

CITY OF SAMMAMISH

WASHINGTON

RESOLUTION NO. *R99-22*

**A RESOLUTION OF THE CITY OF SAMMAMISH,
WASHINGTON, ADOPTING PERSONNEL POLICIES**

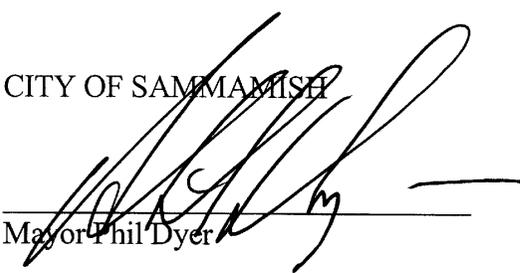
WHEREAS, the City desires to adopt personnel policies to establish guidance, support, and conditions of employment, and to provide standards consistent with State and Federal laws and good employment practices;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Personnel Policies. The Personnel Policies attached hereto as Exhibit "A" and by this reference fully incorporated herein, as presently constituted or hereinafter amended, are hereby adopted as the City's Personnel Policies. A copy of the City's Personnel Policies has been filed with the City Clerk and identified with Clerk's Receiving No. N/A.

8th PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE DAY OF September, 1999.

CITY OF SAMMAMISH



Mayor Phil Dyer

ATTEST/AUTHENTICATED:



Ruth Muller, Interim City Clerk

Approved as to form:



Bruce L. Disend, City Attorney

AMENDED BY :

R 2000 - 43

R 2001 - 88

R 2002 - 98

Filed with the City Clerk: *September 2, 1999*
Passed by the City Council: *September 8, 1999*
Resolution No.: *R99-22*

City of Sammamish

Personnel Policies

**RECEIPT OF PERSONNEL POLICIES
ACKNOWLEDGEMENT AND DISCLAIMER**

Please read the following, then sign, date and return the form to the City Manager or the person designated by the City Manager to receive this form. This form will be placed in your personnel file.

Enclosed are the City of Sammamish's personnel policies. It is your responsibility to read these policies as they will acquaint you with your employee benefits, our personnel practices and rules, and some organizational philosophy.

It is important to understand that these policies do not create an employment contract or a guarantee of employment of any specific duration between the City and its employees. Although we hope that your employment relationship with us will be long term, we recognize that at times things do not always work out as hoped, and either of us may decide to terminate the employment relationship. Unless specific rights are granted to you in an employment contract, civil service rules, or elsewhere, all employees of the City are considered at-will. Either the employee or the City may terminate the employment relationship at any time, with or without cause, as either party may deem appropriate.

As the City grows and changes, personnel policies may change. The City, therefore, reserves the right to revise, supplement, clarify or rescind any policy or portion of a policy when deemed appropriate. You will be notified of any such changes.

Please also understand that no supervisor, manager or representative of the City, other than the City Manager, has the authority to make any written or verbal statements or representations which are inconsistent with these policies.

If you have any questions about these policies, or any other policies of the City, please feel free to ask your supervisor, department director or the City Manager.

ACKNOWLEDGEMENT

- I HAVE READ AND UNDERSTAND THE STATEMENTS ABOVE.
- I UNDERSTAND THAT IT IS MY RESPONSIBILITY TO COMPLY WITH THESE POLICIES.
- I UNDERSTAND THAT MY EMPLOYMENT IS AT WILL.
- I UNDERSTAND THAT THE POLICIES AND PROCEDURES HEREIN ARE NOT INTENDED TO BE A CONTRACT AND MAY BE CHANGED BY THE CITY AT ANY TIME.

