as set forth by annual review for non-represented employees.

Effective Date of Coverage for Represented and Non-Represented employees.

By applying when first eligible, new employees and their families will be covered on the first day of the month following the date of employment; provide LEOFF I employees coverage will begin on the date of employment.

Additional Benefits

The following benefits will be available to eligible employees through voluntary payroll deduction and/City benefit dollars, according to collective bargaining agreement or as set forth by annual review for non-represented employees:

1. Deferred compensation plans (section 457) through International City Management Association (ICMA) or the State of Washington Deferred Compensation Plan.
2. Supplemental life insurance coverage available through Standard Insurance for the employee and the employee's spouse/domestic partner.
3. U.S. Savings Bonds.
4. Flexible Spending Accounts for uncovered health care expenses and for dependent day care expenses are available at the time of hire and during each open enrollment period.
5. All or any combination of the above.

Retirement

Employees in regular positions are required to participate in the appropriate State of Washington's Public Employee's Retirement Systems (PERS) or the Law Enforcement Officers' and Fire Fighters' Retirement System (LEOFF) as long as their compensated hours continue to qualify them for service credit under the appropriate plan. The City makes contributions to the appropriate system as required by state law. Participating employees also pay a contribution to the plan through a payroll deduction.

Social Security

The City participates in the Social Security System. The City contributes and the employee contributes a percentage of their salary, as required, into the system (except for commissioned law enforcement officers).

Unemployment Compensation

The City pays unemployment compensation costs for employees through the State Unemployment Compensation Coverage program. Unemployment compensation benefits are generally available to employees who become unemployed through no fault of their own.

Workers' Compensation

All employees of the City are insured in the State's Workers' Compensation Program. The program is designed to protect employees against medical costs from on-the-job accidents and injuries and for work time lost as a result of such accidents or injuries. The City pays a substantial portion of the premium costs for this coverage. All accidents and on-the-job injuries must be immediately reported to a supervisor.

HOLIDAYS AND LEAVES

Specific provisions provided by collective bargaining agreements for holiday and leave times shall prevail if in conflict with the following policies.

Purpose

The Holidays and Leave policy details the paid and unpaid absence from work provided by the City for all employees in regular, budgeted full or part-time positions. Employees in temporary positions are not eligible for any of these benefits.

Holidays

Holiday Schedule. Employees in regular full-time and part-time positions for the City shall be granted paid holiday leave as follows:

New Year's Day	January 1
Martin Luther King's Birthday	3rd Monday in January
President's Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	1st Monday in September
Veteran's Day	November 11th
Thanksgiving Day	4th Thursday in November
Day after Thanksgiving	4th Friday in November
Christmas Day	December 25th

Part-Time Employees - Part-time employees shall accrue holiday benefits pro-rated in accordance with the number of hours normally worked.

Effect of Unpaid Leave - Employees must be in a paid status the day before and the day after a holiday to receive holiday pay.

Scheduling of Holidays Falling on Weekends - A legal holiday that falls on Saturday shall be observed on the preceding Friday. A legal holiday that falls on Sunday shall be observed the following Monday.

Floating Holiday - Represented positions accrue this holiday according to their bargaining agreement. Non-represented positions accrue two floating holidays per year after successful completion of the probationary period. Employees may select the day to take the additional holidays provided for herein after consultation with and approval of the Department Director. Floating holidays must be taken in the year accrued or will be lost. Floating holidays may not be taken as part of terminal leave.

All holidays are to be paid based on the regular daily schedule of the position; provided, employees who work on a holiday shall be paid in accordance with the terms of their collective bargaining agreement.

Other Holidays - Employees who need time off for reasons of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization will be

permitted to do so provided their absence does not result in an undue hardship to the City. Employees may use any earned vacation pay or may take the time off as an unpaid, excused absence.

Paid Leave

Sick Leave

The City will comply with RCW 49.46.210 and WACs 296-128-600 through 296-128-700 in providing paid sick leave to all covered employees (non-exempt).

1. Sick Leave for Hourly part-time and seasonal employees (non-represented)

The City will comply with RCW 49.46.210 and WACs 296-128-600 through 296-128-700 in providing paid sick leave to all covered employees (non-exempt).

In accordance with state law, hourly part-time and seasonal employees including interns will accrue .25 hours of sick leave for every hour worked (includes overtime). Employees will not accrue sick leave for hours not worked including vacation, sick or holidays.

Sick leave will begin accruing upon commencement of employment. All sick leave accrued shall be available for use the following month. For example, sick leave accrued in January may not be used in January, but will be available for use beginning in February.

Sick leave taken shall be charged in the actual amount of time used, but not in smaller increments than the employee normally reports their hours for payroll purposes. For example, if the employee normally reports their hours worked on their time sheet in 15 minute increments, then they must take sick leave in not less than 15 minute increments.

Paid sick leave will be compensated at an employee's regular rate of pay. Sick leave will not count towards overtime hours.

The maximum amount of sick leave hourly part-time or seasonal employees may carry over at the end of the calendar year is 40 hours.

If an employee separates from the City and then is rehired or reinstated within 12 months, the employees' unused Paid Sick Leave bank shall be reinstated.

Authorized Sick Leave Use for Washington Sick Leave (WSL) - A request to use sick leave must be made to the responsible supervisor. If the leave is foreseeable, then the employee should provide 10 calendar days' notice or as soon as is reasonably foreseeable. If the leave is not foreseeable, then the employee shall provide notice as early as practicable. The employee may designate another person to provide notification.

If the employee is using leave for an absence that qualifies under the domestic violence leave act, RCW 49.76, per WAC 296-135-060 the employee or his or her designee must give oral or written notice to the employer no later than the end of the first day that the employee takes such leave. See also subsection 15.

An employee is authorized to use WSL for the following reasons:

- 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;
- To allow the 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; and
- When the employee's place of business has been closed by order of a public official for any health-related reason, or when an employee's child's school or place of care has been closed for such a reason.
- An employee is authorized to use paid sick leave for absences that qualify for leave under the domestic violence leave act, chapter [49.76](#) RCW.
- For this section, family member is defined as child or parent (including biological, adopted, foster, step or legal guardian), a spouse, registered domestic partner, spouse's parent, grandparent, grandchild or sibling. -

Please note:

- You are not required to provide any details concerning the specific nature of the health condition in order to use WSL, unless otherwise required by law.
- Any information you provide will be kept confidential.

Requirement for verification for use of Washington Sick Leave (WSL) - If the employee is absent more than three consecutive days, the employee may be required to furnish a physician's verification that the use of sick leave is for an authorized purpose. If requested, the employee must provide the verification within ten (10) calendar days following the first day of leave. The employee may request an extension of time if there are mitigating circumstances.

If the employee believes that such verification will create an unreasonable burden, then the employee must provide a written statement that the leave was for an authorized purpose and how the verification requirement would cause the employee an unreasonable burden or expense. The Director of Administrative Services or designee will review the statement and within ten (10) calendar days either accept the statement or identify and provide alternatives for the employee to mitigate the unreasonable burden or expense.

Unauthorized use of Washington Sick Leave: The City may choose not to pay an employee for paid sick leave taken in excess of three (3) consecutive days until verification is provided.

The City will not pay for paid sick time taken if it is not for an authorized use.

2. Regular full-time, part-time non-exempt employees

Employees in regular full-time positions shall accrue eight hours of sick leave each monthly pay period which may be used as set forth below in Section 4. Employees in regular part-time positions shall accrue sick leave benefits pro-rated in accordance with the number of hours normally worked. Provided that they shall still meet the minimal accrual under state law of at least .025 sick leave hours for every regular or overtime hour worked.

2.1 Annual carry over limits

For non-represented regular positions, the maximum amount of sick leave that an employee may carry over at the end of the calendar year is 960 hours. For balances over 960, hours will first be reduced from the employees WSL bank and then from their LSL bank. For represented position, the CBA will govern carry-over amounts.

2.2 Rehire within 12 months

If an employee separates from the City and then is rehired or reinstated within 12 months, the employees' unused Washington Sick Leave (WSL) bank shall be reinstated.

2.3 Compliance with new Washington Sick Leave (WSL) statute and rules

In order to comply with the new State statute and rules for paid sick leave, the City will track sick leave time accrued for regular full-time and part-time employees to insure that the hours that they have accrued meet the minimum requirements under the law. Additionally, the city will track and report to employees that portion of their accrued hours each month that are attributed to the WSL requirement. A regular full-time employee will accrue 8 hours of sick leave in a month per city policy, but under state law they are guaranteed .025 sick leave hours per 1 hour worked. For example, in a month an employee may work 176 regular hours and 4 hours of overtime. For that month, they would receive 8 hours of sick leave, but the city would also track that of those 8 hours, 4.5 ($.025 \times 180$) would count as their state mandated sick leave, WSL, balance. Hours attributed to WSL have different authorized uses and protections than the remaining portion of Lacey Sick Leave (LSL). The same accrual and tracking model will apply to regular part-time employees who receive a prorated amount of sick leave per month.

2.4 Authorized uses

Hours tracked as WSL hours will be subject to the authorized uses and verification rules in Sections 4.5 and 4.6. Hours tracked as LSL hours will be subject to the authorized uses and verification rules in Sections in 4.5 and 4.7.

When an employee uses sick leave, they must select the appropriate code to indicate which balance they are using, WSL hours or LSL hours. If an employee fails to indicate an appropriate code, the hours will be deducted from their LSL balance first.

3. Exempt Employees

Employees in exempt positions shall accrue eight hours of sick leave each monthly pay period which may be used as set forth in Sections 4.5 and 4.7.

4. Sick Leave Use

4.1. Utilization Rate - Sick leave taken shall be charged in the actual amount of time used, but not in smaller increments than the employee normally reports their hours for payroll purposes. For example, if the employee normally reports their hours worked on their time sheet in 15 minute increments, then they must take sick leave in not less than 15 minute increments.

4.2. Balance notification - On a monthly basis, the City will provide each employee with their sick leave balance information including accrued sick leave since the prior month, used sick leave since the prior

month, current balance available for use.

4.3. Effect of Unpaid Leave - Employees on unpaid leave for periods exceeding fifteen working days will have sick leave accrual reduced for the calendar month on a pro-rata basis for the percentage of time off in an unpaid status. Provided that they shall still meet the minimal accrual under state law of at least .025 sick leave hours for every regular or overtime hour worked.

4.4. Coordination with Workers' Compensation - Sick leave benefits may not be used for any absences when the employee is entitled to receive benefits under the Workers' Compensation Act, except that sick leave may be utilized to make up the difference between the Workers' Compensation payment and the employee's monthly salary. Until the Department of Labor and Industries (L&I) has made a determination on the employee's eligibility for Workers' Compensation benefits, the City may grant full sick leave benefits, if accrued. If, as a result, the employee receives compensation in excess of the employee's monthly compensation, the employee will submit the workers' compensation payment to the City within five days of receipt of payment from L & I and their sick leave balance will be credited for an amount equivalent to the dollar value.

4.5. Authorized Sick Leave Use - A request to use sick leave must be made to the responsible supervisor. If the leave is foreseeable, then the employee should provide 10 calendar days' notice or as soon as is reasonably foreseeable. If the leave is not foreseeable, then the employee shall provide notice as early as practicable. The employee may designate another person to provide notification. If the employee is using leave for an absence that qualifies under the domestic violence leave act, RCW 49.76, per WAC 296-135-060 the employee or his or her designee must give oral or written notice to the employer no later than the end of the first day that the employee takes such leave.

An employee is authorized to use sick leave for the following reasons:

- 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;
- To allow the 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; and
- When the employee's place of business has been closed by order of a public official for any health-related reason, or when an employee's child's school or place of care has been closed for such a reason.
- An employee is authorized to use paid sick leave for absences that qualify for leave under the domestic violence leave act, chapter [49.76](#) RCW.
- For this section, family member is defined as child or parent (including biological, adopted, foster, step or legal guardian), a spouse, registered domestic partner, spouse's parent, grandparent, grandchild or sibling. -
- Any disputed workers' compensation claim (however, the employee may first be required to sign a repayment agreement or otherwise acknowledge their obligation to "repay" the sick pay if the claim is ultimately accepted);

Please note:

- You are not required to provide any details concerning the specific nature of the health condition in order to use sick leave, unless otherwise required by law.
- Any information you provide will be kept confidential.

4.6. Requirement for verification for use of Washington Sick Leave (WSL) - If the employee is absent more than three consecutive days, the employee may be required to furnish a physician's verification that the use of sick leave is for an authorized purpose. If requested, the employee must provide the verification within ten (10) calendar days following the first day of leave. The employee may request an extension of time of up to ten (10) calendar days if there are mitigating circumstances.

If the employee believes that such verification will create an unreasonable burden, then the employee must provide a written statement that the leave was for an authorized purpose and how the verification requirement would cause the employee an unreasonable burden or expense. The City will review the statement and within ten (10) calendar days either accept the statement or identify and provide alternatives for the employee to mitigate the unreasonable burden or expense.

Unauthorized use of Washington Sick Leave: The City may choose not to pay an employee for paid sick leave taken in excess of three (3) consecutive days until verification is provided.

4.7. Requirement for a verification for use of Lacey Sick Leave - If the employee is expected to be absent longer than three working days or if there has been a pattern of excessive or unusual absences by the employee, an employee may be required to furnish a verification that the leave was for an authorized use at the request of the Supervisor. In some circumstances, as allowed by law, the employee may be required to submit to an appropriate medical or other professional examination by a physician of the City's choice at the City's expense.

5. Return-to-Work Releases

An employee who is absent for more than three workdays in any 30-day period because of an illness, injury or other condition (other than one returning from intermittent leave) may be required to provide a return-to-work release, confirming that their health-care provider has reviewed the essential job functions and has released the employee to perform them -- or is releasing the employee with some restrictions or limitations -- before they will return to work. The City may require such a release for absences of less than three workdays as well if the City has reasonable questions about an employee's ability to return to work.

All medical releases must clearly explain the employees' work abilities and any limitations or restrictions. For example, if the employee is released to return to work with restrictions, the medical certificate must clearly state what kinds of duties the employee can (and cannot) do. To the extent allowed by law, reinstatement may be delayed until the employee has provided a release meeting these standards, so please contact Human Resources if you have any questions.

6. Sick leave conversion for non-represented employees

Once an employee has accrued 480 hours of sick leave, at the end of the calendar year they can trade up to 160 hours of sick leave for vacation leave at a ratio of 4 sick leave hours to 1 vacation hour (25%). Trades must occur in 8 hour increments. This provision applies only to non-represented employees.

Sick leave conversion for represented employees shall be governed by the applicable CBA.

7. Family Medical Leave Act of 1993 (FMLA) Overview and Summary

This law allows eligible employees (see definition below) to take a leave of up to 12 work weeks in a calendar year to care for (or be with a spouse, child or parent with a "serious health condition," or to be with (or care for) a child after birth, placement for adoption or foster care (or in certain comparable situations), or for the employee's own serious health condition.

Additionally, employees may take up to 12 weeks of paid vacation and/or unpaid leave for any qualifying exigency related to a spouse, son, daughter, or parent's active duty or notification of an impending call or order to active duty in the Armed Forces in support of a contingency operation.

Employees who are the spouse, son, daughter, parent or next of kin of a covered service member are also entitled to a total of 26 work weeks of leave during the calendar year to care for the service member who was wounded on active duty, and is undergoing medical treatment, recuperation, or therapy, or is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. This leave is available during the calendar year.

Eligible Employees - If an employee needs to take a leave for the reasons or purposes outlined above and meet the following conditions, the employee will be eligible for FMLA leave if:

- ◆ The employee has worked for the City for at least one year;
- ◆ The employee has worked at least 1,250 hours in the 12 months immediately preceding the start of the leave; and,
- ◆ In a timely manner, the employee has provided us with any required medical or other certification (for example, documentation of your qualifying relationship to an individual with a serious health condition).

"Serious health condition" means an illness, injury, impairment, or physical or mental condition:

- ◆ That involves an overnight stay in a hospital or similar facility;
- ◆ That requires continuing treatment (two or more visits, or one visit followed by a continuing course of treatment such as taking prescription drugs) by a health care provider, and causes the individual to miss four (4) or more consecutive calendar days of work, school or regular activities;
- ◆ Any period of disability or treatment for a chronic health condition (for example, asthma, epilepsy or diabetes) over an extended period by a health care provider or requiring periodic visits;
- ◆ Any period permanent or long-term disability due to a condition for which treatment may not be effective (for example, Alzheimer's) but for which the person is nonetheless under the supervision of a health care provider; or
- ◆ Any period of absence to receive multiple treatments either for restorative surgery after an injury or for a condition (for example, chemotherapy or radiation for cancer, physical therapy

for severe arthritis, or dialysis for kidney treatment) that if not treated would likely result in a period of disability of four (4) or more consecutive calendar days.

NOTE: In some of these circumstances, treatment or care by a nurse, physician's assistant, or therapist may qualify in lieu of treatment or care directly by a "health care provider."

Additional Leave Under State Law for Pregnant Employees

Under Washington State law, pregnant employees are entitled to additional unpaid leave for the period of time that the employee is physically disabled due to pregnancy and/or childbirth.

The period of temporary disability normally lasts six to eight weeks if the pregnancy and childbirth are without complications. With complications, such as required bed rest before childbirth, the period of temporary disability can last longer.

Pregnancy leave under state law runs concurrent (at the same time) with the FMLA, and does not extend the 12 weeks of leave allowed under federal law.

Pregnancy leave under state law runs consecutive (one begins after the other ends) with the Washington Family Leave Act, and does extend the 12 weeks of leave allowed under state law for the duration of the physical disability. Thus, a pregnant employee with no complications in the pregnancy and childbirth is likely entitled to eighteen to twenty weeks of leave (6 to 8 weeks of physical disability leave, plus 12 weeks of leave under the WFLA).

Note that the law allowing extra leave does not apply when the qualifying event is the placement of a newborn by adoption or foster care.

Your Duty to Notify the City - Employees seeking to use **paid or unpaid** leave for a purpose that may qualify for FMLA leave must notify Human Resources of that intent so that the City can maintain accurate records and ensure that the employee receives all of the benefits to which they are entitled to by law and the City's policies.

Scheduling Leave - Leave may be taken on an intermittent or reduced schedule only with prior approval (for example, if an employee needs time off each week to take a family member for dialysis or radiation treatment, etc.). The employee will need to consult with their supervisor to try to work out the least disruptive schedule for the leave, when possible. An FMLA leave due to the birth or placement of a child must be completed within one year of the event.

In some circumstances we may transfer you to an alternative position (with equivalent pay and benefits but not necessarily the same responsibilities or authority) that better accommodates the City's business needs.

Requirements for a Physician's Statement - If the employee is expected to be absent longer than three (3) working days or if there has been a pattern of excessive or unusual absences by the employee, an employee may be required to furnish a physician's certificate of illness, injury, or medical condition at the request of the Department Director. In some circumstances, the employee may be required to submit

to an appropriate medical or other professional examination by a physician of the City's choice.

Benefits of FMLA Leave - If FMLA leaves are unpaid, the City will continue paying its share of the cost of your health insurance, life insurance, and long-term disability packages for the duration of the FMLA leave. Other employee benefits (such as vacation, sick leave, etc.) will continue to accrue as long as you are on paid status, will be prorated during any period in which you are partially on unpaid status, and will cease to accrue once you are totally on unpaid status.

Reinstatement - Employees taking FMLA Leave will be reinstated to their former position or an equivalent position and pay upon their return to work. Under specified circumstances where restoration to employment will cause substantial and grievous economic injury to its operations, the City may refuse to reinstate certain highly-paid "key" employees after using leave. In order to do so, the City will:

- notify the employee of his/her status as a "key" employee in response to the employee's notice of intent to take family medical leave;
- notify the employee as soon as the employer decides it will deny job restoration and explain the reasons for this decision;
- offer the employee a reasonable opportunity to return to work from leave after giving this notice; and
- make a final determination as to whether reinstatement will be denied at the end of the leave period if the employee then requests restoration.

8. Parental Leave.

Employees wishing to take Parental Leave must apply with their immediate supervisor at least 30 days prior to the anticipated start of the leave and meet with a Human Resources representative to receive appropriate benefit information.

Employees will be allowed to use a combination of paid and/or unpaid leave for a period allowed by Washington State's Family Leave Act, the Washington State Human Rights Commission laws on Sex Discrimination and the Federal Family Medical Leave Act to care for a newborn and/or when providing home care for placement of an adopted child under the age of 18.

9. Vacation Leave.

Employees in regular full-time positions for the City shall be granted vacation leave with pay in accordance with the vacation schedule adopted by their respective collective bargaining agreement or approved by the City Manager for non-bargaining unit positions. Employees in regular part-time positions shall accrue vacation benefits pro-rated in accordance with the number of hours normally worked.

Limitation for Probation Period - Vacation shall accrue monthly from the date of employment, but may not be used until after the successful completion of the six month probationary period. After the successful completion of the probationary period, leave may be allowed to the limit of the amount credited. Employees who separate from the City prior to completion of probation will be paid for any vacation leave accrued to the date of separation.

Maximum Accumulation - Vacation leave may be accumulated to a maximum of 240 hours. At which time the employee will cease earning any additional vacation accruals until vacation is taken. However, if an employee submits a request for vacation and the request is denied because of the needs of the City and the denial causes the employee's accrued vacation time to exceed the 240 hour limit, the limit will be temporarily raised to 256 hours. The employee must take vacation time to lower the amount below 240 hours within a 30-day period.

Requirement for Use - Leave shall be granted upon written application of the employee made in advance and approved by the Department Director or designee. Each eligible employee shall be required to use at least 40 hours of vacation leave each year. Employees may use accumulated vacation leave for absences related to illness, injury, and appointments for their child, spouse/domestic partner, parent, parent-in-law, or grandparent.

Current Accruals Frozen - Employees accruing vacation hours in excess of the hours available on the above schedule on January 1, 1988, shall have their current accrual levels frozen until such time as their service time catches up with their accrual rate.

Unpaid Leave - Employees on unpaid leave for periods exceeding fifteen working days will have vacation leave reduced for the calendar month on a pro-rata basis for the percentage of time off in an unpaid status.

Unused Balance at Separation - Unused vacation balances up to maximum of 240 hours will be cashed out and paid to the employee at the time of separation. CBA's shall govern for represented employees.

10. Shared Leave.

City employees may donate a portion of their vacation leave to an eligible city employee who is suffering from, or has an immediate family member suffering from, a life threatening condition or catastrophic illness or injury which prevents the employee from working and has caused or is likely to cause him/her to take leave without pay or terminate employment. Immediate family member is a spouse/domestic partner, child, parent, or individual living in the employee's household for whose care the employee is responsible and who has a life threatening condition or catastrophic illness or injury requiring the employee's attendance.

On-the Job Injury - City employees may donate a portion of their vacation leave to an eligible employee who has had a serious on-the-job injury requiring corrective surgery and/or hospitalization which prevents the employee from working and has caused or is likely to cause him/her to take leave without pay or terminate employment. The injury must not have been caused by the employee's willful or negligent violation or disregard of any work rule, standard operating procedure, city policy, or law.

Eligible City Employee - Shared leave is intended to assist an employee during the 90-day waiting period before long-term disability begins, or, in the case of ineligibility for disability benefits, to assist the employee through the worst of the crisis. It is also intended to provide assistance to an employee when an extended leave is required for an immediate family member. To be eligible for shared leave benefits, an employee must have depleted or will shortly deplete his/her total of accrued vacation, sick leave, compensatory time, holiday time and/or other paid leave. Employees receiving worker's compensation and/or disability benefits are not eligible to receive shared leave; except for shared leave which may be

needed to coordinate with worker's compensation benefits (see sick leave section). Please Note: Per Department of Retirement System Rules (WAC 415- 108-468), employees are not granted service credit for shared leave, with the exception of LEOFF Plan 2 members, who are eligible to receive service credit per 2010 SB 6453 (to earn one month of service credit, an employee must have a minimum of 90 hours paid as hours worked, vacation, compensatory time, holiday and/or sick leave time for each calendar month.)

Eligible employees will be required to provide appropriate medical documentation of the necessity for the leave and the time in which the employee can reasonably be expected to be absent due to the condition. Inappropriate use or treatment of shared leave benefits will result in the cancellation of the use of shared leave.

Employees Receiving Shared Leave - In the event an employee applies for shared leave benefits, and the request is approved, the Human Resources Department will distribute a notice that donations of paid leave time are needed to assist the employee. To the extent possible, shared leave will be used on a consecutive basis. The time period which shared leave benefits may be applied for shall be from the date unpaid leave would commence until the date long term disability benefits are paid, to a maximum of six (6) months throughout an employee's employment with the City. Exceptions to the above time limits for extenuating circumstances may be approved by the City Manager and will be evaluated on a case-by-case basis where the employee will return to work, as verified by medical evidence. The amount of shared leave benefits transferred to an employee shall be limited to the amount donated by fellow employees. The use of shared leave will not increase the City's costs, except for the costs incurred in the administration of this program.

Donations of Shared Leave - If an employee wishes to donate a portion of his/her accrued vacation leave to another employee, a written request will be submitted to Human Resources specifying the amount of hours he or she wishes to donate and who the hours are donated to. The donating employee must have a least 40 hours vacation leave and/or have used at least 40 hours in the last 12 months. Donations shall be in minimum 4 hour increments. Donations may be made anonymously at the choice of the donating employee.

The receiving employee shall be paid at his or her regular rate of pay; therefore, depending on the value of the shared leave, one (1) hour of leave may cover more or less than one (1) hour of the recipient's salary. The dollar value of the leave shall be converted from the donor to the recipient. The leave received shall be coded as shared leave and be maintained separately from all other leave balances. All donations of leave must be given voluntarily. No employee is to be coerced, threatened, intimidated, or financially induced into donating leave for the purposes of this program.

The amount of leave donated which remains unused will be returned to the employee or employees who donated the leave (last in/first returned). The Human Resources Director shall determine when shared leave is no longer needed.

11. Bereavement Leave.

All employees in regular positions may request and shall be granted up to five work days of bereavement leave to grieve, assist in making arrangements and/or attend the services in the event of a death in the

immediate family; defined as a parent, parent-in-law, spouse/domestic partner, child, sibling, grandparent, or grandchild of the employee, regardless of their residence; or is a member of the employee's household under the same roof. Up to two hours bereavement leave will be allowed for employees to attend the services of a co-worker, retiree, or elected official (current or previously in office for the City). Bereavement leave taken in accordance with this paragraph shall not be charged against the accrued sick leave, vacation, or compensatory time of the employee. With approval of the supervisor, the employee may take up to one-half day of sick leave to attend the funeral services of a close friend or a relative not included above. Verification of relationship and death may be requested when deemed appropriate.

12. Jury Duty.

Serving on a jury is a right and responsibility of all adult U.S. citizens. The City of Lacey supports the participation of its employees on juries when that participation will not unduly interfere with the operation of the City.

An employee who has received notice of selection for jury duty is to report that information to his/her supervisor. The supervisor, after evaluating the effect of the employee's absence, will then determine whether the employee will request his/her jury service to be excused or postponed by the court. The City will accommodate the court's refusal to excuse the employee or postpone the jury service.