Employee Signature

Employee Printed Name

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Date

1 GENERAL PROVISIONS

1.1 PURPOSE/SCOPE

- 1.1.1 The primary mission of every employee is to provide courteous, orderly, efficient, and economic delivery of services to the citizens and visitors of the City.
- 1.1.2 These personnel policies apply to all City employees except elected officials, appointed officials, members of appointed boards and commissions, and independent contractors.
- 1.1.3 This manual is a general informational guide to the City's current employment policies and shall not be construed as a contract. The City reserves the right to amend, delete, supplement, or rescind any of the provisions of this manual, as the City deems necessary and appropriate, without advance notice. These policies shall not be construed to create contractual rights or any type of promise or guarantee of specific treatment upon which any employee may rely. The City also reserves the right to deviate from these policies in individual situations, particularly in an emergency, at the City's sole discretion.
- 1.1.4 The provisions of this manual, as an informational document, yield to all more specific or conflicting provisions of contracts such as collective bargaining agreements, contracts with other agencies or individual contracts of employment. In the event of any conflict with City ordinance, state or federal law, rule or regulation, the ordinance, statute rule or regulation shall prevail. These policies shall be interpreted to conform to all applicable ordinances and other statutes.
- 1.1.5 Employment with the City is at-will, which means that the employee or the City can terminate the employment relationship at any time, with or without notice, with or without reasonable cause. These policies do not modify in any way, the at-will status of the employment relationship. Any representation to the contrary is unauthorized and rescinded.
- 1.1.6 The only person authorized to contract with other agencies or enter into individual contracts of employment is the City Manager, subject to City Council approval. In order to be binding, all such contracts must be in writing and signed by both parties.

1.2 EQUAL EMPLOYMENT OPPORTUNITY

- 1.2.1 The City is an equal employment opportunity employer. The City employs, retains, promotes, terminates and otherwise treats all employees and job applicants on the basis of merit, qualifications, and competence. This policy shall be applied without regard to any individual's sex, race, color, religion, national origin, pregnancy, age, marital status, medical condition, physical handicap or disability, sexual orientation, or any other basis prohibited by local, state or federal law.
- 1.2.2 The City will not discriminate against qualified applicants or employees with a sensory, physical or mental disability unless the disability cannot be reasonably accommodated and prevents proper performance of an essential element of the job.
- 1.2.3 Employees with life threatening illnesses, such as cancer, heart disease, or AIDS/HIV conditions, or communicable diseases such as tuberculosis or influenza, are treated the same as all other employees. They are permitted to continue working so long as they

are able to maintain an acceptable level of performance and medical evidence shows they do not pose a direct threat to the health and safety of themselves or their co-workers. The City will work to preserve the safety of all of its employees and reserves the right to reassign employees or take other job actions when an employee's disability creates a significant risk of substantial harm that cannot be eliminated or reduced by reasonable accommodation.

1.3 ANTI-HARASSMENT POLICY

- 1.3.1 It is the City's policy to foster and maintain a work environment that is free from discrimination and intimidation. Toward this end, the City will not tolerate harassment of any kind that is made by employees toward co-workers or members of the public. Employees are expected to show respect for each other and the public at all times, despite individual differences.
- 1.3.2 Harassment is defined as verbal or physical conduct that demeans or shows hostility or aversion toward another employee or members of the public. Examples of prohibited conduct include slurs or demeaning comments to employees or members of the public relating to race, ethnic background, gender, religion, sexual orientation, age or disability. See Harassment/Discrimination Complaint Procedure, Policy 1.3A, for guidance on what to do if you experience harassment.
- 1.3.3 Sexual harassment is a form of sex discrimination and is illegal. Sexual harassment is also inappropriate and offensive and will not be tolerated by the City.
- 1.3.4 Sexual harassment is behavior of a sexual nature which is unwelcome. Examples of sexual harassment include verbal behavior such as unwanted sexual comments, suggestions, jokes or pressure for sexual favors; non-verbal behavior such as suggestive looks and leering; and physical behavior such as pats or squeezes, or repeatedly brushing against someone's body. Other conduct also may constitute sexual harassment depending upon given facts and circumstances.
- 1.3.5 Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct constitute sexual harassment when:
- It is part of a manager's or supervisor's decision to hire or fire;
 - It is used to make other employment decisions like pay, promotion, or job assignments; or
 - It creates an intimidating, hostile, or offensive work environment.

Employees engaging in improper harassment are subject to discipline, including termination. See Harassment/Discrimination Complaint Procedure, Policy 1.3A, for guidance on what to do if you experience sexual harassment.

1.3A HARASSMENT/DISCRIMINATION COMPLAINT PROCEDURE

- 1.3A.1 Each member of management is responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise. Further, employees are responsible for respecting the rights of their co-workers and others, including the

citizens they serve. The following procedure outlines the steps to follow if you believe you have experienced harassment or discrimination on the job.

- 1.3A.2 Should you believe that you have been harassed or are the victim of discrimination, you should try, if possible, to identify the offensive behavior to the harasser and request that it stop. In the event such informal direct communication is either ineffective or impossible, you should discuss your concern immediately with the Department Director or City Manager. No employee will suffer retaliation for reporting such concern. To the extent possible, complaints will be handled confidentially.
- 1.3A.3 If an investigation shows the accused employee did engage in improper harassment or discrimination, appropriate action will be taken, as in the case of any other serious employee misconduct. Such actions may include warnings, reprimands, an employee transfer, demotion, suspension or termination.

1.4 DEFINITIONS

- 1.4.1 **Contract Employee:** An employee who works under a written Employment Agreement authorized by the City which sets the terms and conditions of employment. Contract employees are not covered by these policies unless specifically provided in the Employment Agreement.
- 1.4.2 **Exempt or Non-exempt:** All City positions are designated as either "exempt" or "non-exempt" according to the Fair Labor Standards Act (FLSA) regulations and state law for consideration of overtime compensation.
- 1.4.3 **Immediate Family:** An employee's immediate family includes the employee's spouse, child, stepchild, parent, stepparent, brother or sister, stepbrother or sister, mother or father-in-law, son or daughter-in-law.
- 1.4.4 **Regular Full-Time Employee:** An employee, hired by the City, who has completed his/her Work Trial Period and who is regularly scheduled to work a minimum of forty (40) hours a week on a continuing basis.
- 1.4.5 **Regular Part-Time Employee:** An employee, hired by the City, who works less than forty (40) but at least twenty (20) hours a week on a continuing basis and is eligible for pro-rated City benefits.
- 1.4.6 **Temporary Employees:** Temporary employees are defined as those employees who hold jobs of limited duration arising out of special projects, abnormal workloads or emergencies. Temporary employees are not eligible for City benefits.

1.5 EMPLOYEE PERSONNEL RECORDS

- 1.5.1 The primary personnel file for each employee is kept in the City Manager's office, and access is limited to the employee's immediate supervisor, the department director, and the City Manager or the City Manager's designee. An employee's personnel file contains the employee's name, title and/or position held, job description, department to which the employee is assigned, salary, original employment application, changes in employment status, training record, performance evaluations, personnel actions affecting the employee, including discipline, resumes, letters of commendation, and other pertinent information. Employees have responsibility to notify the City of all status changes such as address, dependents, tax filing status, beneficiaries, and other

pertinent information which effects benefits or other information as it pertains to the City's ability to contact or pay the employee in an accurate, timely manner.

- 1.5.2 An employee's medical records shall be kept in a separate medical file. Access to this file is limited to the City Manager or the City Manager's designee, and the employee.
- 1.5.3 An employee has the right to review his/her file during regular business hours. An employee may submit a request to the City Manager to remove irrelevant or erroneous information in his/her personnel file. If the City denies the employee's request to remove the information, the employee may file a written rebuttal statement to be placed in his/her file.
- 1.5.4 Personnel files are kept confidential to the maximum extent permitted by law. Except for routine verifications of employment, no information from an employee's personnel file will be released to the public, including the press, without a written request for specific information and notification of the request to the employee. Washington state law controls the City's release of such documents.

1.6 REFERENCES

- 1.6.1 The City does not give references, other than to confirm the dates of employment and last salary, without the express written consent and a liability release to the City from the employee. Only the City Manager or the employee's department director is authorized to provide employment references on current or former City employees.

2 HOURS AND ATTENDANCE

2.1 WORK SCHEDULING

- 2.1.1 The City's standard workweek is Monday through Friday from 8:00 a.m. to 5:00 p.m. with a one hour unpaid lunch period, and such breaks as may be required by law.
- 2.1.2 A normal working schedule for regular, full-time employees consists of forty (40) hours each workweek. Different work schedules may be established by the City to meet job assignments and provide necessary City services, or to comply with State or Federal laws. Each employee's department director will advise the employee regarding his/her specific working hours.
- 2.1.3 Part-time, contract, and temporary employees will work hours as specified by their department directors.
- 2.1.4 Flex scheduling and Tele-commuting may be permitted, subject to the approval of the City Manager and Department Director, provided that such alternative work scheduling is done in a manner that fully meets the needs and requirements of the City.