The City will continue to compensate eligible employees serving on jury duty for the period of time covered by initial subpoena or court order and any involuntary extensions. Compensation (e.g. jury duty pay) provided by the courts will be signed over to the City with the exception of travel and meal reimbursement.

13. Witness Duty Leave.

All employees who are subpoenaed or requested to testify by the City will continue receiving their regular wages (but only the straight-time hours of work scheduled and missed, up to eight hours in any one day) while on witness duty.

Employees who are required to appear in court or in a state or federal administrative proceeding to testify under some form of subpoena or court order for other than City related business may obtain an unpaid leave of absence or use of vacation for the period of time necessary to do so.

All employees will promptly notify the City of their witness duty obligations to allow the City sufficient time to make arrangements to cover the absence.

14. Military Leave.

In accordance with RCW 38.40.060, every employee of the City who is a member of the Washington National Guard or of the Army, Navy, Air Force, Coast Guard, or Marine Corps reserve of the United States, or of any organized reserve or armed forces of the United States shall be entitled to and shall be granted military leave of absence from such employment for a period not exceeding twenty-one days during each October 1 through September 30. Such military leave of absence shall be in addition to any vacation or sick leave to which the employee might otherwise be entitled, and shall not involve any loss of efficiency rating, privileges, or pay. During the period of military leave, not exceeding twenty-one days, each October 1 through September 30, the employee shall receive his or her normal pay.

Employees who are ordered to or volunteer for military training or active duty in excess of the twenty-one days provided for above in the Armed Forces of the United States, the U.S. Coast Guard, the U.S. Public Health Service, or a National Guard component, may take an unpaid leave of absence for the length of the service.

Except as otherwise required by law or City policy, all military leaves in excess of twenty-one days are without pay.

Any employee who is called up to report for active duty shall be granted leave without pay for the period of active service with the right to return to the same job and status without loss of seniority at the conclusion of the active service provided the person is still qualified to perform the duties of his/her former position. The employee's selected benefit package will continue through the end of the month of their deployment and will be reinstated on the first of the month of their return without pro-ration of the City's contribution of the premium.

Employees who fail to return to work on the date specified on the Leave Request without receiving an extension in advance are subject to disciplinary action up to and including termination.

Leave for Military Spouse/Domestic Partner (Washington State's Family Military Leave Act)

During a period of military conflict a total of fifteen (15) days of unpaid leave per deployment is available for spouses/domestic partner of active duty military personnel. The leave can be taken:

- a. when the soldier is on leave from his/her deployment; or
- b. after the soldier learns of the deployment, but before he/she commences active duty.

The employee must give notice of intention to take leave **within five (5) days** of the soldier receiving official notice of the order to active duty, or official notice of receiving leave from active duty.

The employee may use accrued paid leave (sick, vacation or personal days) for the time away from work. If the employee elects to take an unpaid leave, the health insurance benefits will continue at no cost to the employee as long as the leave does not exceed 15 days.

Employees will be restored to the same position or equivalent position in pay, benefits, terms and conditions.

This leave is available to all employees who work 20 hours or more per week.

15. Leave for Victims of Sexual Assault, Stalking and Domestic Violence and Their Family Members.

An employee who has been the victim of domestic violence, sexual assault or stalking, or who has a family member, as defined below, who has been victimized, may take leave for one of the following purposes:

- To seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or the employee's family members, including civil or criminal legal proceedings
- To seek medical treatment for physical or mental injuries

- To attend to health care treatment for a victim who is the employee's family member
- To obtain or assist a family member in obtaining services from a domestic violence shelter, rape crisis center, or other social services program
- To obtain or assist a family member in obtaining mental health counseling
- To relocate or participate in safety planning, family members may take leave to help the victim obtain treatment or seek help. "Family Member" includes:
 - Spouse/domestic partner, parent, parent-in-law, grandparent, and child
 - A person with whom the employee has a dating relationship

An employee must give advance notice for the need to use their available leave balances. If this is not possible due to an emergency or unforeseen circumstance, the employee must notify the employer of the need for leave no later than the end of the first day the employee takes the leave.

The employee may elect to use sick leave, compensatory time, vacation time, floating holiday or unpaid leave for the defined purposes. A reasonable amount of time will be allowed for the defined purposes. The leave may be intermittent or on a reduced schedule.

The employee may be required to furnish verification that the employee is a victim of domestic violence, sexual assault or stalking and that the leave was taken for one of the purposes allowed by the law. A police report, court order or other documentation from a victim's advocate, an attorney, a member of the clergy, or a medical or other professional are appropriate for verification purposes. The employee may also satisfy the verification requirement by providing a written statement explaining the need for the leave.

The employee will be restored to the same or an equivalent position upon returning from leave unless the employee was hired for a specific term or project that the employer would not otherwise have continued to employ the employee. Health Insurance coverage must be maintained during the leave.

16. Unpaid Leave

Leave of Absence - Leave without pay may be granted by the Department Director for a period of one to fifteen normal working days, subject to the operating needs of the City and approval in advance by the City Manager. Approval will be based on the reason for the request; the employee's overall length of service; the employee's performance, attendance, safety, and disciplinary history and/or records; any previous leaves of absence (and the length/purpose of such leaves); the department and/or job; the employee's commitment to return to work immediately following expiration of the leave; and efficiency of operations.

Extensions of up to three months will be considered and may be authorized by the Department Directors with approval of the City Manager. In all instances, a written report shall be filed with the Human Resources Director and a copy placed in the employee's personnel record.

An employee returning to his/her position, after an authorized leave of absence without pay, of no more than three months, shall be reinstated to his/her former

1. position, at the same salary grade and step, and shall retain time in grade. For leave of absences

without pay over fifteen working days (*except for employees returning from Family Medical and/or Parental Leave*), the anniversary date shall be adjusted by the length of the leave.

2. City contributions for medical, dental, and life insurance for the period of the leave without pay, will be reduced on a pro-rata basis for the leave period exceeding fifteen working days. Paid Sick Leave, vacation leave and holiday leave will not accrue during the period of time an employee is in an unpaid leave status in excess of fifteen working days. However, if the terms of any insurance policy so provide, the employee may continue coverage at the employee's cost.

PERSONNEL

SECTION 6

WORK ISSUES/PERFORMANCE MANAGEMENT

LACEY'S EMPLOYEE APPRAISAL PROCESS-LEAP

(Under revision)

Purpose

The City's employee appraisal process (LEAP) has been developed to:

1. Assist supervisors and employees to set mutual goals for development and performance.
2. Provide feedback to employees.
3. Define job expectations.
4. Provide for joint problem-solving and conflict resolution.
5. Document and openly address performance areas needing improvement.
6. Recognize employees for a job done well.
7. Identify future training and development needs.

Policy

Supervisors generally will conduct appraisals on a two-month and five-month basis for all employees in probationary positions and annually for all employees in regular positions. Supervisors may conduct more frequent appraisals to improve and develop employee performance. These informal or "special" appraisals do not require filing in the employee's personnel file unless requested by the supervisor or employee.

Standards for Appraisal

The appraisal should:

1. Relate to the job (i.e. address performance required to perform the duties and functions of the position and/or be based on technical performance standards and the City's standards for interpersonal behavior, public contacts, and supervisory standards if for a supervisory position).
2. Provide the opportunity for two-way communication and joint problem solving between the employee and supervisor.
3. Include an action plan, if appropriate, for resolving **any** performance problems.
4. Include a growth and development plan.
5. Recognize performance that exceeds performance standards (see definition below).

A department or specific work unit may adopt another appraisal form and/or evaluation process which substantially meets the above criteria. This alternative process must be pre-approved by the City Manager and the Human Resources Director.

Procedure

Supervisory Responsibilities

Know the Process - Supervisors should familiarize themselves with the LEAP process and generally conduct annual reviews for employees in regular positions and monthly reviews for employees in probationary positions. Supervisors should contact Human Resources to receive orientation training to the LEAP process.

Scheduling - Supervisors should schedule the appraisal with the employee at least one to two weeks in advance, and give the employee an opportunity to review the performance standards and complete his/her portions of the appraisal form.

Forms and Documentation/Administrative Review - Supervisors should document the annual appraisal process using the LEAP form. A copy of the form should be retained by the supervisor and a copy provided to the employee. A copy of the appraisal shall be forwarded to the Department Director and Human Resources Director for administrative review. The administrative review will generally be used to ensure supervisors are managing performance and meeting the objectives of this policy. Following administrative review, the appraisal will be filed in the employee's personnel file.

Employee Responsibilities

Employees are expected to participate in the appraisal process by:

1. Reviewing the performance standards developed for their position.
2. Completing their sections of the appraisal form.
3. Contributing solutions during joint problem-solving, if appropriate.
4. Asking for clarification if not sure what supervisor is saying or asking.
5. Assisting, as appropriate, with the development of action plans.
6. Correcting problems as identified and discussed.

Coordination with Disciplinary Action and Progressive Discipline

The LEAP appraisal process is primarily intended to coordinate employee goals and mutually discuss employee development. During the annual LEAP review, there should be no "surprises". Supervisors should generally not use the annual LEAP to raise issues regarding unsatisfactory performance or matters requiring disciplinary action for the first time. These should generally be addressed prior to the annual LEAP review by an informal discussion or special LEAP meeting where the problem is identified and discussed and, if appropriate, a corrective action plan established.

Problem performance that continues to be below standards may, however, be subject to disciplinary action in accordance with the City's policy on disciplinary action. A LEAP form may be referred to when disciplinary action is taken to document or point out previous discussion regarding a performance area, but it does **not** in and of itself constitute a formal step in the disciplinary action process. (See the City's *Disciplinary/Termination Policy*).

"Performance that Exceeds Standards"/Defined

Performance that exceeds standards is usually the result of one or both of the following:

1. **High Degree of Performance.** The employee consistently performs significantly above (and, in several areas) the "Meets Requirement" standards developed for the position. Since the "Meets Requirements" standards are already high, individual employee performance at the "Exceeds Standards" is relatively rare.
2. **By Being "Additive" to the Organization.** In the process of doing a good, "Meets Requirements" job, the employee adds to the organization's performance, that is, due to this employee's process,

the organization is more productive with fewer resources or gets more out of the resources it has. Examples of “additive” performance are:

- a. Acting in a way that enables others to do their jobs more easily (i.e. problem solving, anticipating, or expediting).
- b. Assuming an informal leadership role where peers seek the employee out for teaching, decision making and modeling.
- c. Is alert to finding “better ways to do it.”
- d. Demonstrates high ethics and work values, uses time efficiently, demonstrates a high regard for City work rules and regulation, and looks for opportunities to extend exceptional services to the public.

EMPLOYEE RECOGNITION PROGRAM

Purpose

To provide for a recognition program for exceptional employee performance and/or actions which represent a significant contribution to the City.

Policy

Exceptional work performance and/or service to the community serves as a role model for other employees and often leads to improved morale and productivity among others in a work unit. This in turn contributes to the overall success of the City in meeting the community's goals and objectives. The City Council, City Manager and Department Directors appreciate and recognize the value of exceptional employee performance that contributes to improved service, quality, productivity, and/or actions that are beneficial to the community. This program is established to provide a process for such employee recognition.

Procedures

Informal employee recognition may take many forms, such as an in-person or written "thank you," a commendation to the employee's personnel file, assignment to a special project, allowing an employee to present his/her work to others, recognizing the employee's work at a staff meeting, additional training or professional development or other similar forms of recognition. While Department Directors and supervisors frequently acknowledge and commend employees for good performance, and may with approval of the City Manager establish a written departmental employee award program, the following formal recognition programs will additionally be made for exceptional work performance and/or service to the community.

Annual Employee Recognition Celebration

The City shall celebrate and recognize employees for meritorious achievements, the previous year's service efforts to the community, and individual employee's length of service at an annual event.

Lacey Public Service Awards

Employees achieving twenty (20) years and twenty-five (25) years of service with the City shall be honored and recognized by their Department Director at a City Council Meeting.

Excellence in Public Service Award

The City Manager may celebrate and recognize City employees for excellence in public service for the following:

- ◆ Extraordinary effort and/or continuous excellence in service to the public
- ◆ Implementation of innovative and practical new work methods, programs

- or cost-saving solutions that have a substantial impact on improving service and efficiency
- ◆ Outstanding professionalism and competence in completion or implementation of a project with significant benefit to the community or organization
- ◆ Consistent and outstanding performance at work (i.e. employee regularly finds “better- ways-to-do-it”, is a problem-solver, expediter, assists others do their jobs better or serves as mentor, teacher or role model for others)
- ◆ Exceptional community volunteerism with a positive impact on the lives of others
- ◆ Heroism in response to an emergency situation
- ◆ Other meritorious performance or actions of a similar nature

A co-worker, supervisor, Department Director or citizen may nominate an employee (or group of employees) at any time for an Excellence in Public Service Award. A written nomination form noting the recommendation for award and highlighting the positive contributions of the performance are to be submitted to the employee’s Department Director. The Department Director shall present and discuss the nomination with the Award Review Committee. The Committee shall make a recommendation to the City Manager for his consideration and action. The final decision to recognize an employee under this program shall be as determined by the City Manager. Awards shall generally be presented at a department staff meeting, Quarterly Employee Meeting, and/or a City Council Meeting.

The City Manager may also, at his/her discretion, present an individual employee with a gift or gift certificate or a group of employees with a group-oriented recognition such as a pizza lunch, ice cream feed, etc. The value of the award or recognition is to be based on the contribution made to the City and/or community and shall not exceed the amount authorized for individual employee award under Ordinance #1057. Per Internal Revenue Service guidelines, awards to individual employees may be considered as income and as such the employee will be responsible for any corresponding income taxes. If gifts are taxable, the taxes will be deducted from the employee’s first regular paycheck following the award.

Administration and Financial Notes

The Human Resources Department shall administer the employee recognition program and maintain all required records. The authorization for the program and value of awards shall be as provided for in Ordinance #1057 subject to annual budget approval of the City Manager and City Council.

CODE OF ETHICS / CONFLICT OF INTEREST

PROHIBITION AGAINST ACCEPTING GIFTS, GRATUITIES & FAVORS AND/OR USE OF POSITION FOR FINANCIAL GAIN

Policy

The City is accountable to the public for conducting City business in a fiscally responsible, accountable, and ethical manner. No elected/appointed public official or employee of the City shall engage in any act or behavior which may be considered to be in conflict with the performance of their official duties. This includes accepting any gift, gratuity, or favor which may be directly (or indirectly) related to the employees' performance of their official duties. Elected officials or employees will not use their position for personal financial gain or to secure special privileges or exemptions for themselves or others, nor shall he/she be influenced by or act upon the basis of any personal or non-job-related influence or interest – financial or otherwise.

Particularly stringent standards apply to employees authorized to make City purchases or other elected officials and employees authorized to enter into contractual relationships with vendors, consultants or contractors, or otherwise grant favor or consideration to any external enterprise or individual. For these employees, any solicitation or acceptance of any gift or other consideration of value is strictly prohibited.

Definitions

For the purpose of interpreting and enforcing this policy, the following definitions shall apply:

3. **Business entity** means any corporation, general or limited partnership, sole proprietorship (including a private consultant operation), joint venture, unincorporated association or firm, institution, trust, foundation, or other organization, whether or not organized for profit.
4. **City agency** means every department, office, commission, or committee of the city, or any subdivision thereof, but excludes public corporations and ad hoc advisory committees.
5. **City elected official or employee** means any person holding a position by election, appointment, or employment in the service of the City, whether paid or unpaid, committee or commission.
6. **Compensation** means anything of economic value, however designated, which is paid, loaned, advanced, granted, given or transferred for or in consideration of personal services to any person.
7. **Beneficial interest** means any direct or indirect, monetary or material benefit, other than a remote interest, accruing to a City elected official or employee as a result of a contract, transaction, zoning decision or other matter which is or may be the subject of an official act or act by or with the City, except for such contracts, transactions, zoning decisions or other matters which by their terms and by the substance or their provisions confer the opportunity and right to realize the accrual of similar benefits to all other persons and/or property similarly situated. For purposes of this policy, a City elected official or employee shall be deemed to have an interest in the affairs of:
 - The elected official or employee's spouse or dependent children.
 - Any person or business entity with whom a contractual relationship, whether oral or written, exists with the City elected official or employee.

- Any business entity in which the City elected official or employee is an elected official, director, member or employee.
 - Any business entity in which the elected official or employee controls or owns, directly or indirectly, in excess of one percent of the total stock, or an interest totaling \$5,000 or more in value.
 - Any person or business entity with whom a contractual relationship, whether oral or written, exists with the City elected official or employee; provided, however, that a contractual obligation of less than \$500, or a commercially reasonable lien made in the ordinary course of business, or a contract for a commercial retail sale, shall not be deemed to create an interest in violation of this code.
8. **Gift** means anything of economic value in excess of \$25.00, regardless of the form, without adequate and lawful considerations; provided, it does not include the solicitation, acceptance, or receipt of political campaign contributions regulated in accordance with provisions of federal, state, or local laws governing campaign finances.
9. **Immediate family** means any person who is:
- A spouse or domestic partner.
 - Any dependent parent, parent-in-law, child or son-in-law or daughter-in-law.
 - Any parent, parent-in-law, child, son-in-law, daughter-in-law, sibling, uncle, aunt, cousin, niece or nephew residing in the household of the City elected official or employee.
10. **Official act or action** means any legislative, administrative, appointive or discretionary act of any City elected official or employee of the City, committee or commission thereof.
11. **Person** means any individual, association, corporation, or other legal entity.
12. **Remote interest** means:
- That of a non-salaried elected official of a non-profit corporation.
 - That of an employee or agent of a contracting party where the compensation of such employee or agent consists entirely of fixed wages or salary.
 - That of a landlord or tenant of a contracting party.
 - That of a holder of less than one percent of the shares of a corporation or cooperative which is a contracting party.

Prohibited Conduct

5. **Disqualification from Acting on City Business.** No City elected official, employee, or agent, while holding such office or employment, shall:
- Participate in the selection, award, or administration of a contract supported by a Federal award if he/she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, elected official, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a business considered for a contract. The elected officials, employees, and agents of the City must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

- Fails to disqualify himself or herself from acting on any transaction which involves the City and any person who is, or at any time within the preceding 12-month period has been a private client of his/hers, or of his/her firm or partnership.
- Has a financial or other private interest, other than a remote interest as defined in this policy, direct or indirect, personally or through a member of his/her immediate family, or business entity, in any contract or transaction to which the City may be a party, and fail to disclose such interest to the appropriate City authority prior to the formation of the contract or the time the City enters into the transaction.

6. Improper Use of Official Position. No City elected official or employee, while holding such office or employment, shall:

- Use his/her official position for a purpose that is, or would to a reasonable person appear to be, primarily for the private benefit of the elected official or employee, rather than primarily for the benefit of the City; or to achieve a private gain or an exemption from duty or responsibility for the elected official or employee or any other person.
- Use or permit the use of any person, funds, or property under his/her official control, direction, or custody, or of any City funds or City property, for a purpose which is, or to a reasonable person would appear to be, for other than a City purpose; provided, that nothing shall prevent the private use of City property which is available on equal terms to the public generally (such as the use of tennis courts) the use of City property in accordance with municipal policy for the conduct of official City business (such as the use of a City automobile), if in fact the property is used appropriately; or the use of City property for participation of City or its officials in activities of associations of governments or governmental officials.
- Except in the course of official duties, assist any person in any City transaction where such City elected official's or employee's assistance is, or to a reasonable person would appear to be, enhanced by that elected official's or employee's position with the City; provided, that this subsection shall not apply to any elected official or employee appearing on his/her own behalf or representing himself/herself as to any matter in which he/she has a proprietary interest, if not otherwise prohibited by this chapter or any other applicable ordinance, regulation or statute.
- Regardless of prior disclosure thereof, have a financial interest, direct or indirect, personally or through a member of his/her immediate family, in a business entity doing or seeking to do business with the City, and influence or attempt to influence the selection of, or the conduct of business with, such business entity by the City.

7. Acceptance of Gifts or Loans. No elected official or employee, while holding such office or employment, and for a period of one year after leaving City employment, shall solicit or receive any retainer, gift, loan, entertainment, favor or proprietary reward, or other thing of monetary value from any person or entity where the retainer, gift, loan, entertainment, favor, or other thing of monetary value had been solicited, or received or given or, to a reasonable person, would appear to have been solicited, received or given, with intent to give or obtain special consideration of influence as to any action by such elected official in his or her official capacity; provided, that nothing shall prohibit contributions for election campaigns which are solicited or received and reported in accordance with applicable law.

The City recognizes that personal friendships may precede and can evolve from official contact between employees and persons engaged in business with the City. Reasonable exceptions to this section are permitted, except for Police Department personnel, for those occasions which are social in nature and **are not predicated on the employee's ability to influence, directly or indirectly, any matter before the City.** (Police Department personnel should refer to their departmental manual.)

For example, a gift, gratuity, or favor given or received which has monetary value in excess of \$25.00 and is offered or accepted in expectation of preferential treatment would constitute a conflict of interest **and is in violation of this policy.** On the other hand, a small gift, gratuity, or favor given as an expression of social courtesy may be allowed. Examples of acceptable social courtesies include: an infrequent meal or social event limited for social reasons; exchanges of floral offerings or gifts of food to commemorate events such as illness, death, birth, holidays, and promotions; or an infrequent sample or promotional gift of nominal value. The value for any one of these items should not exceed \$25.00.

8. **Disclosure of Confidential or Privileged Information.** No City elected official or employee, while holding such office or employment, or at any time after leaving office or employment, shall disclose or use any confidential or privileged information gained by reason of his/her official position for a purpose which is for other than a City purpose; provided, that nothing shall prohibit the disclosure or use of information which is a matter of public knowledge, or which is available to the public on request.
9. **Financial or Beneficial Interest in City Transactions.** No City elected official or employee, while holding such office or employment, shall:
 - Regardless of prior disclosure thereof, hold or acquire a beneficial interest, direct or indirect, personally or through a member of his or her immediate family, in any contract which, in whole or in part, is, or which may be, made by, through, or under the supervision of such elected official or employee or which may be made for the benefit of his /her office, or accept, directly or indirectly, any compensation, gratuity, or reward in connection with such contract from any other person or entity beneficially interested therein, in violation of Chapter 42.23 RCW.
 - Regardless of prior disclosure thereof, be beneficially interested, directly or indirectly, other than a remote interest, in any contract or transaction which may be made by, through or under the supervision of such elected official, in whole or in part, or which may be made for the benefit of his office, or accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract or transaction from any other person beneficially interested therein, in violation of Chapter 42.23 RCW. This subsection shall not apply to the furnishing of water, other utility services, or other services of the city at the same rates and on the same terms as are available to the public generally, or to any other transaction specifically exempted by Chapter 42.23 RCW.
10. **Quasi-Judicial Proceedings, Reporting of Violations, False Statements.** No City elected official or employee, while holding such office or employment, shall:
 - Participate in or influence any pending quasi-judicial proceeding if the City official or employee has a financial or personal interest in the matter.

- Intimidate, harass, discipline or otherwise take any improper action against a member of the public, a City officer or employee solely because he/she in good faith has reported a violation of this code of ethics, or any other written city code or policy.
- Induce or direct any City elected official or employee to make any false statement or representation of any public record or document in willful disregard of the truth of such statement or representation.

11. Prohibited Conduct After Leaving City Office or Employment

- No former elected official or employee shall, for a period of one year after leaving City office or employment:
 - Assist any person in proceedings involving the agency of the City with which he was previously employed, or on a matter in which he/she was officially involved, participated or acted in the course of duty.
 - Represent any person as an advocate in any matter in which the former elected official or employee was officially involved while a City elected official or employee.
 - Participate as a competitor in any competitive selection process for a City contract in which he/she assisted the City in determining the project or work to be done or the process to be used.
- A City elected official, who contracts with a former City elected official or employee for expert or consultant services within one year of the latter's leaving City office or employment, shall promptly inform the City Manager about the agreement.
- The prohibition of subsection (1) of this section shall not apply to former employees acting on behalf of a governmental agency unless such assistance or representation is adverse to the interest of the city.

12. Disclosure of Interest in Legislative Action:

- Any member of the City council who has a financial interest or personal interest in any proposed legislation before the council shall disclose on the record the nature and extent of such interest. If the councilmember would be especially benefited by such legislation, the councilmember shall not participate in the discussion or vote upon such matter.
- Any other City elected official or employee who has a financial or personal interest in any proposed legislative action of the council and who participates in the discussion with or gives an official opinion or recommendation to the council shall disclose on the record the nature and extent of such interest.

This policy is not all-encompassing in its definitions of what may or may not be appropriate. Public employees must use good judgment and common sense at all times. Action deemed inappropriate by a reasonable person, whether specifically cited in this policy or not, may be subject to inquiry and disciplinary action if appropriate. When in doubt, employees should check with their supervisor or the Human Resources Director.

Reporting of Non-Compliance with this Policy

Any City of Lacey employee who becomes aware of any improper action by another City employee which may constitute a violation of this policy is encouraged to report the matter in accordance with the City's policy for reporting improper governmental actions. The matter will be promptly

investigated. See the City's *Whistleblower Policy - Reporting Improper Governmental Actions* for additional information on proper reporting procedures.

USE OF CITY “PUBLIC” PROPERTY & ON-DUTY TIME

Purpose

The City is accountable to the public for conducting City business in an accountable, fiscally responsible, and ethical manner. The purpose of this policy is to establish guidelines, prohibitions, and ethical standards of conduct for City employees regarding the use of City property and to ensure employees are not conducting personal activities or business on city time.

Policy

No employee of the City shall use, or permit the use of City-owned vehicles, clothing, equipment (including computer software, copiers, fax machines, long distance telephone services, cellular phone services, etc.), materials, or other property for personal convenience, for profit, for personal use, or as part of secondary employment, whether on City time or on personal time. Use of such City property is to be restricted to such services as are available to the public generally and for the conduct of official City business.

An employee may, on a limited basis only, use City land telephones and pagers for personal business when necessary. Whenever possible, personal phone calls should be made during breaks or during lunch. It is the employee's responsibility to ensure that calls are held to a minimum number and minimum time limit. For example, an occasional one-minute phone call to check on children or schedule a doctor's appointment would be acceptable. However, a five minute phone call to friend would not be acceptable. These restrictions also apply to an employee's use of their personal cell phone during on-duty time.

Use of city provided cellular phones for personal calls is limited to emergency situations due to extra costs incurred for cellular services. Any excessive use of the telephone, cellular services or pager for personal use may be subject to additional supervisory restriction and/or disciplinary action as appropriate.

If, for an emergency or extenuating circumstance, an employee has made or received personal calls using cellular services, long-distance services, or incurred additional pager charges, the employee shall immediately remit to the Finance Department a reimbursement check made out to the City upon the City's receipt of billing. It is the employee's responsibility to notify Finance and ensure this payment is made.