2.2 HOURS OF WORK AND OVERTIME

- 2.2.1 All City positions are designated as either "exempt" or "non-exempt" according to the Fair Labor Standards Act ("FLSA") regulations and state law for consideration of overtime compensation.
- 2.2.2 The regular work period is forty (40) hours within a seven (7) day workweek, commencing Sunday at 12:00 a.m. and ending at 11:59 p.m. the subsequent Saturday.
- 2.2.3 Non-exempt employees are entitled to additional compensation, either in cash or compensatory time off at the discretion of the employee, when they work more than the maximum numbers of hours during a regular work period. Such overtime shall be calculated at one and one-half times the employee's regular rate of pay for all time worked beyond the established work period
- 2.2.4 All overtime hours or work must be authorized in advance by the employee's department director.
- 2.2.5 When computing overtime, holidays, sick leave and vacation time are not counted as hours worked.
- 2.2.6 Exempt employees are not covered by the FLSA overtime provisions and are not entitled to overtime compensation.

2.3 COMPENSATORY TIME

- 2.3.1 Employees entitled to overtime pay may request compensatory time off instead of cash payment. This is approved on a case-by-case basis by the employee's Department Director. If the compensatory time option is exercised, the employee is credited with one and one-half times the hours worked as overtime. Maximum accruals of compensatory time shall be limited to twenty-four (24) hours for regular employees. After maximum accrual, overtime compensation shall be paid. Compensatory time cannot be carried over at the end of the calendar year.

- 2.3.2 Employees may use compensatory time within a reasonable time period after making a request to their Department Director, unless doing so would unduly disrupt City operations. Compensatory time should be used for short-term absences from work during times mutually agreed to by the employee and his/her Department Director. Accumulation of compensatory time to be used as a substitute for extended vacation time off is not normally permitted.
- 2.3.3 If an employee is unable to use accrued compensatory time within ninety (90) calendar days, the employee will be paid his/her original overtime wage. Any unused compensatory time as of December 15 shall be paid to the employee at the original overtime wage.

2.4 ATTENDANCE

- 2.4.1 Punctual and consistent attendance is a requirement of employment. Each department director is responsible for maintaining an accurate attendance record of his/her employees.
- 2.4.2 Employees unable to work or unable to report to work on time should notify the supervisor or department director as soon as possible, ordinarily before the work day begins or within thirty (30) minutes of the employee's usual starting time. If an absence continues beyond one day, the employee is responsible for notifying the supervisor or department director of the anticipated return date. If the supervisor is unavailable, the employee may leave a message with the City Manager or his/her designated representative, stating the reason for being late or unable to report for work.
- 2.4.3 Employees are expected to be at work during inclement weather. Department directors may allow employees to be late or leave early during severe weather conditions; however, non-attendance will be counted as absence from work and will be charged to accrued vacation time, compensatory time or the employee may elect to take the time unpaid. When the City Manager declares the City offices officially closed, employees who were scheduled to work will be paid.
- 2.4.4 An employee who is absent without authorization or notification is subject to disciplinary action, including possible termination.

2.5 BREAKS AND MEAL PERIODS

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

2.6 CALL BACK

- 2.6.1 All employees are subject to call back in emergencies or as needed by the City to provide necessary services to the public. A refusal to respond to a call back is grounds for immediate disciplinary action, including possible termination. Non-exempt employees called back to duty will be paid their appropriate rate of pay for hours worked (the overtime rate, if applicable), with a minimum of two hours of callback pay.

2.7 PAYROLL RECORDS

2.7.1 The official payroll records are kept by the Administrative Services Director, or designee. Each department director is required to submit records semi-monthly.

2.7.2 By signing the work record, the employee certifies the information is true and correct.

3 EMPLOYMENT POLICIES

3.1 RECRUITING

- 3.1.1 Recruiting is based entirely on ability, merit, qualifications and competence, without regard to race, color, religion, national origin, sex, marital status, pregnancy, physical handicap, disability, age sexual orientation, or any other basis protected by local, state, or federal law.
- 3.1.2 Each applicant shall complete and sign an application form prior to being considered for any position. Resumes may supplement, but not replace, the City's official application. The application shall become a part of each employee's permanent personnel record.
- 3.1.3 Any applicant supplying false or misleading information is subject to immediate termination, if hired.
- 3.1.4 The City is committed to providing service to its citizens through highly qualified personnel. Recruitment will be conducted internally first if there are at least three eligible and qualified internal candidates available. When there are less than three qualified internal applicants to select from, an open process may be utilized which encourages the participation of current City employees, in addition to applicants who are not currently employed by the City.