This policy is not all-encompassing in its definitions of what may or may not be appropriate. Public employees must use good judgment and common sense at all times. Action deemed inappropriate by a reasonable person, whether specifically cited in this policy or not, may be subject to inquiry and disciplinary action if appropriate. When in doubt employees should check with their supervisor or the Human Resources Director.

Non-Compliance/Disciplinary Action

Employees found to have acted in a manner which is in violation of this policy shall be subject to disciplinary action, up to and including termination, depending on the specifics of the particular behavior or incident. Further, an employee may additionally be restricted from utilizing phones on-duty, or other situations where an employee's use has resulted in abuse of city time and/or equipment.

If an employee or supervisor is in doubt or has any questions about anything regarding a potential or real conflict of interest or violation of this policy; he/she is responsible for immediately contacting the City Attorney or Human Resources Director for policy clarification.

Reporting of Non-Compliance with this Policy

Any City of Lacey employee who becomes aware of any improper action by another City employee which may constitute a violation of this policy is encouraged to report the matter in accordance with the City's policy for reporting improper governmental actions. The matter will be promptly investigated. See the City's *Whistleblower Policy - Reporting Improper Governmental Actions* for additional information on proper reporting procedures.

CITY OF LACEY TECHNOLOGY RESOURCES POLICY

Policy

The City of Lacey supports and promotes the use of technology to assist employees in performing their jobs, maximize productivity and efficiency, and provide better customer service on behalf of the public. Employees are expected to use technology in a productive, appropriate, and legal manner at all times.

The following principles are the foundation of this policy:

- The city provides network, communications systems, equipment and devices to carry out legitimate city business. By using the city's technology resources, an employee consents to disclosing the contents of any data files, information and communications created on, stored on, transmitted, received or exchanged via its network, communications systems, equipment or devices.
- There is no right to privacy in the use of city technology resources. By using the city's technology resources an employee consents to monitoring, recording, and reviewing the use of that technology resource.
- Employees who are granted access to critical and confidential data are responsible for following proper procedures, as defined by city operating policy, to secure and protect that information.
- The city's technology resources are to be used for official City of Lacey business purposes only, and not for personal business or gain.
- Logging into the city's network or any other system, including the city's email and voicemail systems, with a personal, non-city-owned mobile data device including cell phones, smart phones, tablets, laptops, notebooks, etc., or any other non-city-owned device including personal computers, is prohibited.
- Use of city technology resources in violation of this policy is subject to disciplinary action up to and including termination.

This policy does not address all required or prohibited behaviors or actions by technology users, or identify all exceptions to the policy. Rather, it is meant to address typical examples or situations. In general, the city relies on the good judgment of its employees to ensure that city technology resources are used in the public's best interest.

Scope

All use of City of Lacey technology resources must be consistent with the intent and requirements of city policies and work rules. The city has sole authority to authorize use of city

technology resources by city staff, contractors, volunteers, temporary employees, and any others who require access to city technology resources to carry out legitimate city business.

Technology resources are defined as:

- City-owned or operated network and servers (excludes city-provided public Wi-Fi)
- City-owned property and equipment
- City-owned computer hardware and software
- City-owned mobile data devices, including cell phones, smart phones, tablets, laptops, notebooks, etc.
- Printers, projectors, data storage devices and drives, cameras, digital equipment, and peripherals
- Electronic communications, including email, voicemail, text messaging, audio, video, etc.
- Cable or wireless connections to city resources
- Remote access to city technology resources while outside the city's network
- Internet/Intranet
- Social Media, including blogs, Facebook, Twitter, YouTube, I etc.
- On-line accounts
- City website, including all third party vendor applications.

Permitted and Prohibited Uses

Permitted Uses

The city's technology resources are provided to assist employees in fulfilling the functions of their jobs and serving the public. The city's technology resources and equipment are to be used for city business purposes only.

Prohibited Uses

Use of the city's computer system to engage in communication that violates federal, state, or local laws, codes and regulations, and city policies and procedures is strictly prohibited.

In addition, while not an exhaustive list, the following uses of the city's technology resources are inappropriate and are prohibited at all times:

- Accessing pornographic, sexually explicit, or indecent materials, or that are otherwise unreasonably offensive, unless done so as part of an investigation conducted by the Lacey Police Department or other authorized personnel
- Any type of harassment or discrimination, including transmissions of obscene or harassing messages to any individual or group because of their sex, race, creed, religion, national origin, sexual orientation, or other protected class status
- Gambling

- Commercial use for an employee's personal business or gain
- Solicitation of others for non-city sponsored profit or non-profit oriented sales, ventures, or fundraisers
- Religious or political causes
- Promotion or distribution of information about outside organizations that is not related to city business functions
- Union activity unless approved in advance by the city
- Any activity that could adversely affect the City of Lacey's image or reputation
- Usage which precludes or hampers city network performance such as viewing or listening to streaming audio and/or video, except for limited usage for city business such as accessing streaming audio/video for training purposes
- Unauthorized copying of copyrighted material
- Usage which violates software license agreements
- Downloading of software unless approved by Information Services
- Transmission of information to unauthorized persons or organizations
- Unauthorized entry or attempt of entry into other city departments sub-directories, files, or resources
- Excessive use of the system so as to unreasonably deprive others of system use or resources, whether with malicious intent or unintentional
- Use of another employee's password or credentials to access or log-on to any city-owned technology resource, or use of another employee's password or credentials to access that employee's files or records on any city-owned technology resource.

Internet/Intranet Usage

Employees will be allowed to use the Internet/intranet as a tool for performing their job duties and maximizing efficiency. The Internet/intranet is to be used only for city business purposes, and is subject to the same prohibitions as outlined under the section "Permitted and Prohibited Uses." The city, at its sole discretion, maintains the right to block sites that are deemed inappropriate or illegal.

City Website

The City of Lacey's website is to be used for city business and services only. The website incorporates features which require timely content management by all city departments. The Department Director will designate a department representative(s), who will be authorized to monitor, maintain, and update the department's routine content. New content and applications require pre-approval from the Director of Administrative Services.

A standards and style guide has been developed to maintain the consistency of the city's website. The guide outlines roles of each department, defines routine or static content and procedures to incorporate new applications, and provides authoring standards and naming conventions to maintain cohesiveness of the city's website.

Graphics and images embedded in documents, and other electronic applications must comply with copyright laws and content standards. Permission must be granted, in writing, by identifiable subjects of photographs and video images through licensing documentation or a completed model release.

City department and program logos may appear in documents, forms, images, publications, and presentations, but commercial logos (nonpublic-funded programs) are not to be placed in website content, with the exception of approved social media links.

Businesses or organizations that provide sponsorship support to city events and activities may be recognized by name on web pages viewable on the city website. Sponsor logos may be included in event flyers that are downloadable in a PDF format.

All links to URLs outside the City of Lacey website must be approved by Public Affairs and Human Resources prior to posting. Organizations and sites that aren't directly supported by public tax dollars, or that aren't under official contract or government franchise to provide public services or facilities, are not generally eligible for URL inclusion.

Email

The city currently retains all emails through the Enterprise Vault system which allows designated staff to search emails that may be responsive to public records requests.

Voicemail

Voicemail messages that relate to city business are public records that need to be retained, and will be captured and saved to the city's server for retention and responses to public records requests.

Text Messages

Text messages that relate to city business are public records that need to be retained, and will be captured and saved to the city's server for retention and responses to public records requests.

Social Media

The use of social media networking sites may be used by the City of Lacey as an additional communications and outreach tool to further its goals and mission.

Requests to create and use social media for any purpose must be made in advance by a Department Director to the Director of Administrative Services. If approved, the Department Director will designate a department representative(s), who will be authorized to create

content for the social media account/site. The Public Affairs and Human Resources Department will be responsible for posting the content, monitoring responses, and managing retention. Content such as meeting notifications and announcements can be posted by designated department representatives without prior approval. Content in regards to policies, opinions, or official city positions must be pre-approved and posted by the Public Affairs and Human Resources Department. The Director of Administrative Services will maintain an overall inventory of such sites.

Remote Access

Logging into the city's network or any other system, including the city's email and voicemail systems, with a personal, non-city-owned mobile data device including cell phones, smart phones, tablets, laptops, notebooks, etc., or any other non-city-owned device including personal computers, is prohibited. Exceptions may be allowed for approved information technology contractors and vendors.

Any city employee using any city-owned remote access technologies must be authorized to do so by the City Manager and department director. It is the responsibility of the employee using city-owned remote access technologies to maintain appropriate security and confidentiality of city resources. This includes taking steps to prevent unauthorized persons from using equipment belonging to the city and/or accessing systems and information that may be governed by Washington State laws regarding information privacy and federal regulations as the Health Insurance Portability and Accountability Act (HIPAA).

Authorizing an employee to use city-owned remote access technologies is not an approval of personal use of city resources. Authorization to use city-owned remote access technologies may be revoked at any time by the City Manager or department director.

Violation of these policies will result in disciplinary action, up to and including termination of employment.

Use of city-owned remote access technologies is not an approval for overtime or to work from home or an off-site location. Any work from home or an off-site location must be approved in advance by the City Manager or appropriate department director, and must be in compliance with applicable collective bargaining agreements.

Employees may be allowed to use personal devices to communicate work scheduling issues with their supervisors consistent with department policies and procedures.

Mobile Data Devices

Logging into the city's network or any other system, including the city's email and voicemail systems, with a personal, non-city-owned mobile data or other device is prohibited.

City-owned mobile data devices, including cell phones, smart phones, tablets, laptops,

notebooks, etc., may be issued on a shift or longer-term basis to city staff, elected officials, contractors, volunteers, temporary employees, and others who carry out duties and responsibilities related to legitimate city business.

Allocation of city-owned mobile data devices requires a City of Lacey Mobile Device Acquisition Form signed by (a) the department director, (b) the manager/supervisor, and (c) the city staff member, elected official, contractor, volunteer, or temporary employee.

Transmissions on city-owned mobile data devices, including email, text messages, telephone calls, voicemail, and access to the Internet, which are not related to the conduct of official city business are prohibited.

City staff, elected officials, contractors, volunteers, temporary employees, and others who have been issued a city-owned mobile data device agree to become familiar with and follow all city security standards and measures, including password protection, related to the city-owned mobile data devices.

Violation of any provision of this section will result in loss of city-owned mobile data device privileges and/or disciplinary action, up to and including termination of employment, contractor, or volunteer status.

Ownership of Data

The city owns all data, files, information, and communications created on, stored on, transmitted, received or exchanged via its network, communications systems, equipment devices (including email, text messages, voicemail, and Internet/intranet usage logs even if such communications resides with a third party provider), and reserves the right to inspect and monitor any and all such communications at any time, for any business purposes, with or without notice to the employee.

The city may conduct random and requested audits of employee accounts (including accounts with commercial or third party providers, if used in the course of conducting city business) in order to ensure compliance with policies and requirements, to investigate suspicious activities that could be harmful to the organization, to assist departments in evaluating performance issues and concerns, and to identify productivity or related issues that need additional educational focus within the city.

Email, voicemail, text message communications, and Internet/intranet usage logs may be subject to public disclosure, and the rules of discovery in the event of a lawsuit. The city's Internet/intranet connection and usage is subject to monitoring at any time with or without notice to the employee. There is no right to privacy in the use of city technology resources.

Software and Hardware

The use of unauthorized software or hardware on city computer systems, including personally owned software or hardware, is prohibited. All software and hardware is to be acquired and installed by Information Services. Information Services must also coordinate the moving, relocating, or rearranging of computer hardware. Please refer to the Acquisition of Computer Software and Licensing Compliance Policy for additional guidance.

Copyright Requirements

Copyrighted materials, including pictures, belonging to entities other than the City of Lacey may not be transmitted by employees. Copyrighted material by the copyright holder may only be downloaded for use in work-related research, but may not be copied, transferred, renamed, unless express permission is provided by the owner. The city and its employees are required to abide by federal copyright laws and licensing agreements. Failure to observe copyright or license agreements may result in disciplinary action from the city or legal action by the copyright owner.

Retention

Information sent or received on city-owned technology resources is subject to the Public Records Act and associated retention schedules. Please refer to the City of Lacey Public Records Policy for information on the retention of electronic records.

Employees should consult with the City Clerk or their department's Records Coordinator regarding questions about the City's record retention requirements.

Collective Bargaining/Civil Service Rules

Employees covered by collective bargaining agreements and/or civil service rules will be subject to the specific terms of those agreements or rules with respect to network, email, and Internet use. In the event the collective bargaining agreement and/or civil service rules do not address the specific issues addressed in this policy, then employees covered by the same shall be governed by this policy.

Compliance

This policy is not all-encompassing in its definitions of what may or may not be appropriate. Public employees must use good judgment and common sense at all times. Action deemed inappropriate by a reasonable person, whether specifically cited in this policy or not, may be subject to inquiry and disciplinary action if warranted. When in doubt, employees should check with their supervisor or the Public Affairs and Human Resources Department.

The City Manager will appoint an audit committee that will conduct random and regular audits of the use of city-owned devices, including desktop computers, cell phones, laptops, tablets, and other electronic communication devices. These audits may include emails, text messages, phone calls, photos, and the use of the internet. Any city-owned device is subject to review at any time and for any purpose. Records deemed confidential for law enforcement purposes will

be reviewed according to public record confidentiality standards.

Employees found to have acted in a manner which is in violation of this policy shall be subject to disciplinary action, up to and including termination, depending on the behavior or incident. Further, an employee may additionally be restricted from using the city's technology resources where the employee's use has resulted in abuse of city time and/or equipment. The city will advise appropriate legal officials of any potential criminal violations or usages of the city's technology resources.

Questions about the application or interpretation of this policy should be referred to the Public Affairs and Human Resources Department.

OUTSIDE EMPLOYMENT/CONSULTING

Purpose

The City is accountable to the public for conducting City business in a productive, fiscally responsible, and ethical manner. We also want our employees to be efficient and loyal to the performance of the official or essential functions of their position. The purpose of this policy is to establish guidelines, prohibitions, and ethical standards of conduct for City employees who engage in consulting and/or who work in another position for themselves or another employer.

Policy

City employees shall not engage in any outside employment, self-employment, and/or consulting which:

- (1) may be considered to be a conflict of interest; (2) interferes with, is in conflict with, or is incompatible with the performance or proper discharge of the essential or official duties of the position;
- (3) which would tend to impair independence of judgment or action in the performance of the essential or official duties of the position; or (4) which may give the appearance to a "reasonable person" of any of the above.

An employee should not make a unilateral decision about whether or not a conflict of interest exists concerning his/her outside employment, self-employment, and/or outside consulting. All outside employment, self-employment, and outside consulting must be declared and approved in writing in accordance with the following guidelines and procedures.

Consulting - Defined

Consulting is defined as any act of providing professional advice or services to a client for which payment is received. Consulting does not include periodic speeches, services on public or private boards, or other similar situations in which honorariums are paid. It does include, however, long-term teaching assignments.

Reporting Outside Employment/Consulting

All outside employment, self-employment, and/or consulting should be declared in writing by an employee to his/her Department Director prior to the start of the work. The notice shall, at a minimum, include the following information: (1) proposed start date; (2) name of employer or prospective clients; (3) job title or nature of work to be performed; (4) listing of job duties; (5) hours to be worked; (6) identification of any contact with other City employees, public officials, or members of the public which would occur as a result of the outside work; and (7) in what capacity, and any other information which would relate to the City's determination regarding approval or disapproval of the outside work.

The Department Director, in consultation with the City Manager, City Attorney, and Human Resources Director, shall review the nature of the outside work to ensure compliance with this policy.

The Director shall notify the employee of his/her approval or disapproval of the outside employment, self-employment, and/or consulting in writing within ten (10) working days after receiving the notice. Provided, the Department Director may conditionally approve the outside work for a trial basis only or notify the employee to discontinue the outside employment at any time, given two weeks' notice, if said outside work becomes a problem at a later date.

Any employee who is not satisfied with the Department Director's decision may request the City Manager to review the matter within ten (10) working days by filing a written request outlining the facts and circumstances (with a copy to the Department Director). The City Manager will review the situation and issue his/her decision within ten (10) working days after receiving the request.

Consulting/Outside Employment/ Self-Employment - Guidelines

The following guidelines shall apply to all City employees engaged in outside employment, self-employment, and/or consulting:

1. All outside work must be accomplished on personal time rather than the time which is required as an employee of the City of Lacey.
2. All actions and behavior, both as an employee of the City and when performing outside work, shall be in strict compliance with the City's policy on *Code of Ethics — Prohibitions Against Accepting Gifts, Gratuities, & Favors and/or Prohibitions Against Use of Position for Financial Gain (see policy for specific information)*.
3. Public or private positions, taken with respect to consultant activities, may not at any time be in conflict with the policies of the City.
4. City equipment, premises, or materials (including computer software programs) shall not be used at any time. Employee's should take extraordinary measures to separate City-related and outside work activities.

This policy is not all-encompassing in its definitions of what may or may not be appropriate. Public employees must use good judgment and common sense at all times. Action deemed inappropriate by a reasonable person, whether specifically cited in this policy or not, will be subject to inquiry and disciplinary action if appropriate. When in doubt employees should check with their supervisor or the Human Resources Director.

Non-Compliance/Disciplinary Action

Employees found to have acted in a manner which is in violation of this policy shall be subject to disciplinary action, up to and including termination, depending on the specifics of the particular behavior or incident.

If an employee or supervisor is in doubt or has questions about anything regarding a potential

conflict of interest or violation of this policy, he/she is responsible for immediately contacting the City Attorney or Human Resources Director for policy clarification.

Reporting of Non-Compliance with this Policy

Any City of Lacey employee who becomes aware of any improper action by another City employee which may constitute a violation of this policy is encouraged to report the matter in accordance with the City's policy for reporting improper governmental actions. The matter will be promptly investigated. See the City's *Whistleblower Policy - Reporting Improper Governmental Actions* for additional information on proper reporting procedures.

GUIDELINES FOR POLITICAL ACTIVITY

Purpose

The purpose of this policy is to establish guidelines, prohibitions, and ethical standards of conduct for City employees related to participation in political campaigns and/or political activity.

Policy

No City employee, while on duty during an assigned work shift as an employee of the City, shall:

1. Request or solicit contributions or anything of value for any political candidate, cause, or ballot issue.
2. Participate in any political campaign by:
 - A. Speaking in favor/disfavor of any candidate or cause.
 - B. Distributing literature.
 - C. Picketing or demonstrating on behalf of or in opposition to any political candidate or cause.
 - D. Organizing, planning, or in any other way participating in the administration of any political campaign.

No officer or employee of the City shall use public funds, property, or any other thing of value belonging to the City to promote or oppose any political cause or office.

Permissible Activities

Nothing in this policy shall be interpreted to prohibit an employee:

1. From stating any opinion regarding any political issue in ordinary conversation during working hours providing that such a conversation does not interfere with the employee's assigned job duties;
2. Who does not have direct citizen contact from wearing a pin or button promoting or opposing any cause or candidate;
3. From providing factual information, when requested, regarding the impact of proposed legislation on City operations. As a general rule, City employees should refer any requests for this type of information to Department Directors and/or the City Manager.

City employees may work, off-duty, as volunteers for candidates, campaign committees, and political parties. City employees may also participate as a volunteer, on off-duty time, for levies, bond issues, etc.

that the City is promoting. City employees will not be required to promote City-related issues when off duty.

Public Office

A City employee may not concurrently work for the City and hold public office **if** the holding of such public office:

1. Would create a conflict of interest.
2. Would substantially interfere with, is in conflict with, or is incompatible with the performance or proper discharge of the official or essential duties of the City position.
3. Would tend to impair independence of judgment or action in the performance of the essential or official duties of the position, or may give the appearance to a reasonable person of any of the above.

City employees may declare their intent to run for any public office, and request a written opinion from the City Attorney regarding a potential conflict of interest and/or compliance with this policy, prior to election and/or appointment.

All employees appointed and/or elected to public office should notify the City Manager in writing prior to the employee starting his/her term. The notice shall, at a minimum, include the following information:

- (1) appointment date;
- (2) title of position;
- (3) listing of official duties;
- (4) hours required to perform official duties;
- (5) identification of legislative authority of public office, if any, to act on recommendations or actions taken by City; and
- (6) any other information which would relate to the City's determination regarding a potential conflict of interest.

The City Manager shall review the matter in consultation with the employee's Department Director, City Attorney, and Human Resources Director. If the holding of said office is found to be in conflict with the employee's position the City Manager will notify the employee within 30 working days of the employee's written notification to the City. If the employee is not satisfied with the City's decision, he/she may request the City Manager to review the matter within 10 working days after receiving notice. Where a conflict of interest is found, the employee will be requested to notify the City within 30 working days after receiving notice from the City Manager of his/her choice to resign from public office or City employment.

Non-Compliance/Disciplinary Action

Employees found to have acted in a manner which is in violation of this policy shall be subject

to disciplinary action. Such actions will be considered as serious misconduct. As such, they shall constitute grounds for disciplinary action, up to and including termination, depending on the specifics of the particular behavior or incident.

This policy is not all-encompassing in its definitions of what may or may not be appropriate. Public employees must use good judgment and common sense at all times. Action deemed inappropriate by a reasonable person, whether specifically cited in this policy or not, will be subject to inquiry.

If an employee or supervisor is in doubt or has any questions regarding a conflict of interest or violation of this policy, he/she is responsible for immediately contacting the City Attorney or Human Resources Director for policy clarification.

Reporting of Non-Compliance with this Policy

Any City of Lacey employee who becomes aware of any improper action by another City employee which may constitute a violation of this policy is encouraged to report the matter in accordance with the City's policy for reporting improper governmental actions. The matter will be promptly investigated. See the City's *Whistleblower Policy - Reporting Improper Governmental Actions* for additional information on proper reporting procedures.

WHISTLEBLOWER

REPORTING IMPROPER GOVERNMENTAL ACTIONS

Purpose

To encourage employees to disclose improper governmental actions and to provide remedies for retaliation against any City employee(s) who report(s) improper governmental action pursuant to the provisions of this policy and RCW Chapter 44.

This policy also safeguards the City's interests by: 1) providing a process to bring improprieties to the City's attention for investigation, and (2) providing for a quick resolution of disputes.

Policy

The City of Lacey encourages employees to report improper governmental actions believed to have been taken by City of Lacey officials and/or its employees. It is the City's policy to provide protection and/or remedies for retaliation against City employees who have reported improper governmental actions in accordance with this policy.

Definitions

1. **Improper governmental action** means any action undertaken in the performance of a City official's or employee's official duties, whether or not the action is within the scope of said official's or employee's employment, that is in violation of any federal, state, or local law or rule, is an abuse of authority; is of substantial and specific danger to the public health or safety; or is a gross waste or mismanagement of public funds. Provided, improper governmental action does not include the following: personnel actions, including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployment, performance evaluations, and reductions in pay, terminations, suspensions, reclassifications, and violations of collective bargaining or civil service laws, alleged violations of labor agreements or reprimands.
2. **Retaliatory action** means any adverse change in the terms and conditions of a City employee's employment taken as a direct result of an employee making a complaint under the provisions of this policy.
3. **Emergency** means a circumstance that if not immediately changed may cause damage or danger to persons or property.

Reporting Procedures

A City of Lacey employee who becomes aware of any improper governmental action should submit a written report to his/her supervisor or designee, stating in detail the basis for the belief of the improper governmental action that has occurred. The supervisor or his/her designee will notify the City Manager, respective Department Director, and the Human

Resources Director immediately and submit to him/her the written documentation from the employee and any other pertinent information relating to the alleged improper governmental action.

Where the employee has reasonable belief the improper governmental action involves his/her supervisor or designee, the employee may report the matter directly to the Human Resources Director. The Human Resources Director shall immediately notify the City Manager.

In case of an emergency, where the employee believes that damage or danger to persons or property may result if action is not taken immediately, the employee may report the believed improper governmental action directly to the Human Resources Director or the City Manager.

The Human Resources Director and/or his/her designee will take prompt action in investigating all reports of improper governmental action. Parties involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under the law, unless the employee authorizes the disclosure. At the conclusion of the investigation, the employee reporting the improper governmental action shall be advised of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.

The employee may subsequently report information about the improper governmental action directly to the City Manager if the employee reasonably believes that an adequate investigation was not undertaken, or that insufficient action had been taken to address the improper governmental action, or that for other reasons the improper governmental action is likely to recur. The City Manager and/or his/her designee will review the findings of the investigation and make appropriate recommendations and inform the employee thereof.

If an employee has good cause to believe the City will not respond appropriately to his/her Whistleblower complaint against a City official and/or employee, he/she may contact the Thurston County Prosecuting Attorney's Office directly. To receive the protections provided by the Whistleblower Policy, the reporting employee must notify the City Manager in writing of the alleged improper action and provide his/her rationale for the necessity to make the complaint directly to the Thurston County Prosecuting Attorney's Office.

Employees who fail to make a good faith attempt to follow the City of Lacey's procedures for reporting shall not receive the protection provided by the policy.

Protection Against Retaliation

City of Lacey officials and employees are prohibited from taking retaliatory action against a City employee because he/she has in good faith, reported an improper governmental action in accordance with this policy and procedures. This same protection against retaliation is extended to City employees who may be called as witnesses.

Employees who believe they have been retaliated against for said reporting should submit a statement in writing to the Human Resources Director. The Human Resources Director shall

take appropriate action to investigate and address the complaints of retaliation. The employee shall submit the written charge not later than fifteen (15) days after he/she first becomes aware of the occurrence of the alleged retaliatory action. The Human Resources Director shall respond to the charge(s) within fifteen (15) days.

If the employee contends that the retaliation charge is not satisfactorily resolved, the employee may obtain protection under this policy and pursuant to state law by providing a written notice to the City Manager specifying the alleged retaliatory action and the relief requested.

The employee shall submit the written charge no later than thirty (30) days after first becoming aware of the occurrence of the alleged retaliatory action. The City Manager shall respond within thirty (30) days to the charge(s).

After receiving the City's response to the charge(s), the employee may request a hearing before a state administrative law judge if they feel the action taken by the City was not adequate. The purpose of the hearing would be to ascertain whether or not a retaliatory action occurred and to obtain appropriate relief provided by the law. An employee seeking a hearing shall deliver a request for hearing to the City of Lacey within fifteen (15) days.

Within five (5) working days of receipt of the request for hearing, the City of Lacey shall apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge:

Office of Administrative
Hearings PO Box 42488
Olympia, WA
98504-2488 2420
Bristol Court SW
Olympia, WA 98502
(360) 664-8717 voice/ (360) 664-8721 fax

For cases where retaliation is established, the City of Lacey will consider the recommendation provided by the administrative law judge for disciplinary and/or corrective action, up to and including suspension with or without pay and/or termination.

Responsibilities

The Human Resources Director is responsible for:

1. Implementing this policy and related procedures;
2. Investigating reports of improper governmental action; and
3. Providing protection for employees against retaliatory actions.

This includes ensuring that this policy and these procedures are made available to any

employee upon request. Directors and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility. Violations of this policy and procedures may result in appropriate disciplinary action, up to and including termination.