3.2 HIRING

- 3.2.1 When a position becomes vacant prior to any posting or advertisement of the vacancy, the department director shall review the position, its job description and the need for such a position. The department director will prepare and submit a written request to fill the position to the City Manager.
- 3.2.2 Residency within the City shall not be a condition of initial appointment or continued employment except when required by State law. Provided, however, that an employee's selection of residence shall not interfere with the daily performance of his/her duties and responsibilities.
- 3.2.3 Applicants for positions for which the applicant is expected to operate a motor vehicle will be required to present a valid Washington State driver's license with any necessary endorsements. Driving records of applicants will be checked. Applicants with poor driving records, as determined by the City, may be disqualified for employment with the City in positions requiring driving.
- 3.2.4 The City may administer pre-employment examinations to test the qualifications and ability of applicants, as determined necessary by the City. The City may contract with any competent agency or individual to prepare and/or administer examinations.
- 3.2.5 After an offer of employment has been made and prior to commencement of employment, the City may require persons selected for employment to successfully pass a medical examination, which may include testing for alcohol and controlled substances. The purpose of the examination is to determine if the individual is physically able to perform the job and to ensure his/her physical condition will not endanger the health, safety or well being of other employees or the public. The offer of employment will be conditioned on the results of the examination.

endanger the health, safety or well being of other employees or the public. The offer of employment will be conditioned on the results of the examination.

- 3.2.6 A candidate will be disqualified from consideration if: (1) found physically and/or mentally disabled and unable to perform the essential duties of the position (and the individual's condition cannot reasonably be accommodated in the workplace); (2) when required pursuant to a bona fide occupational qualification the candidate refuses to submit to a post offer medical examination or to complete medical history forms; or (3) if the exam reveals the current use of controlled substances and/or disabling alcoholism, where such alcoholism cannot be reasonably accommodated; (4) a reference check fails to confirm an individual's stated qualifications or a background check reveals information which indicates that an individual's prior performance, criminal record or activities are incompatible with public employment.

3.3 TEMPORARY EMPLOYEES

- 3.3.1 With approval of the department director, temporary employees may be used during emergencies or other peak workload periods, to temporarily replace regular employees absent due to disability, illness, and vacation or other approved leave, or to temporarily fill a vacancy until a regular employee is hired.
- 3.3.2 Temporary employees may be hired without competitive recruitment or examination.
- 3.3.3 Temporary employees are eligible for overtime pay as required by law. Temporary employees are not eligible and do not receive retirement, vacation, sick leave, health insurance, holiday or any other benefits during their employment.
- 3.3.4 Temporary employees shall make the legal contribution to the Social Security system, as does the City on their behalf. Temporary employees will normally not be placed on the state PERS retirement system, although there are a few exceptions depending on PERS eligibility criteria. Temporary employees will not participate in the social security replacement program provided by the City.

3.4 WORK TRIAL PERIOD

- 3.4.1 All newly hired employees and employees who have been promoted to a new position enter a work trial period. This period is considered an integral part of the selection and evaluation process. During the work trial period an employee is required to demonstrate suitability for the position through actual work performance.
- 3.4.2 The normal work trial period is six (6) months from the employee's date of hire or promotion; however, longer periods may be established for positions requiring technical, professional, specialized, unusual or unique skills or qualifications.
- 3.4.3 A performance evaluation may be conducted monthly for the first six months. A performance evaluation shall be completed at the conclusion of the work trial period. The work trial period will not be shortened for any reason.
- 3.4.4 When a department director determines an employee has satisfactorily completed the work trial period, the department director shall prepare a written performance evaluation, which will be reviewed by the City Manager. If the work trial period is satisfactorily completed, a new employee may be certified to regular employment status or a promoted employee shall have the promotion confirmed by the City Manager. The

employee should receive his/her annual evaluation one year after the completion of the work trial period.

3.5 EMPLOYMENT OF RELATIVES (NEPOTISM)

3.5.1 Employees' immediate family, as defined in these policies, will not be employed by the City under any of the following circumstances:

- a) Where one of the parties would have authority (or practical power) to supervise, appoint, remove, or discipline the other;
- b) Where one party would be responsible for auditing the work of the other;
- c) Where it is necessary to avoid the reality or appearance of improper influence or favor, or to protect confidentiality.