DISCIPLINARY/TERMINATION POLICY, RESPONSIBILITIES, GUIDELINES, AND PROCEDURES (*Under Revision*)

Purpose

To establish due process and procedures with respect to disciplinary action.

Standardized disciplinary procedures are intended to assist department heads, managers, supervisors, and all other employees in the sensitive area of disciplinary action, by providing due process and recommended procedures to promote consistency in corrective actions.

Policy

It is the policy to use a uniform system of disciplinary action. Causes for disciplinary action are listed, but are not limited to those cited in this policy. Current administrative policies, rules, procedures, as well as departmental work rules and procedures, shall be made readily available to all employees.

Causes for Disciplinary Action

Any City employee may be subject to disciplinary action for the following or any other non-discriminatory reason which adversely affects job performance:

- Sexual harassment (refer to *Harassment/Sexual Harassment/Discrimination Policy*);
- Arriving on the job under the influence of intoxicating beverages or non-prescribed controlled substances; using intoxicating beverages or non-prescribed controlled substances on the job; misuse of prescription drugs on the job that constitute a potential hazard or threat of danger to other employees or the general public;
- Violation or disregard of any established work rule or standard operating procedure; Unauthorized absence from work, tardiness, or abuse of sick leave privileges;
- Violation of the Employer's adopted safety rules or personal conduct at work which is clearly dangerous to the employee or others;
- Conviction of a felony or a misdemeanor which could adversely impact the employee's ability to effectively and efficiently perform the duties of his/her position;
- Negligent or willful damage to City-owned or private property, wasting City-owned supplies and equipment, theft, or conduct constituting a serious breach of the public trust;
- A pattern of discourteous treatment of the public or other City employees;
- Inability or unwillingness to maintain an acceptable level of work performance; and
- Any violation of the provisions of the City's Administrative Policies or Chapter 2.56.080 of the Lacey Municipal Code (see Attachment A).

Procedure

All discipline should begin with an objective investigation of a problem or incident. Constructive discipline should be an attempt to help the employee correct any job-related deficiencies and will begin with the least amount of action needed. Disciplinary action represents the last step in counseling employees. Prior to initiation of disciplinary action supervisors must be able to affirm that an employee has been adequately trained to perform the tasks required, is familiar with work rules, and has been advised of objective job performance standards. When possible and practical, discipline should be exercised in a mutually constructive and progressive manner. Employees experiencing personal problems which may be affecting on-the-job performance should be referred to the Human Resources Director who will provide referral information. Such referrals are to be kept strictly confidential.

There are four general methods or levels of discipline. These levels will generally be followed in order from Level 1 through Level 4; however, there is no requirement that this order of the specific methods be followed.

Level 1 - Oral Warning

The supervisor may call the employee aside to privately discuss the offense and warn the employee not to repeat the behavior. The employee should be informed that an oral warning is being administered and that he/she is being given an opportunity to correct the condition. If the condition is not corrected, the person will be subject to more severe disciplinary measures. The supervisor should temporarily document the warning and follow-up within three months by meeting with the employee to discuss needed improvements and/or additional concerns. Oral warning documentation shall not be placed in an employee's personnel file unless the warning is elevated at a later date to a written reprimand -- Level 2.

Level 2 - Written Reprimand or Warning

The supervisor will discuss the warning notice with his/her immediate supervisor and then with the employee to be certain that the employee understands the reasons for the disciplinary action. The employee will receive a signed letter from his/her supervisor listing the violations or failure of the employee, and clearly stating what corrective action must be taken by the employee to avoid further discipline. Copies of such warnings shall be placed in the employee's personnel file. The supervisor and/or employee may request the warning be reviewed and be permanently removed from the file twelve months following the action. The employee will be advised of the status of the written warning at that time. The Department Director or supervisor may, as a part of an appropriate written warning concerning a work-related problem, notify the employee that he/she is on disciplinary probation for a specified length of time. This status is short of suspension without pay or discharge; however, an employee on disciplinary probation is on notice that further disciplinary actions may result in immediate termination of City employment.

Level 3 - Disciplinary Suspension

It is desirable for the Department Director to consult with the Human Resources Director prior

to administering a suspension. Except in unusual circumstances, the normal length of a suspension without pay should not exceed five (5) work days.

The supervisor shall state in writing the facts leading to the reason for the disciplinary suspension and the duration and terms of the suspension. The supervisor will inform the employee in writing of the disciplinary action, making sure that the employee is fully aware of the reasons for the action. A copy of the written notice of suspension shall be placed in the employee's personnel file and the Human Resources Director and City Manager shall be notified of the action.

Investigatory suspensions with or without pay may be used in cases where it is necessary to investigate a situation to determine what further disciplinary action may be warranted. This suspension allows the supervisor time to determine an appropriate course of action when the situation is serious enough for the employee to be removed from the work environment. If, after investigation, it is determined that the employee was not guilty of any violation, he/she shall normally be returned to work and paid for any lost time. If the employee is found in violation, the appropriate disciplinary action will take effect on the date that the investigatory suspension began. If such suspension was without pay, an employee may use accumulated vacation or holiday time during the investigation. If the employee is exonerated, such leave shall be restored to the employee.

When the employee returns to work after a period of disciplinary suspension, the supervisor should see that the employee gets back to the job with as little injury to his/her self-respect as possible.

Level 4 - Discharge

Discharge must be approved by the City Manager. The City Manager and the Human Resources Director should be consulted before an employee is discharged. Prior to employee discharge, the Department Director shall conduct a pre-discharge hearing with the employee to present the employee with the facts leading to the reason for discharge and an explanation of the department's documentation of the fact. The employee shall be given an opportunity to respond to the charges, orally or in writing. The employee may have legal counsel and/or Union representation present at a discharge hearing. Should the Department Director determine to discharge following the hearing, written notice of discharge shall be given to the employee. Such notice shall include the charges against the employee and a general statement of the evidence supporting the comments.

These disciplinary measures are not exclusive. Other or additional discipline may be administered with the consent of the Department Director according to the nature and circumstances of the situation and the needs of the department.

ATTACHMENT A

2.56.080 Discharge. The following are declared to be cause for discharge from the City service, although charges may be based on causes other than those enumerated:

- A. Incompetence, incapacity, or inefficiency in performance of duties;
- B. Violation of law, of official rules or regulations, or orders, or failure to obey and lawful or reasonable direction when such failure or violation amounts to insubordination or serious breach of discipline;
- C. Acceptance for personal use of a fee, gift, or other valuable thing in the course work when given in the hope or expectation of receiving a favor or better treatment than that accorded the public generally;
- D. Conviction of a felony or of any crime involving moral turpitude;
- E. Willful or repeated negligence in performing duties, and conduct unbecoming an officer or employee of the City;
- F. Conduct subversive of public order and discipline, and sustained conduct detrimental to the efficiency or morale of the service;
- G. Misuse of public funds or property;
- H. Falsifying reports or records;
- I. Drinking intoxicating liquor while on duty or intoxication which impairs performance of normal duties;
- J. The use of illegal drugs while on duty or which impairs performance of normal duties. (Ord. 539 §7, 1979; Ord. 171 §, 1970).

NON-REPRESENTED POSITIONS - GRIEVANCE PROCEDURE

Grievance procedures for all other employees are found in the appropriate collective bargaining agreements.

Purpose

To establish standardized grievance procedures for non-represented positions.

Policy

A "grievance" shall mean a disagreement or claim by an employee with respect to the interpretation, meaning or application of the provision of City's personnel policies and procedures.

It is the policy of the City of Lacey to afford all employees a means of obtaining further consideration of problems when they remain unresolved at the supervisory level, and to establish policies and procedures that provide for timely resolution of grievances.

Strict adherence to the procedures outlined below is mandatory for all concerned, except that time limits may be extended for good cause shown unless other procedures are provided by federal or state law regulations.

Procedure

- Step 1. An employee must present a grievance within ten (10) working days of the incident, occurrence, action, or when the employee first knew (or should have known) of its occurrence to the employee's immediate supervisor and Department Director, who shall attempt to resolve it within five (5) working days after it is presented to them. At this time the Department Director shall consult with the Human Resources Director for interpretation decisions and advice on how to settle the matter.
- Step 2. If the employee is not satisfied with the solution by the Department Director, the employee must submit the grievance, in writing, to the City Manager within five (5) working days of receipt of the supervisor's or Department Director's response. This written notice shall include the following:
 - a. Statement of the grievance and relevant facts.
 - b. Remedy sought.
 - c. Reasons for dissatisfaction with the Department Director's solution.

The City Manager or his/her designee shall attempt to resolve the grievance within five (5) working days after it has been presented to him/her. The City Manager is the final authority within the City on disputes presented by non-represented positions, however he/she may elect to utilize an outside mediator or arbitrator at any time in the process. If the grievance involves the City Manager, the City Attorney and Human Resources Director will review the grievance in conjunction with the City Manager.

Questions or requests for additional guidance concerning procedural or substantial matters relating to the grievance should be directed to the Human Resources or City Manager's office.

No punitive action shall be carried out against the employee for utilizing the grievance resolution procedure outlined above.

SEARCHES

Purpose

To establish policy and guidelines regarding searches conducted by the City of City property, lockers, and/or vehicles or by the Police Department as part of a criminal investigation.

Policy

The City reserves the right to conduct and/or allow searches of an employee's assigned City vehicle, locker, computer and paper files, and/or property including desks and office furniture if the City has reasonable suspicion the employee may pose a threat to the safety and/or well-being of co-workers and/or the public or has violated City policy and such a search would reveal evidence to confirm/disprove said violation (e.g. use of City equipment for personal or commercial purposes, theft or embezzlement, possession of drugs/alcohol or concealed weapons on site, etc).

A supervisor who feels a search may be necessitated as part of a disciplinary investigation should contact his/her respective Department Director and the Human Resources Director for review of the matter (and/or their designees). If a review of the supervisor's observations and/or investigation indicates the City has reasonable suspicion a policy violation has occurred **and** a search is indicated due to the circumstances, the conduct of the search will be turned over to the Police Department for investigation. Searches will be conducted in the presence of two or more commissioned officers or one commissioned officer and a City supervisor. Employees will be informed of all searches and provided an opportunity to explain any suspicious or damaging evidence found as a result of said search. The employee may request the presence of union representation if in a represented position; except when a search is conducted as part of a legal investigation regarding a criminal action (in which case the employee will be advised of their rights).

Searches of employees and/or their personal property they bring to work may **only** be conducted by a law enforcement official as allowed by law as part of a criminal investigation.

An employee's interference with, or refusal to allow a search as provided by this policy, shall be considered insubordination, and the employee will be subject to discipline, up to and including termination; unless a reasonable explanation is provided for the employee's actions.

DRESS AND APPEARANCE AT WORK

Purpose

To provide guidelines for employee dress and appearance at work.

Scope

An employee's dress and appearance is to be appropriate for the nature of their work and the type of public contact and/or public visibility associated with their position. Our objectives are to present an image which is professional and appropriate for the position and will promote employee safety.

Policy

The following general criteria are applicable for employees while on duty:

General Criteria Regarding "Appropriate"

- Jewelry, make-up, and hair fashions are to be appropriate for the nature of the work and the type of public contact and/or public visibility associated with the position
- Employees who work in positions that regularly involve field work may typically wear jeans in and out of the office, taking into consideration special circumstances where jeans may be inappropriate
- Employees who work in positions that primarily involve office work may wear jeans when performing work involving field and/or maintenance work or as specially authorized
- Casual Friday authorized for the last Friday of each working month; where "business casual look" with jeans in the office is okay for that day

City Provided Apparel and Personal Gear - Apparel purchased and provided by the City shall be the property of the City and will be returned by employees when no longer needed, replaced, and/or the employee separates from employment with the City. This policy applies to both full- and part-time employees.

City provided clothing is to be worn only on duty and/or when traveling to and from work. This includes stopping to run quick errands, going to appointments during the work day, attending short social events, or similar activities when combined with going to and from work. Employees who are off duty and in uniform are to conduct themselves in a manner that will not bring public embarrassment or discredit to the City; or create the appearance of a conflict of interest between their work for the City and their personal business.

Whenever practical, City provided clothing will have an identifying City or department insignia or logo. Personalization will be affixed so that it can be changed if it can reasonably be expected that garments can be reissued to other employees (in those cases when hygiene and wear issues are not a problem).

Exceptions to this policy for extenuating and/or special circumstances must be pre-approved by the City Manager.

Apparel provided by the City which is for official use only and which remains the property of the City shall not be reported as a taxable fringe benefit on an employee's W-2 for as long as this practice is consistent with IRS tax guidelines. Provided, a uniform or clothing allowance provided employees will be reported as a taxable fringe benefit on an employee's W-2 for as long as this is required by IRS tax guidelines.

Employee Purchased City Logo Apparel - Many employees have personally purchased apparel with city logo and departmental insignia and should feel free to wear this apparel on-duty as appropriate for their position. When wearing city logo apparel off-duty, we ask employees to remember that they are continuing to represent the City in the eyes of the public. Employees should not enter into personal transactions that would create the appearance of a conflict of interest or conduct themselves in a manner that would bring public discredit to the City (*see City policy on Code of Ethics and Guidelines for Political Activity for additional clarification*).

Effective 9/1/02¹ use of the City's official logo and department identification for personally purchased apparel is authorized as follows:

Regular Employees² and City Council Members

Identifying insignia may include official logo, use of "City of Lacey" identification, and optional use of the Department and/or Division title; e.g. Public Works Department, Engineering.

Example



Public Works Department

Temporary, Seasonal, Part-Time, Volunteers

Identifying insignia may include official logo, and use of "City of Lacey" only when the Department and specific volunteer or seasonal program is also identified. For example, "Parks & Recreation Volunteer," "Public Works Operations, Seasonal Aid- Parks," etc.

Any apparel with the City's logo with the name "City of Lacey" may not be made available

for public purchase or use.

Policy Violations - Supervisors shall counsel employees as needed regarding appropriate dress for their position. Following counseling and if the problem is not corrected, employees may be subject to progressive discipline per City policy and/or as provided per collective bargaining agreement.

¹ Apparel purchased personally prior to this date may continue to be used.

² Regular employees are defined as in budgeted, continuous positions that require at least 20 hours or more of work per week on a year-round basis.

STUDENT OUTREACH PROGRAM

Purpose

This Student Outreach Program is an initiative in support of the Governor's "Washington Reading Core Program" and the "Lend a Hand" project of the Lacey Area Youth Task Force. These programs seek to mentor and help students in the community to improve their reading skills and to encourage students to lead a healthy and successful life-style.

Policy

The City of Lacey will allow an eligible employee to devote up to 1/2 hour per week from such employee's regular work schedule to participate in a selected North Thurston School District/City of Lacey Student Outreach Program, as long as the employee volunteers at least 1/2 hour per week of non- work time to such program. The City will also continue to sponsor students for "job shadow" activities at work, host "field trips" to city facilities, provide student employment opportunities, and/or provide guest speakers for special school activities. For those employees interested in volunteering "after hours" on their own time, the City will provide information to employees about the many opportunities in the community to do so.

Outcomes

An increased number of City of Lacey employees will mentor or tutor students for an hour per week through the Student Outreach Program; supplementing the number of volunteers working with students in the North Thurston School District.

Students with mentors or tutors will improve their reading skills, grades, and test scores. They will also establish a supportive relationship with a caring adult, able to listen to their concerns and needs.

This policy will be periodically measured for its success in meeting the above outcomes and for its effects on operational productivity; and may be modified at any time should the City deem it appropriate to do so.

Student Outreach Programs

Programs selected for inclusion in the Student Outreach Program currently include:

- **Lunch Buddies** - Grades K - 6th, 50-minute block for volunteer adult and student to have lunch together and use remaining time to tutor, discuss student concerns, work on homework, etc.
- **Washington Reading Core Program** - Tutor students with reading skills; tutor schedule must be contiguous to an employee's lunch period or the start of the work day.

- **Academic Mentor** - Tutor elementary or middle school students in subject areas they need assistance with; tutor schedule must be contiguous to an employee's lunch period or the start of the work day.

This list may be periodically updated and approved by the City Manager; following an initial implementation period of two years. A copy of the most current programs will be maintained in the Human Resources Office.

Eligible City Employees

- Eligible employees are those employees who work full-time in a regular budgeted position. Eligible employees must also work in positions which can be released 1/2 hour per week at lunch or the start of the workday, with only minimal impacts on operations, city services, and an individual employee's productivity. When released for 1/2 hour by the City, employee's will also be expected to donate 1/2 hour of their own time, which when combined will net a total of one hour volunteered per week. To minimize overall impacts on city operations each Department shall have the authority to: 1) set a maximum number of department employees who may participate at any one time, and 2) may designate certain positions as ineligible to participate.
- To be eligible for city match time, employees must volunteer in a program to mentor or tutor a North Thurston School District student who is a **non-family** member.
- Travel time to and from the school/program will be included in the hour counted as volunteer time; employees must provide their own transportation.

Procedure

- Contact Human Resources to obtain a participation form and program information.
- Receive Department Director approval. A volunteer employee will volunteer for one hour (travel time included), 1/2 hour of the time being paid time by the City. Typically, employees will be allowed an extra 1/2 hour for lunch. However, some may be authorized to come in 1/2 hour late.
- Complete the North Thurston School District volunteer application and background check approval process and attend orientation sessions.

STUDENT OUTREACH PROGRAM

REQUEST TO PARTICIPATE

Name: _____

Position: _____

I am interested in volunteering ½ hour per week of my own time to mentor or tutor a student in the following program (check one):

☐ **Lunch Buddies** – Grades K – 6th, 50-minute block for volunteer adult and student to have lunch together and use remaining time to tutor, discuss student concerns, work on homework, etc.

☐ **Washington Reading Core Program** – Tutor students with reading skills; tutor schedule must be contiguous to an employee's lunch period or the start of the work day.

☐ **Academic Mentor** – Tutor elementary or middle school students in subject areas they need assistance with; tutor schedule must be contiguous to an employee's lunch period or the start of the work day.

In consideration for my volunteering in this program as approved below, the City will authorize me to work an additional ½ hour per week at the school. This will result in my volunteering/working one (1) hour per week through this program.

Employee's Signature: _____

DEPARTMENT APPROVAL

_____ is authorized to use ½ hour per week paid city time for the above volunteer program on

____ Mon ____ Tues ____ Wed ____ Thurs ____ Friday

_____ at the ____ start / ____ end of lunch period; leaving at ____ am / pm and

returning by ____ am / pm

_____ at the start of the work day; to report for work at ____ am

Comments: _____

Department Director's Signature: _____ Date: _____

PERSONNEL

SECTION 7

SAFETY AND WELLNESS

GENERAL SAFETY

Purpose

To establish a policy for the promotion and maintenance of a safe and healthy workplace, and to establish guidelines to notify employees of their responsibilities in meeting safety requirements set forth by law in Washington Administrative Code (WAC) 296.24.020 and 296.24.025.

Policy

It is the policy of the City of Lacey to ensure that its employees are provided reasonably safe and healthful working conditions free from recognized hazards and to implement a safety/accident prevention program targeted at reducing the number of preventable injuries and accidents.

Responsibilities

The City is concerned with the safety and well-being of its employees and the public that they serve. It is the responsibility of all employees to share this concern and support the City's efforts to provide a safe and healthful work environment. **Therefore, it shall be the responsibility of every employee to observe the safety precautions and regulations identified for each job situation at all times.** Additional responsibilities are outlined below.

Management employees are responsible for a thorough working knowledge of the safety regulations applicable to the positions they supervise and will teach these regulations to employees. Supervisors will ensure that employees know how and when to use safety equipment and will develop Standard Operating Procedures (SOPs) for the use of such equipment. Supervisors will ensure that regulations are followed and safety equipment is used, and will ensure personal protective equipment is available and used as necessary. Any safety violations or deficiencies will be immediately corrected or reported upon knowledge of same. Supervisors will provide a basic employee safety orientation including an introduction to Material Safety Data Sheets (MSDS), accident reporting, personal protective gear, and all applicable U.S. Occupational Safety and Health Administration (OSHA) or Washington State Department of Labor and Industries (L&I) standards related to the work the employee will be performing.

Each employee will learn the safety regulations applicable to his/her job and to use safety equipment and/or personal protective equipment as set forth by regulations at all times and at the direction of the supervisor. Employees will report safety violations/deficiencies upon observation/occurrence to the employee responsible for the unsafe act, as well as their supervisor or the Human Resources department, and will maintain a level of mental and physical fitness necessary to perform the essential duties of their position.

Failure to comply with the responsibilities set forth above shall be grounds for disciplinary action up to and including discharge.

Department/Division Safety Representatives

A safety representative will be designated for each of the following work groups:

Animal Services	Equipment Rental
City Hall-Office Employees	Parks Maintenance
Community Development-Field Inspectors	Transportation
Maintenance	
Police	Water/Wastewater Maintenance
Public Works-Engineering	

Safety representatives are selected by their respective Department Director or designee to represent the safety issues for their work group. A safety representative shall also be elected by the AFSCME 618-L bargaining group and will serve on the Safety Committee/Accident Review Board (see *Safety Committee Policy*).

Safety representatives have responsibilities different from those of members of the Safety Committee:

Safety representatives should become “safety aware” as soon as possible in order to be of assistance to other employees. This awareness will come by learning as much as possible about the City’s safety program and by reading articles or other safety-related information. Representatives are to attend at least one Safety Committee meeting annually.

Safety representatives should realize that they represent the other employees in their division or department; they need to keep in touch with the representatives on the Safety Committee in order to keep informed about the City’s programs and to relay this information to employees in their work area.

Safety representatives are to listen to safety-related complaints or concerns raised by employees in their work area and relay these to an employee on the Safety Committee, or to his/her supervisor and a member of the Safety Committee. Safety representatives are responsible for on-site safety meetings, walk-through inspections, and first aid kits.

If a safety representative becomes aware that there is evidence of an unsafe vehicle, piece of equipment, tools, or practice, he/she is to alert his/her supervisor and a member of the Safety Committee.

Safety representatives will be given training in evacuation procedures for their building and work area in the event of a fire alarm or other emergency, and will be responsible for ensuring that employees and the public are evacuated from these areas as necessary.

INCIDENT REPORTING

Purpose

This policy is designed to provide employees with information on appropriate action to take when an incident occurs which results in injury or property damage to either a City employee or a citizen who may seek liability against the City.

For every incident, whether it involves a City employee, a member of the public, or both, a report must be filled out to document the event. The City has three report forms:

1. **WCIA/City Comment Summary Sheet** - to be completed by the employee and immediate supervisor when there is property damage which may result in a citizen filing a claim for damages with the City. If a citizen files a claim for damages and no WCIA/City Comment Summary Sheet has been filed, one will be forwarded to the appropriate department for comments.
2. **Employee's Personal Injury/Accident Report** - to be filled out when an employee is injured on the job (cuts, bruises, sprains, etc.)
3. **City of Lacey Motor Vehicle Collision Report** - to be completed at the scene of a collision by the appropriate employee whenever a City vehicle is damaged.

These forms are located in each City vehicle and are also available from the supervisor or the Human Resources Department.

Liability Reporting

These incidents include vehicle accidents and other events where property damage caused by City utilities or employee actions may result in an individual seeking liability against the City. When a City employee observes or is involved in an incident, the following procedures shall be followed:

- Give immediate assistance as indicated by emergency conditions.
- Contact the appropriate law enforcement agency to conduct an investigation of the incident if a City vehicle is involved no matter how minor. Do not leave the scene until police have completed an initial investigation of vehicle accidents. Complete any required policy reports within 24 hours (sooner if possible).

Record all details of the incident. Include the date and time, names of those involved, as well as witnesses, the locations, and your observations.

Complete a *Comment Summary Sheet* and/or *Collision Report* at the scene at the time of the incident. Give this information to your supervisor to be forwarded to the Human Resources Department. Report forms are located in all City vehicles.

In the event of a serious incident, the appropriate City personnel should be notified immediately. These events include:

- Auto or pedestrian fatality
- Downed traffic sign/signal accident
- Serious injury to City personnel
- Large property loss
- Standing water or sewage in structures
- Fatality at a City owned or operated facility (including pools and parks)

Contact the Human Resources Department during normal work hours at 491-3214. If a serious incident occurs during the evening or on the weekend which needs immediate claims attention, notify your supervisor or a Human Resources Department contact. The home phone numbers for the Human Resource contacts can be found in Attachment A at the end of this policy. If you are unable to reach the City employees, contact the City's claims adjuster, Evergreen Adjustment Services at (800) 933-4235 (available 24 hours a day):

Do not admit liability or state that the City will take care of the damages. Refer any questions from those involved to the Human Resources Department. Anytime you are contacted by the media, refer questions to the City's Public Affairs and Community Relations Department.

Do not discuss the incident with anyone other than your supervisor or other authorized personnel. Every incident is a potential claim and statements made by you could result in the City having to assume liabilities that are not warranted.

Vehicle/Property Damage Reporting

Anytime City property is damaged by an employee or a member of the public and no City liability is involved, a *WCIA/City Comment Summary Sheet* and/or *Collision Report* must still be completed. This will be used by the City's insurance adjuster to compensate the City to cover the cost of repairing or replacing the City's damaged property.

Contact the appropriate law enforcement agency from the scene to conduct an investigation of the incident if a City vehicle is involved. Do not leave the scene until police have completed the initial investigation. Complete any required police reports within 24 hours (sooner if possible).

Personal Injury Reporting

Anytime an employee is physically injured on the job, an *Employee's Personal Injury Accident Report* must be completed following proper medical attention. Give this information to your supervisor to be forwarded to the Human Resources Department.

ATTACHMENT A

Phone Number to Call in the Event of a Reportable
Incident Occurring During Off Hours

Liz Gotelli
Public Affairs & Human Resources Director
(360) 903-7333 (Cell)

Bracy DiLeonardo
Management Analyst
(360) 480-1381 (Cell)

Evergreen Adjustment services
(800) 933-4235

SAFETY COMMITTEE

Purpose

The Safety Committee is established to provide a forum to identify potential safety hazards and develop recommendations to promote a safe and healthful working environment. This Committee has authority delegated by the City Manager to develop and recommend applicable procedures, policies, and training necessary to meet the goals and objectives of the policy outlined below.

The Safety Committee is not a disciplinary board. Any disciplinary actions stemming from an employee's involvement in a workplace accident shall be handled in accordance with the City's policies for disciplinary action and applicable collective bargaining agreements or civil service rules and regulations. Such actions shall be initiated by the employee's supervisor and/or Department Director.

Policy

The Safety Committee will promote a safe and healthful work environment by:

- Reviewing and researching accidents, injuries, illnesses, potentially unsafe conditions or practices (including vehicle accidents and injuries) to determine whether they could have been avoided and to make recommendations for preventing them in the future.
- Recommending changes in conditions or work practices to potentially prevent accidents or injuries.
- Ensuring all reports and information are current and logged on vehicle and occupational accidents, injuries, and illnesses, in accordance with all City, state, and federal regulations. Statistics will be maintained for future risk management/loss control planning.
- Recommending safety oriented training for employees.
- Ensuring that personal protective equipment is available and used as necessary. Promote and encourage wellness in employees.
- Minimizing the City's liability through risk management and loss prevention programs.
- Conducting annual inspections of all City buildings and facilities and recommend corrections for unsafe conditions.
- Coordinating vehicle inspections and first aid kit inventories, as well as evaluating other equipment, every six months to ensure equipment/vehicles are maintained in a safe operating condition.

Accident Review Procedures

The Safety Committee will examine all factual information available for reportable personal injuries or vehicle accidents including, but not limited to, employee and police accident reports, vehicle maintenance records, and the supervisor's report of the incident. If necessary, the

Committee may also interview the employee's supervisor and any witnesses as deemed appropriate. Incidents under disciplinary investigation will be reviewed by the supervisor in lieu of the Safety Committee. Supervisors shall then advise the Safety Committee as to any findings and recommendations to prevent such accidents from occurring in the future. Reviews of Police Department non-vehicle incidents require a representative from the Police Department to be present for the review. The Committee shall not review vehicle accidents involving members of the Police Department. Police Department reviews shall be conducted per Police Department Policy 4.16.

Following a review of all available information, the Safety Committee will make an advisory determination by consensus as to the cause(s) of the accident and what can feasibly be done to prevent similar accidents in the future. The written findings will be forwarded to the employee's supervisor with a copy to the Department Director, Human Resources Director, and the employee involved. If the employee does not agree with the Committee's recommendations, he/she may either request to come to the next Committee meeting to explain the situation more fully, or submit comments in writing. Both parties will seek an agreeable resolution and recommendation that promotes health, safety, and accident prevention.

Safety Committee Membership and Responsibilities

Safety Committee members shall meet regularly throughout the year and shall determine a frequency, time, and location that is agreeable to everyone. Representatives from the following departments shall be selected by a vote of their co-workers:

Animal Services	Police
City Hall-Office Employees	Public Works-Engineering
Community Development-Bldg. Inspectors employees)	Public Works-Maint. Shop (Two

In addition, the City's Human Resources Director shall appoint a representative from the Human Resources Department to serve as an advisory member of the committee. A safety representative shall also be elected by the AFSCME 618-L, Police Guild, and Lacey Police Management Association bargaining groups and will serve on the Safety Committee.

The term of each member is one (1) year. The members of the Committee shall annually elect a Chairperson. Committee Members have the following responsibilities:

- To attend each meeting. If the member is unable to do so, he/she should contact his/her alternate to attend the meeting. It is mandatory that either the member or his/her alternate attend in order to ensure that the committee is fully functional on a continuing basis.
- To be an active member of the committee by suggesting training programs, recommending corrective action be taken as necessary, and by performing research or other safety-related tasks as agreed by the Committee.

- To represent the safety interest of the employees in their particular department, division or subdivision by seeking out their concerns and relaying information to them from the Committee.
- To become “safety aware” by learning as much as possible about safety in the workplace and by becoming an example of a safe worker to other employees.

HAZARD COMMUNICATION PROGRAM

Purpose

To establish policy regarding operation of the Hazard Communication Program.

Policy

1. General Information

In order to comply with Washington Industrial Safety and Health Act (WISHA) WAC 296-62-054 Hazard Communication, the following written Hazard Communication Program has been established for the City of Lacey. All work units of the City are included within this program. Copies of the written program will be available in the Human Resources Office and at each work site for review by any interested employee.

Department Directors will appoint an individual in each work section or location as the designated Chemical Hazard Communication Enforcement Representative. Designated representatives (hereinafter referred to as CHC Enforcement Rep) for each work section or location are listed in Attachment A.

A. Container Labeling

Supervisors at each work site will verify that all containers of hazardous chemicals received for use at each work location will:

- Be clearly labeled as to the contents;
- Note the appropriate hazard warning; and,
- List the name and address of the manufacturer.

Supervisors will notify the CHC Enforcement Rep of new chemical purchases requiring training for handler training.

The supervisor in each work section will ensure that all secondary containers are labeled with either an extra copy of the original manufacturer's label or with generic labels that have a block for identity and for the hazard warning. For help with labeling, please see the CHC Enforcement Rep or the Human Resources Director.

The Human Resources Director and/or designee will conduct a compliance inspection for each work section at least semiannually.

B. Material Safety Data Sheets (MSDS)

The supervisor of each work section will be responsible for obtaining the MSDS

for each hazardous chemical purchased for his/her work section. The CHC Enforcement Rep will maintain the data sheet system for each work location. Supervisors should also review MSDS for new and significant health/safety information and arrange to provide training if necessary.

The City's purchase orders shall be printed to require submittal of MSDS with purchases of hazardous chemicals. Supervisors unable to initially obtain MSDS from a manufacturer or retail outlet should immediately refer the matter to the CHC Enforcement Rep.

MSDS will be available to all employees in their work area for review during each work shift. If MSDS are not available or new chemicals in use do not have MSDS, immediately contact the appropriate CHC Enforcement Rep and/or the Human Resources Director.

MSDS must be retained 30 years after discontinuing use of the product. All MSDS for discontinued items should be forwarded to the Human Resources Director for central filing.

C. Employee Training and Information

The Human Resources Director is responsible for the general CHC employee training program. He/she will ensure that all elements specified below are carried out. Supervisors are responsible to arrange for specific hazardous chemical handling training with the CHC Enforcement Rep and the Human Resources Director. This is especially important with the introduction of new hazardous chemicals to the work site. Training must be provided before employees are required to work with the chemicals.

Within the first week of work, each new full or part-time employee of the City of Lacey will attend a general health/safety orientation and will receive information and training on the following:

1. An overview of the requirements contained the Hazard Communication Standard, WISHA WAC 296-62-054.
2. Chemicals present in their work place operations.
3. Location and availability of our written hazard program.
4. Physical and health effects of the hazardous chemicals.
5. How to read labels and review MSDS to obtain appropriate hazard information.
6. Location of MSDS files and location of hazardous chemical list.

Supervisors shall provide on-site training regarding the following:

7. Methods and observation techniques used to determine the presence or release of hazardous chemicals in the work area.

8. How to lessen or prevent exposure to these hazardous chemicals through usage of control/work practices and personal protective equipment
9. Steps the City has taken to lessen or prevent exposure to these chemicals.
10. Emergency procedures to follow if they are exposed to these chemicals. All CHC training should be documented by the supervisor.

II. List of Hazardous Chemicals

Further information on each noted chemical can be obtained by reviewing the Material Safety Data Sheets located at City Hall, the City Shop, or Animal Services.

III. Hazardous Non-Routine Tasks

Periodically, employees are required to perform hazardous non-routine tasks. Prior to starting work on each project, each affected employee will be given information by their section supervisor about hazardous chemicals to which they may be exposed during such activity.

This information will include:

1. Specific chemical hazards;
2. Protective/safety measures the employee can take;
3. Measures the City has taken to lessen the hazards including ventilation, respirators, presence of another employee, and emergency procedures.

IV. Informing Contractors

It is the responsibility of the Department Director/designated supervisors to provide contractors the following information:

1. Hazardous chemicals to which they may be exposed while on the job site;
2. Precautions the employees may take to lessen the possibility of exposure by the application of appropriate protective measures.

The Department Director/supervisor should also provide employees with information concerning any chemical hazards that contractor(s) will bring to a work place in the City.

ATTACHMENT A

CHC ENFORCEMENT REPRESENTATIVES

City Hall/Police Department

City Shop

Animal Services

Human Resource Director/Designee

Supervisors

Director/Shelter Manager

CLEAN AIR POLICY/SMOKING RESTRICTIONS

Purpose

To establish policy relating to smoking restrictions in City facilities and City vehicles.

Policy

Recognizing the potential risks and negative impacts to others of exposure to second hand smoke and its residue, it is the policy of the City of Lacey that there will be no smoking in any City facilities.

There will also be no smoking in any City vehicles purchased after adoption of this policy or in City vans or vehicles assigned for "pool" use. Smoking in vehicles that are older than the date of this policy, and are not "pool" vehicles, will be permitted except when a non-smoker is present. Provided, the Police Department currently has a no-smoking policy for all departmental fleet vehicles. This policy remains unchanged.

To assist smokers who may need to modify current smoking behaviors, the City will provide monetary assistance, one time per employee, not to exceed \$150.00, for participation in a medically approved smoking cessation program. Participation will be on the employee's own time. Employees should contact Human Resources to qualify for program reimbursement.

Employees violating this policy may be dealt with under the City's *Disciplinary/Termination Policy*.

USE OF CITY VEHICLES

Purpose

The intent of this policy is to promote safe driving and protect public safety by ensuring that all employees who operate City-owned vehicles or personal vehicles on City business obey and follow all federal, state, and municipal traffic regulations. It is also intended to safeguard employees and the public from personal injury, and to limit the City's financial liability resulting from personal injury and action.

Policy

This policy is designed to ensure that all employees who operate any City vehicle or personal vehicle for City business satisfy all licensing, insurance, and driving record requirements. No employee shall be required to use a personal vehicle for City business. Personal vehicles may only be used for official City business with prior approval of the employee's Department Director and/or designee. (For travel reimbursement, see Finance Policy, *Reimbursement for Expenses Incurred in Conduct of City Business.*)

Requirements

Drivers

To drive a City vehicle or a personal vehicle on City business, an employee must have a valid operator's license (to include any required endorsements) and auto liability insurance with the minimum coverage and limits required by law (if operating a personal vehicle on City business). Employees in temporary positions may not operate a City vehicle unless expressly authorized by the appropriate supervisor and in accordance with this policy.

Safety

Employees operating vehicles for City business must comply with all traffic laws, regulations, and procedures.

No employee who has consumed alcoholic beverages, illegal drugs or taken prescribed or non-prescribed medications that may cause drowsiness, dizziness or impairment of normal functions shall operate a vehicle on duty.

Everyone in the vehicle must wear seat belts. Passengers will be transported in City vehicles only to the extent that their conveyance is directly related to official business (an exception is made for the Police Department's ride-along program). Hitchhikers are not to be picked up under any circumstances. Emergencies are to be handled through radio communications and contact with 911.

Employees operating City vehicles are expected to report vehicle maintenance needs when

they become apparent to the employee.

Insurance

The City provides liability insurance coverage for all employees operating a vehicle while on City business. However, while driving in a personal vehicle on City business, the vehicle's insurance is primary. If the policy limits are exceeded then the City's insurance would act as "excess coverage" to make up the difference between the personal insurance policy and the amount of the claim. The City's insurance coverage will not pay for physical damage to the employee's vehicle.

Many policies require the insured to inform the insurer **in advance** if the vehicle is to be used for any business purpose. Coverage may be denied when an individual has not done so. For this reason, it is very important to discuss the subject with your insurance agent before using your personal vehicle on City business.

Training

The City offers periodic defensive driving courses and/or other driver training that promotes a safe work environment.

Notification

- Any employee who operates a motor vehicle for City business who has his/her operator's license and/or Commercial Driver's License (CDL) endorsement suspended, revoked, canceled, or if he/she is disqualified from operating a vehicle for any reason, including allowing the license to expire, shall notify his/her supervisor immediately and shall not operate any vehicle for City business during such disqualification.
- Any employee who receives a traffic violation, or is involved in an accident, while using a City vehicle, or while using a personal vehicle on official City business, must report the incident to their supervisor immediately. The employee is responsible for all personal fines, and other personal corrective action required by the court. The employee must also notify their immediate supervisor within 24 hours of a final decision by the courts as to the disposition of said traffic or criminal violation.¹

All on-the-job accidents must be reported immediately to the appropriate law enforcement agency (see the *Incident Reporting Policy*).

Employees may be tested for the use of drugs and/or alcohol if reasonable suspicion exists following any on-the-job accident that results in a fatality or a citation for a moving violation. CDL drivers **are required** to test for drug and alcohol use following any on-the-job accident that results in a fatality or a citation for a moving violation. Also, see the *Substance Free Workplace Policies*.

- If a supervisor has evidence or there is reasonable suspicion of unsafe driving conduct

by a City employee, the City will take corrective action as stated in the "Employer Action Upon Notification" section.

Personal Use of City Vehicles

No employee of the City shall request, use, or allow the use of City-owned vehicles for unauthorized personal convenience (banking, dry cleaning, etc.), for profit, for private use, for criminal activity, for transportation of family members, or as part of secondary employment whether on City or personal time. Passengers may be transported in City vehicles only when necessary to accomplish authorized business, to car pool employees from neighboring agencies to a conference or business meeting, or as authorized through an approved Ride-Along Policy.

City vehicles may be used for travel to **meals** when an employee is out of town on City business. Also, City vehicles may be used to travel to **meals** if driving in from a remote location to City facilities would result in an extra and unnecessary expenditure of City time and fuel **and** the meal is to be eaten in the field, at the point of sale or between point of sale and job site (police personnel excepted). Contact Human Resources or your supervisor if you have questions.

Employer Action Upon Notification

Driving record checks will be conducted by the Human Resources Director and/or his/her designee when the City receives notification that the employee's driving conduct is in question or has reasonable suspicion to believe a driving problem may exist (see "Notification" section above). Prior to conducting driving record checks, employees will be notified and given an opportunity to respond to the conduct in question.

The City will evaluate each incident and/or unacceptable driving record evaluation on a case-by-case basis considering such things as: the nature of the situation or problem; the potential impact on the employee, coworkers, and the public; the employee's prior relevant driving record; and such other factors or considerations as the City may deem appropriate or relevant, such as whether or not driving is an essential function of the position. The employee violating this policy will be asked to take corrective action and may be dealt with under the City's *Disciplinary/Termination Policy* and in accordance with applicable collective bargaining agreements' provisions for discipline. Corrective action may include evaluation of driving skills, appropriate training (e.g. defensive driving), vision check or other reasonable measures.

Any misrepresentation of eligibility (e.g. insurance coverage, status of license, court ordered restrictions, etc.) will result in disciplinary action, up to and including termination of employment (see *Disciplinary/Termination Policy*).

Definitions

An **Acceptable Driving Record** is a record that includes no more than 4 minor convictions in the last 12 months or 5 minor convictions in the last 24 months **provided that not more than**

one of the minor violations is for negligent driving (unless the employee provides an acceptable explanation to the City as determined by the Human Resources Director). Provided, however, any employment related incident or traffic violation will be grounds for disciplinary action, as appropriate.

Conviction means a finding of guilt on a traffic law violation charge, regardless of whether the imposition of sentence or sanctions is deferred or the penalty is suspended.

Reasonable Suspicion is based on specific, contemporaneous (recent), articulable observation concerning appearance, behavior, speech, or body odor of the driver.

Unacceptable Driving Record is a record that includes 1 major traffic conviction or more than 4 minor convictions in the last 12 months or 5 minor convictions in the last 24 months. (Please review the "Employer Action" section). Provided, however, any employment related traffic violation will be grounds for disciplinary action, as appropriate.

Major convictions include:

Being in physical control and/or driving under influence of alcohol/drugs
Failure to report an accident

Hit and Run, attended or
unattended Reckless

driving/speed contest

knowingly making a false
accident report

Homicide, manslaughter or assault arising out of use of a
vehicle driving while license suspended/revoked

Attempting to elude a peace officer

Any conviction related to driving/operation of a motor vehicle combined with illegal drug or alcohol activity

Minor convictions

Any moving citation other than a major conviction.

The following convictions are not counted against the driving record:

Motor vehicle equipment, load or size requirement

Improper/failure to display license plates

Failure to sign or display registration

Failure to have driver's license in
possession

¹Employees with a CDL endorsement must also notify their immediate supervisor, within thirty (30) days, in writing, of **all** traffic convictions received on or off the job. Also, CDL employees are required to report out-of-state convictions affecting the employee's personal or professional driving record within 30 days to the Department of Licensing, as required by law.

SUBSTANCE FREE WORKPLACE FOR NON-CDL EMPLOYEES

Purpose

The purpose of this policy is to establish City programs and practices that promote and support a substance-free working environment.

Scope

This policy applies whenever an employee is on or in City property, surrounding grounds and parking lots, leased or rented space, in any vehicle used on City business, and in other circumstances which adversely affects City operations and safety. If off duty use negatively impacts an employee's performance, and/or may jeopardize the safety or well-being of co-workers and/or the public when the employee is on the job, such use may be subject to discipline under the policy.

Policy^{1,2}

All employees are strictly prohibited from using, being under the influence of, possessing, concealing, manufacturing, transporting, selling, buying, or soliciting for the sale of any drug/alcohol while they are performing duties and responsibilities within the scope of their employment with the City, or any time they are on City premises or handling City property. This includes:

- 1) Drinking intoxicating liquor on duty or intoxication on duty, or being on duty with alcohol on their breath
- 2) The use of illegal drugs or being under the influence of illegal drugs on duty
- 3) The use of non-prescribed controlled substances or being under the influence of non-prescribed controlled substances on duty
- 4) The misuse of prescription drugs or over the counter drug on duty. Employees are responsible for determining the potential effects of prescribed drugs and should provide written notification to their supervisor of any restrictions or limitations that may affect their safety or the safety of others. If an employee is not certain, he/she should ask his/her doctor or pharmacist to find out before starting work.

No employee who has consumed any drug or similar substance, lawful or unlawful, or alcoholic beverages (within four hours of duty), that impairs performance (drowsiness, dizziness, or impairment of normal functions), shall operate a vehicle on duty.

If an employee discovers after consumption of a legally prescribed or an over the counter drug that he/she is impaired, he/she should immediately report the impairment to his/her supervisor. The employee will be relieved of duty and sent home on sick leave.

Any violations or abuse of this policy may result in disciplinary action as appropriate for the

circumstances, up to and including termination for serious or repeated violations and/or requiring the employee to participate satisfactorily in an approved substance abuse treatment program and agreeing to a return to work agreement which may include follow up random testing.

Employee Convictions/Notification to City

Federal regulations (Drug Free Workplace Act of 1988) require all employees to notify the City of any conviction under a criminal drug statute for violations occurring on-the-job within five (5) days of conviction. Additionally, any employee required to hold a Washington State driver's license incurring any traffic violation involving drugs or alcohol, causing restrictions on or the loss of driver's license must advise the City within twenty-four (24) hours of the restriction being imposed.

Training

The City will provide substance abuse awareness training to its employees at all levels in an effort to emphasize safety and performance issues. Supervisors and shop stewards will receive additional training on "reasonable suspicion" every 18 months. The Human Resources Department is responsible for arranging training that meets the requirements of federal law and educates all employees to substance abuse issues.

Employee Assistance Program

The Employee Assistance Program (EAP) is available at no cost as a resource for all regular employees and their families. An employee of the City of Lacey wishing confidential assistance for a possible alcohol or drug problem can call the EAP office at 1-800-777-4114. All EAP contacts are held in the strictest confidence. The City will not have access to any EAP information. The EAP is available for assessment, referral to treatment and follow-up. Treatment and follow-up expenses are the employee's responsibility (some or a portion of these costs may be covered by an employee's medical insurance coverage provided by the City). The EAP is also available as a resource for other counseling needs such as, supervisory, legal, financial, family, and stress.

Employee Rehabilitation/Treatment

The City urges employees with possible alcohol or drug problems to seek voluntary counseling and treatment prior to the problem negatively impacting their work for the City. Employees may seek confidential help at any time by contacting the Employee Assistance Program. The City will not be informed unless the employee chooses to inform the City he/she is seeking treatment. If informed by the employee, the City will provide reasonable accommodation to support employees participating in a treatment/recovery program as long as the accommodation does not impose an undue hardship on the City. No employee will be disciplined or discriminated against simply for a known drug/alcohol problem or for seeking help and/or participating in a recovery program. However, if an incident or poor performance at work arising out of drug or alcohol use in violation of this policy occurs before, during, or after the time an employee is seeking treatment, discipline or termination as

appropriate may be taken.

Discipline

The disciplinary measures taken in response to a particular violation will depend on a number of factors; which may include the nature of the violation, the risks to health and safety created by the violation, the nature or severity of the employee's problem, if any, prognosis for successful recovery, and the employee's length of service and employment record.

Supervisory Intervention

All supervisors are responsible for managing job performance and ensuring that employees comply with all City work and safety policies and rules. Supervisors detecting problems they believe to be associated with substance abuse should contact the Department Director, Human Resources Director and/or their designee, whenever practical, prior to confronting a substance abuse situation. The specific circumstances applicable to the situation will determine the intervention and disciplinary approach to be taken by the City. Generally, performance issues and/or behavioral problems will be addressed through corrective counseling and/or progressive disciplinary action as appropriate.

In the event the City establishes reasonable suspicion to believe an employee is impaired, or under the influence of drugs/alcohol while on the job, or is on the job with body odors that lead one to question the employee's ability to perform his/her job safely and effectively, the employee will be advised of such and notified that his/her actions are believed to be in violation of this policy. Reasonable suspicion is specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee which leads one to question an employee's ability to perform his/her job safely and effectively.

The City will ask the employee to explain his/her behavior and/or the circumstances which led up to the establishment of reasonable suspicion. This meeting will include the employee's supervisor, the Human Resources Director and/or designee and the respective Department Director and/or designee. The employee has the right to union representation if in a represented position. The employee will be removed from duty and shall be required to immediately take a drug/alcohol test at the City's expense. The employee will be placed on administrative leave pending the results. If no reasonable explanation for the employee's behavior is provided by the employee, he/she will be considered in violation of this policy and will subsequently be disciplined as appropriate for the circumstances (see above), up to and including termination. At a minimum, the employee will be relieved of his/her job duties for the remainder of the work shift and will be placed on vacation leave or leave without pay at the employee's choice. Depending on the severity of the problem, the City may require the employee to undergo an evaluation by a City designated or mutually acceptable substance abuse professional; and follow-through with any recommended treatment/recovery programs and return to work conditions, including random drug testing, as a condition of continued employment.

Searches and Inspections

If the City has reasonable suspicion that the employee has any drug/alcohol concealed in a particular place within the scope of this policy a search may be conducted by the supervisor and Department Director, Human Resources Director or their designee. Searches of persons or personal property may be done only as allowed by law and will be conducted by law enforcement officers.

The City may confiscate any substance or article which is reasonably believed to be possessed in violation of these rules (for example, rules prohibiting the possession of alcohol or illegal drugs or similar substances), and may transfer custody to appropriate law enforcement agencies.

Any interference by an employee in a search conducted within the scope and guidelines of this policy shall be considered insubordination, and the employee shall be relieved of duties immediately and sent home with pay pending investigation, and will be subject to discipline, up to and including termination.

Drug/Alcohol Testing

The City recognizes that each employee has a desire to maintain a degree of privacy and that this desire should be respected. The City believes that the provisions of the policy strikes a balance between the interest of the City and the rights and needs of its employees. In all but the pre-employment testing situations, union representation will be made available if requested. Procedures for drug/alcohol testing are in the Human Resources Office, City Manager's Office and every supervisor's office.

Pre-Employment Drug Testing

All applicants selected for hire in safety sensitive positions must submit to and pass a drug test as part of the City's pre-employment physical. A positive drug test or refusal to test will preclude the applicant from employment for a period of 12 months. Employees transferring into a safety-sensitive position will also be required to pass a drug test.

Post Vehicle Accident Testing

Employees will be tested for the use of drugs and/or alcohol if reasonable suspicion exists that the employee's driving may have been impaired by drug/alcohol use following any on-the-job accident that results in:

1. A fatality OR;
2. the driver receives a citation under state or local law for a moving violation, if the accident involved:
 - (i) bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident or;
 - (ii) One or more motor vehicles incurs disabling damage, requiring the motor vehicle to be transported away from the scene by a tow truck or other

motor vehicle.

Law enforcement officers at the accident scene will conduct an alcohol breathalyzer test as required by law. Employees subject to post-accident testing are required to complete an alcohol test at the designated medical facility regardless of other legally mandated testing.

An employee will not be delayed from seeking necessary medical attention or emergency assistance for himself or herself in order to complete the testing requirement.

The City will provide employees with post-accident testing information, procedures, and instruction prior to driving a covered vehicle. This information will be carried in each vehicle.

The employee will be placed on administrative leave with pay for three (3) days pending receipt of test results.

The City will evaluate each accident on a case-by-case basis considering such things as: results of a drug or alcohol test, the degree the employee was at fault or could have prevented the accident, the employee's prior relevant driving record, the degree of risk to the employee, co-workers, and the public, and such other factors or considerations as the City may deem appropriate or relevant, such as, whether or not driving is an essential function of the position. Any violations or abuse of this or other City policy may result in disciplinary action as appropriate for the circumstances, up to and including termination for serious or repeated violations. (Drivers involved in vehicle accidents may also be subject to discipline pending the findings of a post-accident investigation - see City Vehicle Policy).

Reasonable Suspicion Testing

Drug and/or alcohol testing will be conducted when reasonable suspicion exists, as described previously under Supervisor Intervention. The employee will be placed on paid administrative leave pending the receipt of test results.

Return to Work/Follow-up Testing

Any employees who have been found by the City to have engaged in prohibited conduct as defined in this policy or who has undergone rehabilitation and who are not terminated, may be subject to return to duty testing and unannounced follow-up testing, depending on the severity of the policy and performance violations which have occurred; and the potential risk to health/safety of the public and/or co-workers.

"Failed Integrity" and Blood Draw Testing

A second test will be required when the results of post-accident testing, reasonable suspicion testing, or return to work/follow-up tests are determined to have "failed integrity." If the second test results are also "failed integrity" a blood draw drug test will be required.

Definitions

Drugs and similar substances - Legal and illegal drugs and similar substances, such as marijuana, cocaine, heroin, peyote, opiates, phencyclidine (PCP or angel dust), amphetamines, designer drugs, and “controlled substances” (as defined in Schedules I-V of Section 202 of the Controlled Substances Act and the applicable regulations), as well as legal drugs which have been obtained or used illegally (for example, using drugs prescribed for someone else or for other than prescribed purposes) or in a manner contrary to the manner prescribed or directed.

Alcohol - Alcohol means any intoxicating liquor that when consumed to excess will produce some level of intoxication.

Reasonable Suspicion - Specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee which leads one to question an employee’s ability to perform his or her job safely and effectively.

Substance - Any drug or alcohol that impairs an employee’s ability to perform his or her job or which poses a threat to the safety of the employee or others.

Under the Influence - The presence of a covered substance in the body, detected by breath alcohol testing, urine drug testing or blood draw drug testing. Under the influence includes any drug test disclosing any such substances in the blood or urine at higher than legal limits, and any alcohol test disclosing alcohol concentration levels above 0.02%.

Use or Using - Includes being under any influence of a substance and/or the physical act of taking the substance into the body.

Safety Sensitive Positions - Positions requiring a full or limited law enforcement commission or positions requiring a valid commercial driver's license.