3.5.2 If two employees marry, become related or begin sharing living quarters with one another, and in the City's judgment, the potential problems noted above exist or reasonably could exist, only one of the employees will be permitted to continue employment with the City, unless reasonable accommodations, as determined by the City Manager, or his designee, can be made to eliminate the potential problem. The decision as to which employee will remain with the City must be made by the two employees within five (5) calendar days of the date they marry, become related, or begin sharing living quarters with each other. If no decision has been made during this time, the City Manager reserves the right to terminate either employee. Failure to notify the City of such circumstances may result in the termination of both parties.

3.6 PROMOTIONS AND TRANSFERS

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

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

4 COMPENSATION

4.1 SALARY CLASSIFICATION AND GRADES

4.1.1 Each job title within the City is classified into one of the City's classifications for salary purposes, based on job qualifications, level of responsibility, difficulty, working conditions, skill, hazard, and amount of supervision required by the specific job title. Each classification is designated a particular salary or salary range shown on the City's salary and wage schedule, which is approved annually as a part of budget adoption by the City Council.

4.2 EMPLOYEE PAY RATES

4.2.1 Employees should be paid within the limits of the wage range to which their positions are assigned.

4.2.2 The City Manager may approve hiring a new employee at a higher rate than the minimum when the employee's experience, training or proven capability warrant, or when prevailing market conditions justify a starting rate greater than the minimum.

4.2.3 Pay increases are contingent on satisfactory performance. If an employee's performance is consistently unsatisfactory, the department director may defer a scheduled pay increase for a stipulated period of time or until the employee's job performance is satisfactory.

4.3 PAYDAYS

4.3.1 City employees are paid semi-monthly. If a regularly scheduled payday falls on holiday, pay will be distributed on the preceding working day.

4.4 DEDUCTIONS

4.4.1 The City will withhold from the employee's paycheck those deductions required by law and any voluntary deductions requested in writing by the employee and authorized by the City Manager or City Manager's designee.

4.5 TRAVEL AWAY FROM THE CITY

4.5.1 All travel activity shall conform to the Travel Policy adopted by the City Council and attached to these Policies and Procedures as Appendix B.

4.6 COMPENSATION UPON TERMINATION

4.6.1 When an employee's employment with the City is terminated in good standing as defined in these policies, the employee will receive the following compensation:

- Regular wages for all hours worked up to the time of termination which has not already been paid.
- Any overtime or holiday pay due.
- A lump sum payment of any accrued but unused vacation and compensatory time.
- Benefits as defined by Social Security replacement program.

5 PERFORMANCE EVALUATIONS AND TRAINING

5.1 PERFORMANCE EVALUATIONS

- 5.1.1 To achieve the City's goals of training, promoting and retaining the best qualified employee for every job, the City conducts performance evaluations for all positions. The City Manager is responsible for developing and implementing the City's performance evaluation program.
- 5.1.2 Each employee will receive a performance evaluation by the supervisor or department director annually on forms provided by the City. Evaluations will take place during the work trial period per paragraph 3.4.3 and annually thereafter. The annual evaluation will take place on or near the anniversary of the date of hire. The evaluation shall objectively assess the employee's performance during the preceding twelve (12) month period and, as appropriate, set out a plan for improvement in the coming period. Results of the evaluation shall be reviewed and discussed with the employee prior to review by the City Manager and filing in the employee's personnel record.
- 5.1.3 The completed evaluation form shall be signed by the department director and the employee prior to review by the City Manager. The employee's signature indicates only that the department director discussed the evaluation with the employee but does not signify concurrence in the evaluation by the employee.
- 5.1.4 Every employee shall have the right to appeal an annual evaluation in the manner provided in Section 8.12 hereof.
- 5.1.5 No employee shall be considered for a step increase or promotion except upon having received an evaluation of satisfactory or above.
- 5.1.6 The evaluation becomes part of an employee's permanent personnel record and may be a factor in determining such matters as the employee's conversion to regular status, whether the employee receives a wage increase, or is to be promoted, transferred, demoted, laid off, or terminated.

5.2 TRAINING POLICY

- 5.2.1 The City seeks, within the limits of available resources, to offer training to augment or increase an employee's skills, knowledge and abilities directly related to City employment, to obtain or maintain required licenses and certifications, and to develop staff resources. Opportunities may include, but are not limited to: on-the-job training, in-house workshops, seminars sponsored by other agencies or organizations, and formal educational programs.
- 5.2.2 Training that takes the employee away from the city during regular working hours shall be approved by the City Manager.

6 BENEFITS

6.1 RETIREMENT BENEFITS

- 6.1.1 The City makes contributions on behalf of all eligible employees to the Social Security replacement program in lieu of Social Security System, in addition to those contributions made by the employee through payroll deductions.
- 6.1.2 All regular full-time and eligible part-time non-uniformed employees are covered under the Public Employees Retirement System (PERS). Benefit levels and contribution rates are set by the State of Washington.
- 6.1.3 The City participates in a 457 deferred compensation program. All regular employees are permitted to make contributions into this tax-deferred program, to the maximum amount allowed by law. The City Manager may recommend and City Council may approve qualified programs.
- 6.1.4 Employees intending to retire should notify their department director of their intent to retire as early as possible to provide for an orderly transition.
- 6.1.5 The City reserves the right to modify or withdraw all benefits, including retirement benefits at any time.
- 6.1.6 The City may offer to regular full-time employees optional benefit plans such as life insurance, deferred compensation or other retirement plans, etc. These benefits, when offered, are at the option of the employee. If costs exceed the city's benefit contribution, the remainder of costs incurred are the responsibility of the employee. In the interest of equity to all eligible employees regardless of their individual insurance choices, the City shall permit any employee who does not choose to allocate the City's benefit contribution entirely to insurance costs to assign an amount equal to the unused portion of the City's benefit contribution to a supplemental retirement plan as allowed by the Internal Revenue Code.

6.2 WORKERS COMPENSATION

- 6.2.1 The Washington State Industrial Insurance programs cover all employees. This type of insurance covers employees in case of on-the-job injuries or job-related illnesses. For qualifying cases, State Industrial Insurance will pay the employee for work days lost for any disability resulting from job-related injuries or illnesses, subject to applicable law. All job-related accidents should be reported immediately to the supervisor.
- 6.2.2 When an employee is absent for one or more days due to an on-the-job accident, he/she is required to file a claim for Workers' Compensation. If the employee files a claim, the City will continue to pay (by use of the employee's unused sick leave) the employee's regular salary pending receipt of Workers' Compensation benefits.
- 6.2.3 When the employee receives Workers' Compensation benefits, he/she is required to repay to the City the amount covered by Workers' Compensation and previously advanced by the City. This policy is to ensure that employees will receive prompt and regular payment during periods of injury or disability provided sick leave is available. No employee shall receive more than he/she would have received had the injury not

occurred. Upon the repayment of funds advanced, the appropriate amount of sick leave shall be restored to the employee's account.

- 6.2.4 An employee receiving workers' compensation for a time-loss accident shall continue to accrue vacation leave and sick leave for a period not to exceed six (6) months, and the City will continue to make available at the employees expense the usual health, dental and life insurance for a one-year period.
- 6.2.5 The City may require an examination, at its expense, performed by a medical care provider, to determine when the employee can return to work. The examination is to assure the employee will be capable of performing the essential functions of the position.
- 6.2.6 In the event an employee receives workers' compensation in addition to salary, he or she shall endorse each workers' compensation disability check, as received, to the City. The City will then pay the employee's sick leave until his/her accrued sick leave is exhausted. The workers' compensation check will be credited against sick leave with a corresponding credit to earned sick leave.

6.3 INSURANCE BENEFITS

- 6.3.1 Employees are eligible to participate in the City's insurance programs. The programs and criteria for eligibility will be explained at the time the employee becomes eligible to join. The City provides a benefit credit for the purchase of medical insurance and other health insurance as provided in the cafeteria plan. The City pays 100% of full family dental insurance and vision insurance. The City reserves the right to make changes in the carriers and provisions of these programs, or to eliminate them, when deemed necessary or advisable.
- 6.3.2 Upon mutual agreement between the employee and the City, and in accordance with the terms and conditions of the insurance policy, the City will continue health insurance coverage at the employee's expense during an approved unpaid leave of absence. Continued insurance coverage provided for by Federal Law (COBRA) may apply in the event coverage is not extended through the City.
- 6.3.3 Upon an employee's termination from City employment, at the employee's option and expense, the employee may elect to continue City health insurance benefits to the extent provided under COBRA. Continuation rights are not available if an employee is terminated for "gross misconduct."