Refusal to Submit to Testing

Refusal by an employee to consent to take a drug/alcohol test when directed to do so, without a reasonable explanation and as provided by this policy, specifically post-accident testing, reasonable suspicion, return to work testing and/or follow-up testing, shall be considered insubordination, and the employee shall be relieved of duties immediately and sent home with pay pending investigation. In the case of alcohol testing, an employee who fails to provide adequate breath for testing without a valid medical explanation, or who otherwise engages in conduct that obstructs the testing process, shall be deemed to have refused to submit to testing. Failure to provide adequate urine for drug testing in accordance with the procedures manual without a valid medical explanation will also be considered as refusal to test. Refusal to submit to testing shall be considered a serious violation of this policy, and the employee will be subject to discipline, up to and including termination.

Records and Confidentiality

Test results, and records relating to rehabilitation or treatment will be treated confidentially and released only to authorized personnel. Records relating to testing and administration of this policy will be maintained in accordance with applicable law, in separate, confidential files. Test results and other information obtained pursuant to this Policy may be disclosed in a grievance proceeding or in defense of an action against the City.

¹ The City recognizes certain medical conditions may create body odors similar to alcohol and will accommodate employees who provide the City with medical evidence of the same.

² The City recognizes that certain Police Department personnel may be required to participate in otherwise prohibited practices as defined above. Such employees, when operating within departmental guidelines, shall not be considered to have committed a violation of this policy.

SUBSTANCE FREE WORKPLACE FOR CDLEMPLOYEES

Purpose

The purpose of this policy is to establish City programs and practices that promote and support a substance-free working environment.

Scope

This policy applies whenever an employee is on or in City property, surrounding grounds and parking lots, leased or rented space, in any vehicle used on City business, and in other circumstances which adversely affect City operations and safety. If off duty use negatively impacts an employee's performance, and/or may jeopardize the safety or well-being of co-workers and/or the public when the employee is on the job, such use may be subject to discipline under the policy.

Policy^{1,2}

All employees are strictly prohibited from using, being under the influence of, possessing, concealing, manufacturing, transporting, selling, buying, or soliciting for the sale of any drug/alcohol while they are performing duties and responsibilities within the scope of their employment with the City, or any time they are on City premises or handling City property. This includes:

- 1) Drinking intoxicating liquor on duty or under the influence while on duty, or being on duty with alcohol on their breath
- 2) The use of illegal drugs while on duty or being under the influence of illegal drugs while on duty
- 3) The use of non-prescribed controlled substances on the job or being under the influence of non-prescribed controlled substances while on duty
- 4) The misuse of prescription drugs or over the counter drugs while on duty. Employees are responsible for determining the potential effects of prescribed drugs and should provide written notification to their supervisor of any restrictions or limitations that may affect their safety or the safety of others. If an employee is not certain, he/she should ask his/her doctor or pharmacist to find out before starting work.

No employee who has consumed any drug or similar substance, lawful or unlawful, or alcoholic beverages (within four hours of duty), that impairs performance (drowsiness, dizziness, or impairment of normal functions) shall operate a vehicle on duty.

If an employee discovers after consumption of a legally prescribed or an over the counter drug that he/she is impaired, he/she should immediately report the impairment to his/her supervisor. The employee will be relieved of duty and sent home on sick leave.

Any violations or abuse of this policy may result in disciplinary action as appropriate for the circumstances, up to and including termination for serious or repeated violations and/or requiring the employee to participate satisfactorily in an approved substance abuse treatment program and agreeing to a return to work which may include follow up random testing.

Employee Convictions/Notification to City

Federal regulations (Drug Free Workplace Act of 1988) require all employees to notify the City of any conviction under a criminal drug statute for violations occurring on-the-job within five (5) days of conviction. Additionally, any employee required to hold a Washington State driver's license incurring any traffic violation involving drugs or alcohol, causing restrictions on or the loss of driver's license must advise the City within twenty-four (24) hours of the restriction being imposed.

Employees CDL Four (4) Hour Non-Consumption Requirement

As required by the Federal Highway Administration, CDL employees are not to consume alcohol four (4) hours prior to duty. This includes employees on stand-by. It is expected that these employees will be able to plan accordingly and respond to calls. However, all employees are responsible for notifying their supervisor if they are unable to return to work due to the consumption of alcohol. Employees will not be disciplined for inability to respond to a call back.

Training

The City will provide substance abuse awareness training to its employees at all levels in an effort to emphasize safety and performance issues. Supervisors and shop stewards will receive additional training on "reasonable suspicion" every 18 months. The Human Resources Department is responsible for arranging training that meets the requirements of federal law and educates all employees to substance abuse issues.

Employee Assistance Program

The Employee Assistance Program (EAP) is available at no cost as a resource for all regular employees and their families. An employee of the City of Lacey wishing confidential assistance for a possible alcohol or drug problem can call the EAP office at 1-800-777-4114. All EAP contacts are held in the strictest confidence. The City will not have access to any EAP information. The EAP is available for assessment, referral to treatment and follow-up. Treatment and follow-up expenses are the employees responsibility (some or a portion of these costs may be covered by an employee's medical insurance coverage provided by the City). The EAP is also available as a resource for other counseling needs such as, supervisory, legal, financial, family, and stress.

Employee Rehabilitation/Treatment

The City urges employees with possible alcohol or drug problems to seek voluntary counseling and treatment prior to the problem negatively impacting their work for the City. Employees may seek confidential help at any time by contacting the Employee Assistance Program. The City will not be informed unless the employee chooses to inform the City he/she is seeking treatment. If informed by the employee, the City will provide reasonable accommodation to support employees participating in a treatment/recovery program as long as the accommodation does not impose an undue hardship on the City. No employee will be disciplined or discriminated against simply for a known drug/alcohol problem or for seeking help and/or participating in a recovery program. However, if an incident or poor performance at work arising out of drug or alcohol use in violation of this policy occurs before, during, or after the time an employee seeking treatment, discipline or termination as appropriate may be taken.

Discipline

The disciplinary measures taken in response to a particular violation will depend on a number of factors; including the nature of the violation, the risks to health and safety created by the violation, the nature or severity of the employee's problem, if any, prognosis for successful recovery, and the employee's length of service and employment record.

Supervisory Intervention

All supervisors are responsible for managing job performance and ensuring that employees comply with all City work and safety policies and rules. Supervisors detecting problems they believe to be associated with substance abuse should contact the Department Director, Human Resources Director and/or their designee, whenever practical, prior to confronting a substance abuse situation. The specific circumstances applicable to the situation will determine the intervention and disciplinary approach to be taken by the City. Generally, performance issues and/or behavioral problems will be addressed through corrective counseling and/or progressive disciplinary action as appropriate.

In the event the City establishes reasonable suspicion to believe an employee is impaired, or under the influence of drugs/alcohol while on the job, or is on the job with body odors that lead one to question the employee's ability to perform his/her job safely and effectively, the employee will be advised of such and notified that his/her actions are believed to be in violation of this policy. Reasonable suspicion is specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee which leads one to question an employee's ability to perform his/her job safely and effectively.

The City will ask the employee to explain his/her behavior and/or the circumstances which led up to the establishment of reasonable suspicion. This meeting will include the employee's supervisor, the Human Resources Director and/or designee and the respective Department Director and/or designee. The employee has the right to request union representation if in a

represented position. The City will ask the employee to explain his/her behavior and/or the circumstances which led up to the establishment of reasonable suspicion. The employee may request the presence of union representation if in a represented position. If no reasonable explanation is provided by the employee, he/she will be considered in violation of this policy and will subsequently be disciplined as appropriate for the circumstances (see above), up to and including termination. At a minimum, the employee will be relieved of his/her job duties for the remainder of the work shift and will be placed on vacation leave or leave without pay at the employee's choice.

If a reasonable suspicion determination has been made while the employee is performing safety-sensitive functions, just before performing safety-sensitive functions or just after the employee has ceased performing such functions, he/she will be required to test per Federal regulations and will be sent home for a period of 24 consecutive hours, using vacation or leave without pay at the employee's choice.

For situations outside of performing safety sensitive functions, the employee may immediately and voluntarily take a drug/alcohol test at the City's expense to substantiate their use or non-use of drugs or alcohol. If the employee elects to submit to testing he/she will be placed on administrative leave pending the results.

Depending on the severity of the problem, the City may require the employee to undergo an evaluation by a substance abuse professional; and follow-through with any recommended treatment/recovery programs and return to work conditions, including random drug testing, as a condition of continued employment.

Searches and Inspections

If the City has reasonable suspicion that the employee has any drug/alcohol concealed in a particular place on City property a search within the scope of this policy may be conducted by the supervisor and Department Director, Human Resources Director or their designee. Searches of persons or personal property may be done only as allowed by law and will be conducted by law enforcement officers.

The City may confiscate any substance or article which is reasonably believed to be possessed in violation of these rules (for example, rules prohibiting the possession of alcohol or illegal drugs or similar substances), and may transfer custody to appropriate law enforcement agencies.

Any interference by an employee in a search conducted within the scope and guidelines of this policy shall be considered insubordination, and the employee shall be relieved of duties immediately and sent home with pay pending investigation, and will be subject to discipline, up to and including termination.

Drug/Alcohol Testing

The City recognizes that each employee has a desire to maintain a degree of privacy and that this desire should be respected. The City believes that the provisions of the policy strikes a balance between the interest of the City and the rights and needs of its employees. In all but the pre-employment testing situations union representation will be made available if requested. Procedures for drug/alcohol testing are in the Human Resources Office, City Manager's Office and every supervisor's office.

Pre-Employment Drug Testing

All applicants selected for hire in safety sensitive positions must submit to and pass a drug test as part of the City's pre-employment physical. A positive drug test or refusal to test will preclude the applicant from employment for a period of 12 months. Employees transferring into a safety-sensitive position will also be required to pass a drug test.

Post Vehicle Accident Testing

All employees shall be subject to post-accident testing if they are involved in one of the following accidents while operating a vehicle requiring a CDL license on the job:

1. Any accident involving a fatality OR;
2. The driver receives a citation under state or local law for a moving violation, if the accident involved:
 - (i) bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident or;
 - (ii) One or more motor vehicles incurs disabling damage, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

If the any of the above accidents occurs when the employee is not operating a vehicle that requires a CDL license then the employee may be tested for the use of drugs and/or alcohol if reasonable suspicion exists the employee's driving may have been impaired by drug/alcohol use.

Law enforcement officers at the accident scene will conduct an alcohol breathalyzer test as required by law. Employees subject to post-accident testing are required to complete an alcohol test at the designated medical facility regardless of other legally mandated testing.

An employee will not be delayed from seeking necessary medical attention or emergency assistance for himself or herself in order to complete the testing requirement.

The City will provide employees with post-accident testing information, procedures, and instruction prior to driving a covered vehicle. This information will be carried in each vehicle.

The employee will be placed on administrative leave with pay for three (3) days pending

receipt of test results.

Should the test results be positive for drugs or positive for alcohol (more than .02 for alcohol), the City will take appropriate disciplinary action, up to and including termination. The City will evaluate each accident on a case-by-case basis considering such things as: results of a drug and/or alcohol test, the degree the employee was at fault or could have prevented the accident, the employee's prior relevant driving record, the degree of risk to the employee, coworkers, and the public, and such other factors or considerations as the City may deem appropriate or relevant, such as whether or not driving is an essential function of the position. (Drivers involved in vehicle accidents may also be subject to discipline pending the findings of a post-accident investigation-see City Vehicle Policy.)

Random Testing

Federal Highway Administration regulations mandate random testing of employees required to hold a Commercial Driver's License. The selection process for random testing shall be made using a scientific method, such as a computer-based random number generator. All employees in the relevant pool of persons subject to random testing will have an equal chance of being selected. All testing results will be subject to and utilized in accordance with the procedures, guidelines, and regulations as provided by the Federal Highway Administration.

Current Federal regulations require that 50% of the employee group that are required to hold CDL's undergo random testing for drugs, and 10% undergo random testing for alcohol on an annual basis.

Non-CDL employees will not be subject to random testing unless required by Federal Law.

Reasonable Suspicion Testing

Reasonable suspicion testing will be conducted when the employee voluntarily agrees to such testing or when it is required by Federal regulations. The employee will be placed on paid administrative leave pending the receipt of test results.

Return to Work/Follow-up Testing

All employees who have been found by the City to have engaged in prohibited conduct as defined in this policy may be subject to return to duty testing and unannounced follow-up testing as required by Federal guidelines and/or depending on the severity of the policy and performance violations which have occurred; and the potential risk to health/safety of the public and/or co-workers.

"Failed Integrity" and Blood Draw Testing

A second test will be required when the results of post-accident testing, reasonable suspicion testing, or return to work/follow-up tests are determined to have "failed integrity." If the second test results are also "failed integrity" a blood draw drug test will be required.

Definitions

Drugs and similar substances - Legal and illegal drugs and similar substances, such as marijuana, cocaine, heroin, peyote, opiates, phencyclidine (PCP or angle dust), amphetamines, designer drugs, and “controlled substances” (as defined in Schedules I-V of Section 202 of the Controlled Substances Act and the applicable regulations), as well as legal drugs which have been obtained or used illegally (for example, using drugs prescribed for someone else or for other than prescribed purposes).

Alcohol - Alcohol means any intoxicating liquor that when consumed to excess will produce some level of intoxication.

Use or Using - Includes being under any influence of a substance and/or the physical act of taking the substance into the body.

Reasonable Suspicion - Specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee which leads one to question an employee’s ability to perform his or her job safely and effectively.

Substance - Any drug or alcohol that impairs an employee’s ability to perform his or her job or which poses a threat to the safety of the employee or others.

Under the Influence - The presence of a covered substance in the body, detected by breath alcohol testing, urine drug testing or blood draw drug testing. Under the influence includes any drug test disclosing any such substances in the blood or urine at higher than legal limits, and any alcohol test disclosing alcohol concentration levels above 0.02%.

Use or Using - Includes being under any influence of a substance and/or the physical act of taking the substance into the body.

Safety Sensitive Positions - Positions requiring a full or limited law enforcement commission or positions requiring a valid commercial driver's license.

Refusal to Submit to Testing

Refusal by an employee to consent to take a drug/alcohol test when directed to do so without a reasonable explanation and as provided by this policy and/or as required by federal law, shall be considered insubordination, and the employee shall be relieved of duties immediately and sent home with pay pending investigation. In the case of alcohol testing, an employee who fails to provide adequate breath for testing without a valid medical explanation, or who otherwise engages in conduct that obstructs the testing process, shall be deemed to have refused to submit to testing. Failure to provide adequate urine for drug testing in accordance with the procedures manual without a valid medical explanation will also be considered as refusal to test. Refusal to submit to testing shall be considered a serious violation of this

policy, and the employee will be subject to discipline, up to and including termination.

Records and Confidentiality

Test results, and records relating to rehabilitation or treatment will be treated confidentially and released only to authorized personnel. Records relating to testing and administration of this policy will be maintained in accordance with applicable law, in separate, confidential files. Test results and other information obtained pursuant to this Policy may be disclosed in a grievance proceeding or in defense of an action against the City.

¹The City recognizes certain medical conditions may create body odors similar to alcohol and will accommodate employees who provide the City with medical evidence of the same.

²The City recognizes that certain Police Department personnel may be required to participate in otherwise prohibited practices as defined above. Such employees, when operating within departmental guidelines, shall not be considered to have committed a violation of this policy.

POLICY AGAINST WORKPLACE VIOLENCE

Purpose

To promote a positive, respectful and safe work environment that fosters employee productivity, safety and security. To reduce the potential for violence in and around the workplace.

Policy

The City will not tolerate any acts or threats of violence, implied or actual, from any person that is directed at employees, the public, or property at a City facility or in connection with City business. The word “violence” in this policy shall mean a verbal or physical action or behavior that:

- ◆ Is a physical assault;
- ◆ Consists of a communicated or reasonably perceived: threat to harm, harass, abuse, or intimidate another individual;
- ◆ Would be interpreted by a reasonable person as carrying the potential for physical harm to the individual;
- ◆ A reasonable person would perceive as menacing;
- ◆ Involves carrying or displaying weapons, destroying property, or throwing objects in a manner reasonably perceived to be threatening;
- ◆ Consists of a reasonably perceived threat to destroy property;
- ◆ A reasonable person would perceive as obsessively directed, e.g. intensely focused on a grudge, grievance, or romantic interest in another person, and reasonably likely to result in harm or threats of harm to persons or property.

Violent actions on City property or facilities, or while on City business, will not be tolerated. The City will use disciplinary and enforcement means to secure the workplace from violence and to reasonably protect employees and members of the public. Any unlawful actions committed by employees or members of the public while on City property, or while using City facilities will be disciplined and referred to law enforcement for criminal investigation and prosecution as appropriate to the circumstances.

Scope

This policy applies whenever an employee is:

- ◆ On City time (including breaks and meal periods);
- ◆ On City premises, property, surrounding grounds and parking lots, leased or rented space;
- ◆ In any vehicle used on City business;
- ◆ Is acting as an agent of the City; and
- ◆ In other circumstances which create concerns for City operations or safety (this includes inappropriate use of phones, FAX machines, mail or E-mail).

Weapons Prohibition

In order to ensure a safe environment for employees and the public, the City prohibits the wearing, transporting, storage, or presence of firearms or other weapons in any area defined in the scope of this policy.

Firearms or other dangerous weapon

- ◆ A firearm or any device from which a projectile may be fired by an explosive
- ◆ Any club, metal knuckles, throwing stars, “nun-chu-ka- sticks”
- ◆ A bb gun or other firearm operated by compressed air
- ◆ Any spring blade knife, or any knife which opens, falls, is ejected into position by the force of gravity, or by an outward, downward, or centrifugal thrust or movement, or any knife when brandished or carried in a manner that warrants alarm for the safety of other persons (note: utility knives, e.g. jackknives or leatherman tools are not considered a dangerous weapon unless brandished or carried in such a way as to cause alarm or safety concerns)
- ◆ Any instrument that is intended to pose a reasonable risk of injury

Exceptions include employees of the City

- 1) Engaged in law enforcement activities, or
- 2) Legally in possession of a: 1) firearm, or 2) legal weapon; for which the employee holds a valid permit where required, and that is secured within a personal vehicle and concealed from view.

“No Weapons” signs will be conspicuously posted at entrances to City facilities where employees are regularly assigned and/or the public frequents. An employee or member of the public known to have a firearm or dangerous weapon within a City facility, or who is brandishing a weapon in a City parking lot, is to be reported immediately to law enforcement, call 911.

Reporting Threats

All City employees are responsible for notifying supervisors and/or department directors of any threats they have witnessed, received, or have been told that another person has witnessed or received, that involves the potential for workplace violence. Even without an actual threat, employees should report any behavior they have witnessed that could be regarded as potentially threatening or violent. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons who were threatened or were the focuses of the threatening behavior. Specific reporting instructions for situations that may occur in the workplace are provided below.

Workplace Violence Concerns Involving the Public

General Employees

While the City has a strong commitment to customer service, general employees are not expected to be subjected to verbal abuse or physical threats from the public. The employee's supervisor should immediately be notified when a customer is threatening or abusive. If the act or altercation constitutes an emergency, CALL 911 (dial 9-911 when using City phones which require dialing 9 to get an outside line). Supervisors will discuss the situation with the appropriate department director and/or City police department. Any threats of harm or violence must be referred to the Police Department. The matter will be handled and investigated as appropriate depending on the circumstances.

Law Enforcement Employees

Law enforcement officers are provided specialized training for handling situations where a member of the public is verbally abusive or presenting a physical threat. Situations should be handled and reported in accordance with department training and procedures outlined in the Lacey Police Department Manual.

Workplace Violence Concerns Involving City Employees

Any employee involved in situations on the job where they fear violence should immediately report it to their supervisor, department director or Human Resources department, and/or a law enforcement officer. Reportable situations include incidents where: an employee's fears that physical retaliation may take place, where another employee has made threats of physical violence, or where another employee displays inappropriate behavior which leads the employee to have cause for concern for the safety of themselves or others. If the act or altercation constitutes an emergency, the employee or supervisor should CALL 911 (dial 9-911 when using City phones which require dialing 9 to get an outside line). Any threats of harm or violence will be referred to the Police Department for consultation and assistance in dealing with the situation; and/or possible referral for criminal investigation and possible prosecution. If an employee has been served a protection or no contact order which would restrict his/her ability to perform his/her assigned duties or be at a City work location, he/she shall report the matter to his/her supervisor. The City will consider possible job modifications, and the overall safety interests of the general workforce and the public when determining an appropriate course of action.

Workplace Violence Concerns Involving Personal/Off-Work Situations

An employee may be involved in a personal non-criminal or criminal dispute with family members, neighbors or another party. Domestic violence, or any situations involving individuals being threatened or harmed by another, is wrong and against the law.

Employees are strongly encouraged to report violence to local law enforcement and to take steps to protect themselves when in relationships and/or situations where violence has or is likely to occur. Steps an individual can take may include: contacting referral and counseling services for advice and guidance, developing a personal safety plan, talking with local law enforcement, or obtaining protection or restraining orders as needed.

Any employee concerned about personal safety at the workplace may request security precautions with his or her supervisor and the City Police Department at any time; e.g. an escort to and from his/her vehicle, or other appropriate precautions. The Employee Assistance Program can provide assistance with referral and counseling to employees experiencing violence. Local law enforcement will respond to situations involving threats of violence and/or actual incidents of violence. The Human Resources Department can assist with discussing options for paid and/or unpaid leave, or initiating discussions about other workplace concerns, if needed to resolve a situation.

An employee will not be disciplined or discriminated against for reporting a workplace safety concern and requesting assistance from the City. However, employees may be requested to take steps to provide for reasonable protections for themselves and others at the workplace.

Supervisors may initiate workplace safety discussions with an employee about a personal situation in cases where it is reasonable to believe there is a threat to the workplace. An employee may be requested to secure an Anti-Harassment Order, Protection Order, Civil Restraining Order, or similar order from the court and/or take other appropriate precautions to provide for workplace safety. When an employee obtains a court order, he or she should include the work location as well as place of residence in the order. The employee should inform his/her supervisor of the issuance of such order and provide a description of the individual cited in the order with a photograph whenever possible. This information will be distributed to parties with a need to know or in a position to identify possible violations. An employee choosing not to obtain a court order when requested, or to take requested actions to provide reasonable protections for workplace safety, may be subject to discipline or other corrective action. This may include, but is not limited to, being placed on leave without pay (and/or being required to use vacation or other paid leave) until the situation resolves or more serious disciplinary action appropriate to the seriousness of the circumstances. The City will make every effort to work with an employee who is taking pro-active steps to reduce a potentially violent personal situation. And, the City will also consider the overall safety interests of the general workforce and the public when determining an appropriate course of action.

Employee Assistance Program Available to Assist Employees

The City offers an Employee Assistance Program (EAP) designed to assist employees and their families who are experiencing personal or job-related problems. An employee of the City wishing confidential assistance for a personal or job-related problem can call the EAP office at 1-800-777-4114. The City will not have access to any EAP information unless an employee authorizes the EAP to release this information to the City. The EAP counselor will advise an employee when information must lawfully be disclosed for the protection of others. The EAP is available for assessment, referral to treatment, and follow-up. Treatment and follow-up expenses are the employee's responsibility (some or a portion of this cost may be covered by an employee's medical insurance coverage provided by the City).

The City will provide reasonable accommodation to support employees participating in a professional treatment program as long as the accommodation does not impose an undue hardship on the City. No employee will be disciplined or discriminated against simply for seeking help and/or participating in a treatment program. However, if an incident at work occurs the City reserves the right to take discipline, and/or corrective action as appropriate, up to and including termination.

Employee Violations

Any employee who violates this policy will be subject to corrective or disciplinary action, up to and including, but not limited to, termination.

Supervisory Intervention/Response

Department directors and supervisors, and City law enforcement for criminal actions, are responsible for responding to and investigating potential or violent situations. Supervisors detecting problems where they believe an employee represents a workplace violence concern should contact their department director, the Human Resources Director, and representatives from the Police Department prior to addressing a potential workplace violence situation. The specific circumstances applicable to the situation will determine the intervention and disciplinary approach to be taken. Performance issues and/or behavioral problems will be addressed through corrective counseling and disciplinary action as appropriate. The level of discipline imposed, including termination, will be determined as appropriate to the circumstances. If an employee's performance, conduct or behavior raises a serious concern about the safety of others, the City may require a Fit for Duty assessment in addition to any corrective and/or disciplinary action taken. The Fit for Duty assessment is to evaluate the employee's ability to safely be on the job.

Searches

If the City has reasonable suspicion to believe an employee has a firearm or weapon at a work location in violation of this policy, or the employee represents a threat to workplace safety, the City reserves the right to conduct and/or allow a search of City

property. This may include the employee's assigned City vehicle, locker, and/or City property including computer files, desks and office furniture. Any searches of an employee's personal property will be conducted by law enforcement personnel in accordance with legal provisions for a search involved in a criminal investigation.

Wellness Program

Purpose

Established in 1991, the wellness program's purpose is to achieve the highest possible level of employee well-being both physically and mentally. The City Council passed a Resolution in January 2007 in support of the continuation of the wellness program. This policy is established as a means to provide information and activities to City employees to encourage healthy lifestyle choices.

Mission

The mission of the wellness program is to promote a program that strives to develop healthy, fit, and well-informed employees. The City recognizes that a workplace program that educates employees on personal well-being can result in better morale, reduced absenteeism, and enhanced productivity and performance.

Program Components

Motivational programs, behavioral change programs, and cultural support are all components of the wellness program. The program will partner with AWC to enhance program offerings through participation in AWC's website, health risk appraisal tool, the health screenings, campaigns, and wellness library.

The program will offer a balance of lifestyle programming. Acknowledging that everyone and everybody is unique and that people are at different stages in their life journey. We will have some programs that are just for fun.

A variety of communication methods will be utilized to share information and encourage participation in the programs. Communication begins with including information about the wellness program in job announcements and new employee orientation. On-going methods will include: monthly Energize newsletter, emails, bulletin boards, posting in restrooms and other common areas, and walking around talking to people about the program.

Evaluations will be conducted following each program or event. An annual evaluation will be conducted and used to plan the upcoming year's program. The Wellness Committee will be responsible for completing the AWC bi-annual evaluations.

The AWC WellCity Award is an external standard to measure the program's success. Each year the Committee will apply for the award.

Administration

The Wellness Program is budgeted and administrated through the Human Resources department. A voluntary employee Wellness Committee as described below assists with the

planning, oversight, management, promotion, and execution of the program activities.

Voluntary Participation

Participation in the programs and activities of the Wellness Program is voluntary. Each employee will be allowed one hour of city time per month to use for wellness program activities.

Confidentiality

Confidentiality is important in all health education activities. The Wellness committee may offer programs about potentially sensitive issues. The transactions and interaction regarding personal and medical information that takes place in the wellness programs will be confidential and will be respected as such.

Wellness Committee

This Committee has authority delegated by the City Manager to develop and recommend applicable programs, policies, and training necessary to meet the goals and objectives of this policy. The wellness committee will be comprised of 5-8 members. The following departments are strongly encouraged to have at least one representative on the committee: Public Works Engineering, Public Works Operations, Parks and Recreation, Community Development, Police, and Finance.

The duties of the committee members are to:

- Provide enthusiastic support of the purpose and goals of the Wellness Committee.
- Act as liaison between the Wellness Committee and the employees to represent the interest, needs, and opinions of the employees.
- Help plan, implement, and promote Wellness programs.
- Provide peer support and advocacy to boost wellness program participation.
- Share responsibilities to lessen the workload impact on the Chairperson.
- Perform an evaluation of ongoing programs and activities.

The length of the term on the committee is indefinite. As members leave the committee, replacements will be solicited from the departing members' department.

Funding

Funding for the Wellness Program is part of the Human Resource budget and is evaluated each year by the Wellness Committee and the Human Resource Director during the budget process.

FINANCE SECTION

REIMBURSEMENT FOR EXPENSES INCURRED IN CONDUCT OF CITY BUSINESS

Purpose

To establish policy and procedure related to travel and reimbursement for eligible expenses incurred in conduct of City business, including Advance Travel Funds.

Policy

It is the policy of the City of Lacey to reimburse City elected and appointed officials, employees, and members of boards and commissions for reasonable expenses incurred in the conduct of their business for the City. Eligible meal reimbursements shall be made for on a per diem basis (see below for eligible meal reimbursements). All other eligible expenses, including lodging and mileage, shall be reimbursed on an actual expense basis. Reimbursement for necessary and reasonable expenses will be made by application and in compliance with this policy and Chapter 42.24, Revised Code of Washington. All persons are to use good judgment and discretion limiting expenses with the best interests of the City foremost in mind. Excessive or unnecessary expenses will not be approved or reimbursed. It is expressly prohibited to use City travel funds for personal purposes.

Payment in advance of travel expenses may be made subject to and in compliance with Chapter 2.58, Lacey Municipal Code, Advance Travel Fund. An advance for approved anticipated travel expenses will not be paid when total estimated expenditures are less than \$50.00.

Any travel time in excess of one day each way, which is brought about by the employee's choice of transportation or schedule, will be charged to the employee as vacation time. When travel is required of employees covered by FLSA standards, travel time may be considered as time worked depending on the time and day of travel. Paid time for travel shall be clearly resolved in accordance with FLSA guidelines in advance of authorizing travel. Check with Human Resources Department for more information.

Procedure

Authorization to Travel

Travel by members of the City Council, City Manager, City employees, and board and commission members shall be specifically provided for in an adopted budget and as provided below:

1. Specific travel expenditures and trip authorization will be approved, **in advance**, in a manner provided for on the **Advance Travel Request** form available on the N: drive in the City's Common Area (see Attachment B for instructions).
2. Unanticipated or emergency travel, initiated during non-business hours, may be

authorized provided such approval is received as noted on the **Advance Travel Request** form. If required, the City's credit card may be obtained by contacting the Finance Department.

Eligible Travel Expenditures

Generally, eligible expenditures include travel and living costs incurred while away from the City as well as expenses incurred within the City necessitated by City business. In the Thurston County area, necessary expenses will be reimbursed only for persons representing the City in his/her official capacity and in the discharge of his/her duties.

All persons are to use good judgment and discretion limiting expenses with the best interests of the City foremost in mind. Excessive or unnecessary expenses will not be approved or reimbursed. It is expressly prohibited to use City travel funds for personal purposes.

1. **Registration** - Actual cost of registration, tuition and fees at a meeting, conference, training, or convention for which he/she has received approval. Registration should be prepaid, and whenever possible, paid through the regular accounts payable process of the Finance Department. If it is not possible to prepay registration fees, receipts must be submitted for reimbursement.
2. **Transportation** - Actual costs for bus travel, train travel, air travel, taxi, tolls, car rentals, and parking fees will be reimbursed provided all air travel shall be on a common carrier and at the most economical class. Payment for air travel shall be at the actual cost from Olympia or SeaTac Airports to destination and return. Travel arrangements will be made in coordination with the Finance Department.
 - A. If personal travel is combined with business travel (or in the case of members of the City Council where they are combining their employer and City travel) thereby qualifying and obtaining a discounted air fare rate, the discount will be prorated between the business and personal portion of the trip.
 - B. Persons using a personally-owned vehicle to travel out of Thurston County on City business will be reimbursed at the rate published by the IRS as the cost per mile allowance provided a City vehicle is not available and provided payment will not exceed the least cost air fare to and from the same destination. If a City-owned vehicle is available for use and the person still elects to use private transportation, mileage will be reimbursed at 50% of the IRS published allowance rate.
 - C. If two or more persons are attending the same out-of-town meeting and one of them is driving a City vehicle and the second person chooses to drive his/her personally-owned vehicle, no mileage reimbursement will be made to the person who elects to drive a personally-owned vehicle. If no City vehicle is to be used, and two or more persons choose to drive their own vehicles, only one mileage reimbursement (based on "B." above) will be paid by the City.

- D. No mileage reimbursement will be made for casual or occasional use of a personal vehicle within the Thurston County area.
 - E. When the length of travel warrants, persons using a City vehicle will secure a gasoline credit card from the Finance Department for the purchase of gasoline, oil, emergency repairs, etc. City-owned credit cards are only for use with City vehicles.
 - F. Airport parking is limited to a maximum of twelve (12) hours. Long-term parking expenses will be reimbursed when "off-airport" parking lots and shuttle services are used e.g., Budget. Only one parking expense will be reimbursed if two or more persons are attending the same out-of-town event.
 - G. The City may arrange for public transportation to minimize salary expenses for travel time.
3. **Rental Vehicles** - Under most circumstances, adequate ground transportation and shuttle services are available to and from the airport at the point of destination. Every effort should be made to use alternate forms of transportation before renting a vehicle. If there are no acceptable alternatives, contact the Finance Department for arrangements and procedures.
- A. Liability coverage (through W.C.I.A.) is in effect when persons operate rental vehicles when in the course of City business. W.C.I.A. also provides property coverage on a rental vehicle while the vehicle is in your "care and custody."
 - B. The City will not be responsible for the loss of personal items taken from a rental vehicle.
4. **Lodging** – Overnight lodging will only be reimbursed for travel which exceeds 60 miles (one way) from the employees work location, provided exceptions may be authorized for a continuous workshop. Actual cost of hotel/motel accommodations will be reimbursed. If a family member or guest accompanies the person, the person shall submit and be reimbursed for the amount of a single accommodation. The single accommodation rate must be noted on the hotel/motel bill submitted as documentation of the expense. Lodging arrangements requiring a deposit or credit card number to secure reservations will need to be coordinated through the Finance Department.
- A. Persons are to ascertain the availability of and request special government rates.
 - B. Conference announcements usually provide information regarding lodging and its cost. Frequently, only the cost of double accommodation is shown - possibly because it is the same as the single room rate. Unless specifically disclosed in the announcement, the single occupancy rate must be confirmed.
5. **Meals** - Per Diem will be provided in accordance with the U.S. General Services Travel

Regulations for authorized travel outside of the Thurston County metropolitan area, and if travel includes an overnight stay. See the Finance Travel Per Diem spreadsheet found on the N: drive in the City's Common Area for the appropriate per diem meal rate which is based upon the destination traveled to. Meals (excluding continental breakfasts) that are included in a convention, seminar, or other registration fees are not eligible travel expenses. Per Diem reimbursement rates are adjusted annually.

Generally, there is no meal reimbursement for meals eaten **within** the metropolitan Thurston County, Olympia, Lacey, and Tumwater area. Except, meals are reimbursed by the City if:

- A. The meal is included in the cost of registration for a training class or conference. (Meals not included are at the employee's expense, or the employee may bring his/her lunch to the training session.)
 - B. An employee is assigned by his/her Director, in the Director's absence, to attend a non- regularly scheduled business breakfast, lunch, or dinner regarding regional/City issues.
 - C. The circumstances are within the spirit of this policy and approved by the City Manager. Should an unusual or extenuating circumstance arise where a Director believes a meal should be reimbursed which would otherwise not be under this policy, he/she may make application to the City Manager for prior approval for reimbursement.
 - D. To avoid the appearance of a conflict of interest, employees should not allow consultants, vendors, or others with official business with the City to pay for or furnish meals or beverages. For examples of Meal Expense Reimbursement, see Attachment A.
6. **Laundry and Valet Services** - Actual cost of laundry and/or valet service are allowable expenses when City representatives are required to be away from the City for more than four days at one time or the conditions under which they are required to work while away from the City creates a more than normal need for such services.
7. **Business Incidentals** - Charges for telephone, fax, internet, copying, and other office expenses are eligible for reimbursement if necessary for completion of City business. All long distance calls submitted for reimbursement will be itemized on expense reports showing the location and purpose of call. Under most circumstances, calls should be made using SCAN and SCAN long distance services. SCAN user ID cards are available from the Finance Department.

Ineligible Expenses

None of the following expenses will be paid by the City:

1. Travel paid for by any other organization;

2. **Alcoholic** beverages (including liquor, beer and wine);
3. Valet services (except as provided above);
4. Lodging accommodations, meals or other expenses for family or guests;
5. Fees for sightseeing tours, activities ancillary to the purpose for travel, conference or seminar, and expenditures for entertainment;
6. Personal telephone calls;
7. Mileage when traveling as a passenger in a privately-owned car; and
8. Trip insurance or any other expenditure for personal purposes.

Documentation of Expenses

Meal expenses are reimbursed on a per diem basis and do not require receipts for reimbursement. All other eligible actual expenses incurred in the conduct of business on behalf of the City shall be submitted for reimbursement to the Finance Department and shall be documented with receipts and/or travel vouchers. The **Travel Expense Voucher** form (see Attachment B for location of forms in Lacey's Common Area) has a section for reporting actual expenses. All receipts and travel vouchers are to be attached to this form as documentation of Advance Travel Funds used and/or as support for reimbursement requests.

1. When lodging accommodations are shared between two or more persons, lodging expenses may be submitted by the person paying the bill. All non-lodging charges reflected on such statement which are claimed for reimbursement must be supported by expense vouchers of the individual incurring the charges (excluding meal charges as meal expenses are reimbursed on a per diem basis).
2. Travel reimbursement requests and reconciliation of Advance Travel Funds must be returned to the Finance Department within fifteen (15) days of returning to the City. State law requires an interest penalty for delinquent reports.
3. Claim for reimbursement of any charge which could reasonably raise question should be accompanied by an explanation. Failure to provide adequate documentation (receipts) or explanation for all expenses claimed for reimbursement could result in the employee being personally responsible for the charges.

Approvals

Authorization for travel and expense reimbursement under this policy must be signed, approved, and filed with the Finance Department on the form(s) provided by that office.

Ongoing approval responsibility for specific travel and the reimbursement for expenditures

shall be made as follows:

1. For members of the City Council - approval will be made by the Mayor.
2. For the Mayor - approval will be made by the Deputy Mayor.
3. For members of City Boards and Commissions - approval will be made by the City Manager.
4. For the City Manager - approval will be made by the Mayor.
5. For Department Directors - approval will be made by the City Manager.
6. For all other employees - approval will be made by the direct supervisor and/or Department Director.

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4. For the City Manager - approval will be made by the Mayor.
5. For Department Directors - approval will be made by the City Manager.
6. For all other employees - approval will be made by the direct supervisor and/or Department Director.

Attachment A

MEAL EXPENSE REIMBURSEMENT

Examples:

Who Should Pay For
Employee?¹

- | | | |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| 1) | Consultant invites City Manager to lunch..... | City Manager |
| 2) | Consultant invites Department Director to lunch..... | Dept. Director |
| 3) | City Manager meets <u>regularly</u> with regional City Managers
for breakfast, lunch or dinner..... | City Manager |
| 4) | Department Director meets <u>regularly</u> with regional Counterpart
Director for any meal. | Dept. Director |
| 5) | Employee meets <u>regularly</u> with regional Counterpart for
for any meal | Employee |
| 6) | Employee is <u>assigned</u> by Director to a non-regularly
scheduled breakfast or lunch meeting on regional/city issues | City |
| 7) | Councilmember <u>asks</u> to meet over lunch to informally discuss.....
.Councilmember regional/city
issues..... | and employee |
| 8) | City Manager or Director <u>asks</u> Councilmember to meet over
lunch to informally discuss regional/city issues..... | City Manager ,
Dept. Director,
Councilmember |
| 9) | Council has a <u>non-regular</u> , early worksession at 5:30 pm, prior
to 7:00 pm council meeting and dinner is brought in..... | City |
| 10) | Council has an <u>extraordinary</u> , <u>special</u> breakfast meeting or lunch
meeting with visitors to discuss regional/city issues..... | City |
| 11) | Council has a <u>regularly</u> scheduled early morning
committee meeting and breakfast is ordered..... | Councilmembers |
| 12) | An intergovernmental agency (e.g. LOTT, TRPC) calls a
<u>special meeting</u> to discuss regional issues | City |
| 13) | An employee attends training at South Puget Sound Community
College and lunch is not included in the registration fee. | Employee |
| 14) | An employee attends <u>one day training</u> ,
<u>pre-approved, at the University of</u>
<u>Washington</u> and lunch is not included
in the registration fee..... | Employee |
| 15) | An employee attends training out of town which includes an overnight
stay and a meal is not included in the registration fee | City |
| 16) | Department Director asks employee to fill-in for him/her at a
breakfast, lunch or dinner meeting..... | City |
| 17) | An employee is required to work through lunch or take a shortened
lunch due to emergency or special project (must be approved) | City |
| 18) | An employee attends a business meeting on behalf of the City
during breakfast, lunch or dinner | City |

¹In the examples provided above, the employee and/or the City should not pay for the lunch of other non-city employees, consultants, councilmembers, etc. To avoid the appearance of a conflict of interest, employees should not allow consultants, vendors, or others doing business with the City to "pick-up" the meal tab.

Attachment B

To locate all forms mention in this policy and the Per Diem Rates, follow these instructions.

On your computer's desktop you have an icon labeled Department Drives; double click on this icon. You will see a number of folders, look for the folder labeled "City of Lacey Common Area"; double click on this folder. Find the "Templates" folder; double click on this folder. Go to the "Lacey Common" folder and double click to open. Here you will find the **Advance Travel Request** form with tabs to the Per Diem Rates and instructions. You will also find the **Travel Expense Voucher** form.

USE OF BANK CREDIT CARDS

Purpose

To establish a system of use and control of bank credit cards.

Policy

All credit cards shall be issued in the name of City of Lacey and their use shall be restricted to “**official City business**” associated with travel, authorized purchases, and the acquisition of services. Cash advances are expressly prohibited. All bank credit cards issued in the name of the City of Lacey shall be distributed only by or through the authority of the City Manager. Payment of the credit card billings by the City’s Finance Department shall be accomplished in a manner to avoid the payment of interest charges.

Procedure

In order to comply with Chapter 30, Laws of 1995 and City of Lacey Resolution 767, the following system of controls and procedures have been established.

1. **Credit Card Contracts and Distribution** - Credit card contracts are established as part of the banking services contract negotiated by the City. Two accounts are authorized. One account is designated by the subtitle of “City Manager,” the second account has two cards with subtitles of “Finance Director” and “Finance Department.”
2. **Authorized Use and Restrictions** - Employees may request use of the City’s credit card for authorized travel, purchases, acquisitions, and services where established Advanced Travel and Purchase Order procedures cannot meet the need and best interest of the City. Credit card purchases are subject to the general guidelines, requirements, and limitations of the City’s adopted purchasing policies and procedures.

If anticipated credit card expenditures are estimated to exceed \$300, appropriate departmental authorization must be obtained before the card is issued. This can be accomplished on the Advance Travel Authorization form or Credit Card Use Authorization form provided by the Finance Department.

3. **Authorized Signature on Credit Transactions** - Before signing the credit transaction receipt, employees are to verify the date, vendor, and the correctness of the charges including the transaction total. **UNDER NO CIRCUMSTANCES ARE EMPLOYEES TO SIGN A CREDIT TRANSACTION RECEIPT THAT IS INCOMPLETE, NOT TOTALED, OR BLANK.** Credit card transaction receipts are to be signed “City of Lacey” followed by the employee’s signature.

4. **Documentation** - Upon return of the credit card to the Finance Department, the employee must provide complete documentation of the credit transaction including the "customer's" copy of the receipt. It is the responsibility of the employee to complete the form provided by the Finance Department indicating the budget account(s) to be charged for their credit purchases.
5. **Payment of Credit Card Billings** - The Finance Department is charged with the responsibility of paying all credit card billings in a manner to avoid payment of penalties or interest charges. It is therefore required of employees using the City's credit card that they complete all documentation of credit transactions in a timely manner and as prescribed by the Finance Department.

PURCHASING, ACQUISITION OF SUPPLIES, MATERIALS AND SERVICES

Purpose

To establish policy and procedure related to purchasing of supplies, materials, equipment or services (other than professional services).

Policy

It is the policy of the City of Lacey to purchase all supplies, materials, equipment and services at the most favorable price and within the best time schedule possible. The acquisition of goods and services are to be within approved budgetary limits and in compliance with RCW 35.23.352 and Resolution 624.

The Finance Department has been charged with the responsibility to:

- A. See that all purchases conform to the requirements herein;
- B. Establish purchasing procedures and product standards;
- C. See that the necessary forms and reference materials are available to each department;
- D. Coordinate, negotiate and maintain all vendor relationships as required;
- E. Verify account code accuracy and purchase authorizations;
- F. Verify that budgeted funds are adequate for the purchase;
- G. Provide the authorizing signature on Purchase Orders; and
- H. Issue the Purchase Order.

Except as provided herein, **EMPLOYEES DO NOT HAVE THE AUTHORITY TO OBLIGATE THE CITY TO ANY PURCHASE AGREEMENT OR CONTRACT.** This does not prohibit employees from obtaining price quotes and product information. However, in most cases the Finance Department will be able to assist employees with product information, sources and pricing. Caution must be exercised when obtaining price quotes so as not to obligate the City in any manner. The City cannot and will not be responsible for payment of supplies, materials, and equipment that have not been procured through established standards and procedures. Failure to follow these procedures may result in disciplinary action.

Procedure

General Purchasing Guidelines:

1. Purchase requests, with the exception of "Open Purchase Order" arrangements, are to be initiated as provided by the City's purchasing system. Following applicable approvals, a Purchase Order will be issued to the vendor. Unless specifically authorized otherwise, the Finance Department will transmit the Purchase Order to the vendor to avoid confusion and the possibility of duplication. (It is anticipated that many vendors will be able to receive electronically transferred Purchase Orders sent directly from the City's central computer software.)

Purchase Orders will not be issued on Requisitions for registration fees, subscriptions, and memberships. However, the Requisition must proceed through the various authorization levels before payment will be made.

2. **No price quotes** are required for purchases under \$500.00. However, this does not remove the responsibility to exercise wisdom and good judgment in the use of City resources.

Telephone Quotes (form available from Finance) are required on all purchases from \$500.00 to \$7,499.00. A completed Telephone Quote sheet is to be forwarded to Finance Department.

3. **Written Quotes** are required for purchases of \$7,500.00 to \$14,999.00. The original quotes from vendors are to be forwarded to the Finance Department for filing.

The limits outlined in paragraphs 3 and 4 are only guidelines. It may be in the best interest of the City to use formal bidding procedures on certain items within these dollar limits. Caution and good judgment must be used at all times when purchasing goods and services for the City. All actions must be above criticism.

4. **Formal, Competitive Bids** are required for all purchases \$15,000.00 and above. Bid specifications should, whenever possible, be drafted to permit at least three vendors to qualify as prospective bidders. A "Staff Report" is to be prepared which summarizes the bid proposals and details the recommendation for bid acceptance or denial.

As to paragraphs 3, 4, and 5 above, whenever possible, not less than three prospective vendors shall be contacted by telephone, letter, and/or advertisement as to the specifications for the item(s) for which quotation or bids are being sought. Remember, accurate records must be kept because all quotations and support documents must be open to public inspection.

The number of vendors contacted may be reduced if the item(s) being sought is only available from one or two vendors. An explanation shall be submitted in the form of a "Staff Report" when fewer than three quotations are obtained by Telephone Quotes or when fewer than three bidders respond to the Formal Bid process. It is important to remember that these procedures are designed to assure the establishment of a competitive price, the selection of the lowest responsible bidder, and meet public expectations.

Open Purchase Orders

Open Purchase Orders may be used for **Pre-authorized vendors only**. Receipts for items acquired in this manner must be: (a) signed by the employee; (b) properly encoded with the appropriate account number; and (c) forwarded to the Finance Department no later than the next working day.

The "Open Purchase Order" procedure is provided to expedite work-in-progress. It is not to be used for the purpose of circumventing the "system."

Emergency Purchase Procedures

When unanticipated materials/supplies are required for work-in-progress, which cannot be obtained from Open Purchase Order vendors, and circumstances prohibit the following of regular purchasing procedures, a supervisor shall contact the Finance Department requesting verbal assignment of a Purchase Order number which may be required by the vendor. Appropriate documentation (receipts) should be delivered to the Finance Department as soon as possible.

If an emergency purchase must be made during non-business hours, all information and documents need to be forwarded to the Finance Department as early as possible the on next regular business day.

Annual Purchase Agreements

It is the policy of the City to establish, through competitive bidding, periodic or annual purchase agreements for those materials, supplies, and services that can be quantified for such purposes. All such purchase agreements will be established by the Finance Department or by coordinating with them.

Notice will be given to all departments of current “annual purchase agreement” vendors.

Leasing

All proposed leases are subject to the general purchasing guidelines contained within this policy. All lease proposals and lease renewals are to be forwarded to the Finance Director for review and determination of appropriate authorizing signature.

Lease-Options (lease with the option to purchase) for personal or real property may require competitive bids depending on the cost and nature of the item/equipment. A lease without an option to purchase may not require competitive bidding.

Reimbursement for Miscellaneous Purchases - Petty Cash

Reimbursement requests for miscellaneous purchases must be documented on forms provided by the Finance Department.

Single Source

Bids and/or quotes are not required when the purchase is clearly and legitimately limited to a single source or supplier within the near vicinity, or when the materials, supplies, equipment, or service are subject to special market conditions. This is also the case for performance-based contracts negotiated under RCW 35A.39 relating to performance-based contracts for energy equipment.

State of Washington Contracts

The Department of General Administration, Purchasing Division, contracts for multiple services, supplies, materials, and equipment which are then made available to political subdivisions.

The City can take advantage of these contracts in-lieu-of price quotes and bidding procedures. It is the responsibility of the Finance Department to be familiar with the supplies, services, and equipment contracts available through the State. Consideration should be given to this source by City employees making purchasing recommendations.

Receiving Acknowledgement and Accounts Payable

The purchasing process is not over until payment has been made for the goods and services received by the City. Employees who initiate a purchase request must also provide acknowledgement that the delivery has been made. Before recommending payment:

- A. Carefully check the goods received for damage;
- B. Verify quantities;
- C. Confirm the items delivered are as described on the City's Purchase Order; and
- D. Report any errors and problems to the Finance Department.

Acknowledgement of receipt of goods, materials, and services must be done in a timely manner to avoid penalties and poor vendor relationships

ACQUISITION OF PERSONAL COMPUTER SOFTWARE AND LICENSE COMPLIANCE

Purpose

To establish a process and procedure regarding the purchase, management, and ownership responsibilities of Personal Computer software. Standardized software procedures are intended to assist City employees and Information Services in the acquisition, inventory control, license compliance, and individual and departmental responsibility for software acquired for City use.

Policy

Only City-owned software may be used on City-owned computer equipment. City-owned software may not be installed on non-City-owned equipment. Further, it is the policy of the City to comply with all licensing requirements established by software vendors. All requests for software acquisition must conform to established City purchasing policy. Finally, individuals' use of software resident on City personal computers must follow Information Services guidelines as to security, passwords, and file organization.

Procedure

- Review with IS the software you are considering;
 - Generate Purchase Request using correct commodity codes for software (220) and "ship to" to IS (07);
 - On receipt of software send IS a copy of completed registration, including serial number and license agreement;
 - If software has been purchased outside of Purchase Order system, send a copy of invoice to IS with the above information.
1. **Determine Need** - All Department Directors and/or supervisors, with the help of Information Services, will determine the need for software applications to be used in their departments. Software selections should be made from the listing of software applications currently used and supported on City equipment. Additional software may be added to this list upon mutual consent of Information Services and the Department Director, after demonstrating the benefits, training requirements, and additional cost associated with the proposed new application.
 2. **Information Services Coordination** - In order to minimize any problems with existing software or hardware, it is requested that prior to purchasing software the Department Director and/or supervisor discuss with Information Services staff any known or perceived conflicts the proposed purchase may have with software

or hardware currently residing on the user's Personal Computer. These could include RAM, disk space, math co-processor, mouse, printer and possible network resource requirements. It is required to indicate "Information Services" as the "ship to" address and show the commodity code (220) on the Purchase Order. *If, for some valid reason, an invoice in lieu of a Purchase Order is used, Information Services must receive a copy of the invoice.*

- a. Software upgrades are to be purchased through established purchasing practices and policies of the City. Once the upgrade is approved the user will be responsible for ordering the software. The user will turn over all materials related to the prior software release to Information Services for disposal. Only the current legal copy of the software will reside on the Personal Computer.
3. **Installation** - Upon receiving the software Information Services will assist with installation if needed. The user will fill out and mail the software registration information, listing the City as the owner and the department as the user. A copy of the registration information and original license agreement must be forwarded to Information Services.
4. **License Compliance** - The burden of proof of license compliance will reside with Information Services; therefore, it is critical that Information Services receive a copy of the registration form and license agreements. To help facilitate this, Information Services will maintain a registration document inventory by product and machine (individual Personal Computer) and will need Personal Computer users to maintain a current inventory of all software on their assigned machines. Maintenance of all manuals, diskettes, license and serial numbers relative to each piece of software will be the responsibility of the individual user. Departments can manage and store these items as deemed appropriate by the Department Director. These items must be available as required by the software vendor or Information Services to prove legal installation of the software.
5. **Passwords and User Setup** - Software subdirectories will be named using standard naming conventions that clearly identify installed software. When possible, use the subdirectory name recommended by the installation process. Executable files are not to be renamed. Personal Computers and the data stored on them are the property of the City and are to be accessible to City personnel. If files or the Personal Computer are to be secured by password, the Department Director and Information Services Manager must be consulted prior to assignment or use of the password. Login user identifications and passwords are not to be included in start-up macros or shared with fellow employees. Supervisors are responsible to see that Personal Computer users are in compliance with this policy.

PURCHASES OF EQUIPMENT, SUPPLIES, AND SERVICES ON BEHALF OF HOMEOWNERS ASSOCIATIONS

Purpose

To set forth the City's policy and to establish procedures for the purchasing of equipment, supplies and services on behalf of homeowners associations and other similar bodies representing property owners.

Policy

It is the policy of the City of Lacey as set forth in Resolution No. 545 of the City Council that the City shall offer its services to homeowners associations and other regularly constituted bodies representing property owners within a particular area in the purchasing of equipment, supplies, and services necessary to promote the construction and development of parks, recreation, and other public facilities.

Procedure

Requests to purchase equipment, supplies or contract for services through the City of Lacey shall be granted by the City Manager upon the advice of the appropriate department head when the following conditions are fulfilled:

1. The persons or group making the request shall be a duly constituted homeowners association or a body similar to such as association which is constituted for the purpose of representing property owners within a particular area of the City.
2. The funds necessary for such a purchase are budgeted within the budget of the City of Lacey. This requirement shall be fulfilled by estimating the expenditures and revenue for expected requests at the time of adoption of the annual budget or such amendments as may be passed by the City Council.
3. The association or other body making the request shall make the request in writing signed by the appropriate officials of the association or other body.
4. After the receipt of bids or quotations, whichever is appropriate under the policies of the City regarding purchasing, and before awarding of bid or contracting for procurement, the association or other body shall deposit with the City an amount of money equal to the total obligation of the City for such equipment, supplies or services, plus an amount of money sufficient to reimburse the City for unusual administrative expenses.

The equipment and supplies purchased pursuant to this policy will be owned by the homeowners association or other regularly constituted body unless said association or body

and City have agreed in writing to the contrary. The City shall take such steps as are necessary to allow warranties on equipment or supplies to run to the association or body making the purchase. Contracts for services will normally be directly with the City during the administration of the contract with the product or improvement resulting from such services being owned by the association or by the regularly constituted body. Prior to or at the time of contracting for services of the construction of improvements, the exact relationship between the City, the association or other regularly constituted body, and the contractor shall be established in writing.

SURPLUS SUPPLIES AND EQUIPMENT

Purpose

To efficiently use or dispose of surplus supplies and equipment in a cost effective manner.

Policy

It is the policy of the City of Lacey that usable surplus supplies and equipment will be transferred between offices, departments, or agencies prior to being declared surplus to City needs and offered for sale.

Procedure

Any department having surplus, obsolete, or unused supplies, materials, or equipment should submit a memo to the Finance Department declaring the items surplus and give a brief description of each.

The Finance Department is responsible for transferring usable surplus property between offices, departments, or agencies.

As a general rule all surplus items not transferred to another City department will be declared surplus and sold at public auction to the highest bidder. Such auctions will be scheduled by the Finance Department.

Specialty items deemed not to be sellable at public auction may be disposed of by the Finance Department following receipt of a reasonable bid or bids which have been submitted by interested buyers through a sealed bid process.

Items having a considerable dollar value may be disposed of by formal bid process if the Finance Department determines it is to be the best interest of the City to do so.

AWARD OF PROFESSIONAL SERVICES CONTRACT

Purpose

To establish policy and procedure related to the award of professional services contract to ensure the City receive maximum value for its professional services contracts and all qualified contractors and consultants are given an opportunity to supply service.

Policy

It is the policy of the City of Lacey that the experience and familiarity with the City of local firms and consultants will be given appropriate weight in awarding professional services contracts. Every effort should be made to notify all qualified professional services firms in the Lacey area of potential contracts when these services are contemplated.

Definition

Professional services - services provided by contract to the City that are not covered by state law covering public works projects, such as economic analysis, planning, etc.

Procedure

1. All professional services contracts over \$500 will be reviewed by the City Manager.
2. All professional services contracts over \$5,000 will be subject to a formal request for proposals (RFP) and selection process, except as provided in paragraph 3.
Specific elements include:
 - A. The request for proposal should be advertised in appropriate news media for a period of at least two weeks prior to the receiving of proposals. Every effort should be made to send a request for proposals directly to local firms.
 - B. Depending on the nature of the project, the request for proposals must contain a detailed account of the scope of work; however, it may be relatively open-ended, allowing firms to compete on the basis of proposed methods of accomplishing the City's objective. At the very least, the RFP should state the expected objectives of the project and should request a statement of qualifications and experience of the prospective contractor. Care should be taken not to require qualifications and experience in excess of that needed to perform the task. The RFP should also contain clear directions for the form in which the proposals are to be submitted, expected time line for proposals and completion of work, and a statement of criteria by which the proposal will be evaluated.
 - C. A formal selection process should be established; a record should be kept of this process. While selection process will vary with the nature of the work, it should ensure that all proposals are given an equal and unbiased review. A suggested approach is to establish a review committee with each

committee member ranking the proposals to agree upon criteria. These ranks can be tallied and used as an aid in the final selection. When a set of proposals equally meet the established criteria, the local firm or consultant will be selected.

3. Whenever possible, the above procedures will be followed for professional services contracts of less than \$5,000. In exceptional circumstances, it may be necessary to eliminate the advertisement process and negotiate with a single firm or consultant. Such cases must be reviewed and approved by the City Manager. The City Manager must be supplied with information on the special circumstances and, if the firm or consultant is not from the Lacey area, specific reasons for dealing with a non-local firm must be presented.

GENERAL OPERATING SECTION

CITY HALL MEETING ROOM POLICIES AND PROCEDURES

General Information

The City of Lacey has a meeting room which is available to public non-profit groups who provide services in Lacey for civic, cultural and educational purposes. Governmental agencies may use the room only if the meeting is of direct interest and benefit to the Lacey community and is open for citizen participation. City staff may use the room for internal meetings and can schedule reservations using Outlook.

City of Lacey events for the meeting room will receive top priority. Other requests are honored on a first- come, first-serve basis, subject to restrictions on meeting size during the workweek (Monday-Friday, 7:30 a.m. to 5:30 p.m.), or in conflict with a scheduled meeting in the Council Chambers. Outside groups may make reservations by phone with the City Manager's office, but a representative must complete the attached application form prior to use of the room. To ensure that all community groups have an equal opportunity for reservations, a group will be limited to use of the room once during a three month period. Reservations can be made up to three months in advance of the meeting.

Use of the meeting room for political purposes must comply with Public Disclosure Commission guidelines for use of public facilities. (RCW 42.17.130). The meeting room shall not be used for the purpose of assisting a campaign for election of any person to office or for the promotion of or opposition of any ballot proposition. Use of the meeting room for other political purposes is generally allowed, provided the meeting room is also made available on an equal opportunity basis to express other points of view. Any questions regarding this matter should be referred to the City Attorney before authorizing use of the meeting room.

The City of Lacey is not responsible for views expressed in the meeting room. Permission to use the meeting room does not constitute an endorsement of a group's policies or beliefs.

Designated staff members in the City Manager's office have the authority to accept, renew, or reject requests for use of the room under the policies and rules established by the City of Lacey. Requests received by City staff from outside groups are to be directed to the City Manager's office for scheduling.

About the Facility

The meeting room provides occupancy for approximately 75 people and includes disability access. The room is equipped with ten tables, 80 chairs, whiteboards, and a kitchen. Meeting size is limited to **no more than 20 participants** during regular business hours (Monday – Friday, 7:30 a.m. to 5:30 p.m.); provided, participants who normally work at City Hall are not included in the meeting size count.

A public phone is located outside the building near the entrance to the police lobby, and

restrooms are available in the hall adjacent to the meeting room.

Parking is limited during the week between the hours of 7:30 a.m. to 5:30 p.m. Meeting participants should be encouraged to carpool or use alternative transportation whenever possible. Parking is not allowed in visitor slots. Perimeter parking is available in the lot adjacent to the east side of the building. Disability access is available in the parking lot.

Rules - Policy - Procedure

All groups using the room must comply with the following rules. Failure to do so may result in the loss of using the room in the future.

- All meetings must be open to the public.
- No admission shall be charged by any group using the room. There will be no direct or indirect solicitation of funds at the meeting, or as a direct result of that meeting. There will be no promotion of a product or service for which a fee is charged.
- The City does not supply any type of meeting materials, i.e. name tags, markers, flip charts, pens/pencils, tape, projectors, recorders, etc.
- Only light refreshments may be served. A kitchen with a sink is available, but is not stocked. All food must be prepared away from the meeting room. The City does not furnish coffee makers, microwaves, or food service supplies.
- Smoking, alcoholic beverages, drugs, and other controlled substances are prohibited.
- Nailing or stapling signs, posters and decorations to woodwork or walls is prohibited. Tape may not be used on painted surfaces.
- Any open flame or non-fireproof materials for decorative purposes is prohibited.
- An authorized person from the group will be responsible for making room reservations, picking up the key prior to the meeting, and will be present at all times during the meeting. After the meeting, this same person will ensure that the room is cleaned up, lights are turned off, doors are locked and the key is returned to the City Manager's office.
- There is one phone available in the meeting room for local and toll free calls only. To get an outside line, dial "9" and the telephone number. Pay phones are located outside the front door of the Police Department. For emergency situations, call 9-911.
- If a serious maintenance issue occurs while occupying the building, you must contact the City's after hours support personnel by calling 704-2740 (if using the phone in the room, you must first dial "9" for an outside line). You will need to tell the dispatcher you need to be connected to the City of Lacey's standby duty person due to a serious issue in the Community Room at City Hall, 420 College Street SE. They will page or call the standby duty person and relay your contact information and the nature of the emergency. The City's standby person will respond in person to the location. Please do not call the standby person for non-critical issues. They will not respond to scheduling requests, lost items, and other non-emergencies. To resolve these issues, please call the City Manager's administrative office at 491-3214 between 8:00 a.m. and 5:00 p.m. Monday – Friday.

MAINTENANCE SERVICE CENTER MEETING ROOM POLICIES AND PROCEDURES

General Information

The City of Lacey's Maintenance Service Center has a meeting room which is available at no cost after normal business hours to neighborhood associations and other public, non-profit groups who provide services in Lacey for civic, cultural, and educational purposes. Governmental agencies may use the room only if the meeting is of direct interest and benefit to the Lacey community and is open for citizen participation.

The City of Lacey's requirements for the use of the meeting room will receive top priority. Other requests are honored on a first-come, first-serve basis. A representative of the interested group must complete the attached application form prior to use of the room. Reservations can be made up to three months in advance of the meeting. To ensure that all community groups have an equal opportunity for reservations, a group will be limited to use of the room once during a calendar month.

Use of the meeting room for political purposes must comply with Public Disclosure Commission guidelines for use of public facilities (see RCW 42.17.130 which is available on request). The meeting room will not be used for the purpose of assisting a campaign for election of any person to office. The meeting room will not be used for the promotion of or opposition of any ballot proposition. Use of the meeting room for other political purposes is generally allowed, provided the meeting room is also made available on an equal opportunity basis to express other points of view. Any questions regarding these matters will be referred to the City Attorney before the City authorizes use of the meeting room.

The City of Lacey is not responsible for views expressed in the meeting room. Permission to use the meeting room does not constitute an endorsement of a group's policies or beliefs.

Requests received by City staff from outside groups are to be directed to the Maintenance Service Center for scheduling. The City of Lacey's Operations Manager has the authority to accept, renew, or reject requests for use of the room under the policies and rules established by the City of Lacey.

About the Facility

The meeting room provides occupancy for approximately 50 people and includes disability access. The room is equipped with ten tables, 50 chairs, and a kitchen. Restrooms are located in the hall adjacent to the meeting room. The meeting room is available during the week from 6:00 p.m. to 9 p.m. and on Saturdays and Sundays between 9 a.m. and 9 p.m.

Parking is only available in the 15 spaces in front of the building and the City-owned parking

lot on the north side of Lacey Boulevard, just east of the Celebrations Event & Party Rentals building. Parking is not allowed in the Celebrations or Pints and Quarts parking lots. Cars parked in these private lots are subject to towing at a cost of \$180 to the vehicle's owner. Meeting attendees are not to block the alley to the south of the building or block any gated entrance. Participants should be encouraged to carpool or use alternative methods of transportation. Disability access is available in the parking lot in the two spaces immediately in front of the south entrance. Cars utilizing these spots must display the appropriate state-issued disability parking permits.

Rules - Policy - Procedure

All groups using the room must comply with the following rules, which will be strictly enforced. Failure to do so will result in denial of future use.

- Other than internal City activities, all meetings must be open to the public.
- External groups using the meeting room may not charge admission. There will also be no direct or indirect solicitation of funds at the meeting, or as a direct result of that meeting. There will be no promotion of a product or service for which a fee is charged.
- The City does not supply any type of meeting materials, i.e. name tags, markers, flip charts, pens/pencils, tape, projectors, recorders, etc. A whiteboard is available for use in the main meeting room, provided that information already on the whiteboard is not removed. No audio/visual equipment such as TV's, VCR's, or sound systems will be provided. There are no phone lines or network connections available for internet access.
- Light refreshments may be served in the meeting room only. A kitchen with a sink is available, but is not stocked. The microwaves, refrigerators, stove, oven, and coffeemakers may be utilized, but the City does not provide any coffee, creamers, stirrers, cups, dishes, cookware, etc. Items located in the refrigerators and cabinets belong to the City of Lacey and its employees and are not available for public use. Cleaning the meeting room and kitchen is the responsibility of the group and must be done before leaving the facility. Food service is not allowed in the conference room.
- Smoking, alcoholic beverages, drugs, and other controlled substances are strictly prohibited.
- Nailing or stapling signs, posters and decorations to woodwork or walls is prohibited. Tape may not be used on painted surfaces.
- The group must return the room to its original state before vacating the facility. All tables and chairs must be put back into place.
- The City of Lacey recycles! Recycle bins are available in the meeting room and are labeled accordingly. Any large accumulations of garbage must be removed by the group and disposed of properly.
- Open flame and/or non-fireproof materials for decorative purposes are prohibited.
- An authorized person from the group will be responsible for making room reservations, picking up the key prior to the meeting, and will be present at all times during the meeting. This person will also be the only person able to admit meeting attendees.

Neither City of Lacey staff nor janitorial crews working in the facility after hours will open the doors for meeting attendees who arrive before the meeting organizer. After the meeting, this same person will ensure that the room is cleaned up, all belongings are gathered, lights are turned off, and all doors are securely locked upon exiting. The doors will automatically lock when closed. The authorized person can either leave the key in the small desk drawer to the right of the entrance doors before exiting the room or return the key to the administrative office during business hours.

- There is one phone available in the meeting room for local and toll free calls only. To get an outside line, dial "9" and the telephone number. Pay phones are also located across College Street in the Walgreen's shopping plaza and at the Tesoro station on the south side of Lacey Boulevard.
- If an emergency situation occurs while occupying the building, use the phone in the room to dial 911 by dialing 9-911. If a serious maintenance issue occurs while occupying the building, you must contact the City's after hours support personnel by calling 704-2740 (if using the phone in the room, you must first dial 9 for an outside line). You will need to tell the dispatcher you need to be connected to the City of Lacey's standby duty person due to a serious issue in the Maintenance Service Center at 1200 College Street SE. They will page or call the standby duty person and relay your contact information and the nature of the emergency. Please do not call the standby person for non-critical issues. They will not respond to scheduling requests, lost items, and other non-emergencies. To resolve these issues, please call the Maintenance Service Center's administrative office at (360) 491- 5644 between 7:00 a.m. and 3:30 p.m. Monday – Friday.

RESPONSE TO CITIZEN COMPLAINTS OR REQUESTS

Procedure

Requests or complaints from citizens other than those requests or complaints involving traffic or criminal violations within the jurisdiction of the Police Department shall be processed as follows:

1. Requests or complaints of a “routine” nature that can be answered quickly and to the satisfaction of the citizen by the staff member receiving the comment need not be documented.
2. Requests or complaints from citizens involving policies, procedures, personnel or actions of the City that cannot be answered quickly and satisfactorily will be documented by the staff member receiving the comments. The citizen will be advised that normally a response is made within one week. However, if a definitive response cannot be made within that time, an interim response is made. (Record of any interim and the final response should be noted by the staff member.) Copies of the complaint/request and the response will be retained by the appropriate department.
3. A complaint/request from a citizen will be handled, to the extent possible, by the department whose action generated the complaint or where authority rests to respond to the request. Complaints that cannot be resolved at that level shall be referred to the City Clerk.
4. Complaints concerning personnel rather than issues will be referred to the City Manager. The rights of City employees as set forth in guild contracts, civil service regulations, etc., will be respected.

At all times the public’s need and right to present their concerns and to have them dealt with in an understanding manner will be paramount. In those cases where an action by the City Council is the basis for the complaint, a thorough explanation of the reasons for the action will be provided. In no event will the response be “because the City Council passed the ordinance.” Complaints or requests of this nature may be referred to the City Clerk. (Complaints that lie outside the purview of the City to resolve will be referred to the appropriate agency.) The citizen will be informed of the action.

Oral and written complaints/requests received by the City Council are generally referred to the City Clerk for coordination in developing a response. In these cases, a copy of the response will be provided to the Council Member who relayed the complaint/request as well as the department responsible for any related action.

STANDARDS AND SERVICE LEVELS

Purpose

To establish policy and procedure related to standards and service levels.

Policy

It is the policy of the City of Lacey that the City, through its annual budget and capital programs, will attempt to achieve service levels consistent with desired standards. The City will not duplicate the services that are adequately being performed by others, and will cooperate with both public and private sources to maximize the availability of services at the lowest possible costs.

Definition

Level of Service -- The degree of service currently being provided through the annual operational and capital budget. The level of service may not necessarily be at the desired standards.

Standards -- An expression of a desirable goal ranging between minimum and maximum sizes, amounts or conditions of a particular service need.

Procedure

The following procedures will be the criteria used in determining service levels to be provided by the City of Lacey:

1. Current supply/demand factor as indicated by surveys, public complaints, requests, and opinions;
2. The concept of service balance as defined in comprehensive plans or other stated goals and objectives;
3. Priorities as defined in the various comprehensive plans;
4. Desired standards;
5. Ability of others to provide service; and
6. Availability of necessary resources.

COUNCIL CHAMBERS AUDIO AND VIDEO TAPING GUIDELINES

The Lacey City Council and staff encourage all forms of communications with the public and support the efforts of commercial, non-profit, and volunteer efforts to share information about the City with the public.

It is the policy of the City of Lacey to accommodate commercial and non-commercial audio and video recording of public meetings in the Lacey City Council Chambers while assuring that normal City operations and the safety of the public are not negatively impacted. The following guidelines apply:

1. Microphone jacks for direct audio recording via the City Council Chambers' audio system are available at various locations in the Chambers. The City Clerk or other staff members can locate these for reporters or others wishing to record meetings via the audio system.
2. Television and video cameras may only locate along the southeast perimeter wall of the Council Chambers within approved camera locations. All entrances and exits must remain clear. (See attached floor plan.)
3. Producers using switching equipment must connect to in-wall audio and video runs to avoid safety hazards caused by the stringing of wiring along the floor.
4. Producers using switching equipment must locate such equipment in a production vehicle parked adjacent to the service entrance. If a production vehicle is not used, such equipment must be located in the storage area adjacent to the service kitchen. Except for necessary cables, the service kitchen must be kept free and clear of all obstructions.
5. If extensive set-up and dismantling time (e.g. 15 minutes or longer) is required, it must be coordinated with the City Clerk at least 24 hours prior to the meeting. Set-up should occur and be completed prior to the close of regular business at 5:00 p.m. Meetings cannot be disrupted by set-up and take-down activities. Press and production staff cannot remain unattended in the building during the periods before and after public meetings when City staff are not normally present.
6. Audio and video taping provided at the City's request is coordinated through the Public Affairs and Community Relations Department.

IN-HOUSE WASTE REDUCTION, RECYCLING, AND RECYCLED-CONTENT PRODUCT PROCUREMENT

Purpose

This policy formally establishes an in-house waste reduction, recycling, and recycled-content product procurement program at the City of Lacey. It is intended to be consistent with federal and state laws and policies encouraging such practices.

Definitions

"Recycling" means diverting waste materials from the waste stream and transforming or re-manufacturing them into usable or marketable materials or products.

"Recyclable product" means a product which, after its intended end use, can be diverted from the waste stream for use as a raw material in the manufacture of another product.

"Recycled product" means a product which has been produced from material that has been diverted from the waste stream.

"Post-consumer recycled-content product" means any product containing at least 10 percent recycled materials which have served their intended end uses as consumer items and were collected and diverted from the waste stream for re-manufacture into new products.

"Reusable product" means a product that can be used several times for an intended end use before being discarded.

"Waste reduction" means reducing the amount of waste being generated.

"Toxicity" means the corrosive, flammable, explosive, mutagenic, carcinogenic, or short or long-term injurious properties of substances as defined in the Washington State RCW, Chapter 71-05.010, under the definition for dangerous waste.

Goals

The goals of this policy are:

1. To reduce the amount and toxicity of waste generated by the City to the greatest extent practicable.
2. To recycle all City-generated waste materials that are suitable for re-manufacture into new products.
3. To procure and use post-consumer recycled-content products, and products designed to be reusable and/or recyclable, in all City departments and projects when such products meet City performance standards and procurement price guidelines.

Responsibilities - All City Departments

All City departments should promote and participate in the City's in-house waste reduction, recycling, and recycled-content product procurement program to the fullest extent possible. Specific waste reduction and recycling techniques City departments should utilize whenever practicable include:

1. Purchasing and using post-consumer recycled-content products, products designed to be reusable and recyclable, and products that are non-toxic, whenever such products are available and meet City performance standards and procurement price guidelines.
2. Participating in the City's in-house paper, cardboard, and aluminum recycling procedures.
3. Consulting with the City's Purchasing Section of the Finance Department prior to ordering paper products and office supplies for recycled product recommendations.
4. Specifying that City letterhead, stationery, envelopes, business cards, brochures, permits, and billing statements be printed on post-consumer recycled and recyclable paper and imprinted with a recycling logo whenever such products are available and meet City performance standards and procurement price guidelines.
5. Specifying use of soy-based ink on City printing orders whenever practicable.
6. Identifying by-products, waste, and refuse produced during departmental operations, and reducing, reusing, or recycling such by-products and waste materials whenever practicable.
7. Revising standard bid documents and contract language to remove any terms, requirements, or specifications which prohibit or discourage use of post-consumer recycled-content products, or products designed to be reused and/or recycled, unless a product containing such materials will not meet City performance standards or procurement price guidelines.
8. Requesting that consultants and contractors submit bid documents and reports on post-consumer recycled-content paper with double-sided printing on pages whenever practicable. The following language is suggested: "The City of Lacey requests that bid documents and reports submitted to the City be printed on post-consumer recycled-content paper with double-sided printing on pages."
9. Requesting that contractors and consultants use recycled and recyclable products in fulfilling contractual obligations to the City whenever such products are available and meet City performance standards and procurement price guidelines. The following language is suggested: "The City of Lacey requests that parties fulfilling contractual obligations to the City utilize recycled and recyclable products in meeting those obligations whenever such products are available and meet City performance standards and price guidelines."
10. Requesting that vendors use the minimum amount of packaging necessary to protect products during shipping, and that the packaging be manufactured from recycled and recyclable material whenever practicable. The following language is suggested: "The City of Lacey requests that vendors use the minimum amount packaging necessary to sufficiently protect products during shipping and such

packaging be manufactured from recycled and recyclable materials whenever possible."

11. Participation in the City's laser cartridge recharging program.
12. Sharing information about recycled products and vendors with other City departments that may benefit from such information. Departments should also share such information with other governmental agencies, contractors, consultants, and non-profit organizations upon their request.
13. Identifying hazardous or toxic materials and products used by the department and replacing them with non-toxic materials and products whenever such replacements will meet City performance standards and procurement price guidelines.
14. Keeping City mailing lists current and accurate by removing out of date information and duplications.

Responsibilities - Individual Employees

All City employees should promote and participate in the City's in-house waste reduction, recycling, and recycled-content product procurement program to the fullest extent possible. Specific waste reduction and recycling techniques individual employees should utilize whenever practicable include:

1. Purchasing and using post-consumer recycled-content products and products designed to be reusable and recyclable, whenever such products are available and meet City performance standards and procurement guidelines.
2. Participating in the City's in-house paper, cardboard, and aluminum recycling procedures.
3. Producing double-sided reports, memos, and copies, verifying proper copy machine settings before each use, and returning machines to default settings after each use.
4. Distributing individual memos and reports only to employees who need working or file copies and using routing slips for distribution to other employees.
5. Using ceramic mugs for beverages.
6. Using the blank side of discarded paper for rough drafts, informal notes, and scratch pads.
7. Reusing office supplies, including manila envelopes, file folders, plastic binders, report covers, paper clips, rubber bands, and similar items.
8. Using refillable pens and pencils.
9. Canceling unwanted publications received at the workplace and removing City offices from unwanted mailing lists.
10. Storing documents on computer disks and minimizing printed copies whenever practicable.

Exemptions

Nothing in this policy shall be construed as requiring a department or contractor to procure or use products that do not perform adequately for their intended end use or are not available at a reasonable price in a reasonable period of time.

COUNCIL CHAMBERS PROCEDURES FOR USE

Use of the Lacey City Council Chambers is reserved primarily for regular Council meetings, Council Committee meetings, Council Work sessions, Boards and Commission meetings, City Manager meetings, and Public Hearings. Use of the Council Chambers should be limited to occasional use for other meetings. Reservations for the room can be made through the City Clerk's office at 438.2625.

The Council Chambers provides occupancy for approximately 80 people. The room is equipped with a conference table, chairs, audio and video taping capability (see *Council Chambers Audio and Video Taping Guidelines*), projector, and kitchen. The City provides reasonable accommodations to persons with special needs 72 hours in advance of the meeting.

All City staff using the room must comply with the following rules. Failure to do so may result in the loss of using the room in the future.

1. If the meeting will be held before or after business hours, a designated City staff person will be responsible for picking up the key to the front door prior to the meeting, and will be present at all times during the meeting. Contact the City Manager's office prior to the meeting to coordinate key pickup.
2. After the meeting, the same designated City staff person will ensure that the room is ***cleaned up, lights turned off, coffeemaker turned off, front doors are locked*** (if after business hours), and the ***key is returned*** to the City Manager's office the following morning.
3. Use of the projector and laptop for PowerPoint presentations must be arranged 24 hours prior to the meeting through the City Clerk or Public Affairs office.
4. Only light refreshments may be served. A kitchen with a sink is available, but is not stocked. All food must be prepared away from the meeting room. There are coffee pots available for use; however, you must supply your own coffee and food service supplies.
5. Smoking, alcoholic beverages, drugs, and other controlled substances are prohibited.
6. Any open flame or non-fireproof materials for decorative purposes is prohibited.
7. If a serious maintenance issue occurs while occupying the building, you must contact the City's after hours support personnel by calling 704-2740 (if using the phone in the room, you must first dial "9" for an outside line). You will need to tell the dispatcher you need to be connected to the City of Lacey's standby duty person due to a serious issue in the Council Chambers at City Hall, 420 College Street SE. They will page or call the standby duty person and relay your contact information and the nature of the emergency. The City's standby person will respond in person to the location. Please do not call the standby person for non-critical issues. They will not respond to scheduling requests, lost items, and other non-emergencies. To resolve these issues, please call the City Clerk's administrative office at 438-2625 between 8:00 a.m. and 5:00 p.m. Monday – Friday.
8. Parking is limited during the week between the hours of 7:30 a.m. to 5:30 p.m. Meeting participants should be encouraged to carpool or use alternative transportation.

whenever possible. Parking is not allowed in visitor slots. Perimeter parking is available in the lot adjacent to the east side of the building. Disability access is available in the parking lot.