7 LEAVES OF ABSENCE AND TIME OFF

7.1 LEAVES

7.1.1 The City provides the following types of leave:

1. Vacation leave
2. Personal leave
3. Sick leave
4. Leave without pay
5. Jury and Witness leave
6. Military leave
7. Administrative leave
8. Bereavement leave

7.2 VACATION

7.2.1 Each regular full-time employee is entitled to vacation leave as follows:

Non-Exempt Employees Accrual Rate:

<u>Years of Employment</u>	<u>semi-monthly hourly accrual</u>	<u>Vacation Days per Year</u>
First Year	3.333 hours	10 days
Fifth year	5.000 hours	15 days
Tenth Year	6.000 hours	18 days
Fifteenth Year	7.000 hours	21 days
Twentieth Year	8.333 hours	25 days

Exempt Employees Accrual Rate:

<u>Years of Employment</u>	<u>semi-monthly hourly accrual</u>	<u>Vacation Days per Year</u>
First Year	5.000 hours	15 days
Fifth year	6.000 hours	18 days
Tenth Year	7.000 hours	21 days
Fifteenth Year	8.000 hours	24 days
Twentieth Year	9.000 hours	27 days

7.2.2 Regular part-time employees will receive vacation on a pro-rata basis. Temporary employees are not eligible for vacation benefits. Employees do not accrue vacation leave during a leave without pay.

- 7.2.3 The number of vacation days earned per year is based on the number of years of employment with the City. Vacation hours will be earned semi-monthly, so that the annual total equals the "vacation days per year" based on the number of years of employment. At the City Manager's discretion, municipal experience directly related to the new position in another jurisdiction may be credited to an employee as years of service with the City. The City Manager may provide accrued vacation time at the time of hire.
- 7.2.4 Each department director is responsible for scheduling his/her employees' vacations so as not to cause undue disruption of department operations.
- 7.2.5 The maximum number of vacation hours which may be carried over from one calendar year to the next is one half the prior years accrual. In cases where City operations have made it impractical for an employee to use vacation time, or where the employee has made suitable arrangements with the department director approved by the City Manager, additional accruals may be authorized, at the City's sole discretion. Employees will be paid for unused vacation time upon termination of employment up to a maximum of 240 hours accrued vacation leave. Vacation time earned in excess of said maximum limit shall be taken prior to termination or forfeited.
- 7.2.6 An employee hired on or before the first pay period of any month shall accrue vacation leave from the first day of that period. An employee hired after the first pay period of any month shall accrue vacation from the first day of the next pay period following.
- 7.2.7 An employee who terminates employment prior to completion of his/her work trial period shall not be entitled to payment for unused vacation time.

7.3 SICK LEAVE

- 7.3.1 All full-time regular employees accrue sick leave benefits at the rate of eight (8) hours for each calendar month of continuous employment. The total accrual will not exceed 120 hours. Regular part-time employees will accrue sick leave benefits on a pro-rata basis according to hours worked. Employees do not accrue sick leave benefits during a leave without pay.
- 7.3.2 Employees accrue and may use sick leave during their work trial periods. Temporary employees do not earn sick leave benefits.
- 7.3.3 Sick leave covers situations in which an employee is absent from work due to:
- a) Physical injury or illness to the employee;
 - b) The need to care for the employee's minor dependents who are ill;
 - c) Medical or dental appointments for the employee or minor dependents, provided that the employee must make a reasonable effort to schedule such appointments at times which have the least interference with the work day;
 - d) Exposure to a contagious disease where on-the-job presence of the employee would jeopardize the health of others;
 - e) Use of a prescription drug which impairs job performance or safety;
 - f) Periods of disability and recovery associated with pregnancy or childbirth; or

g) The critical illness of an immediate family member.

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

7.3.5 Employees who use all their accumulated sick leave and require more time off work due to illness or injury may use accrued vacation leave. With the City Manager's prior approval, the employee may be placed on leave without pay. Leave without pay shall not exceed one hundred and eight (180) calendar days, provided such leave does not interfere with the orderly and efficient provision of service.

7.4 LEAVE WITHOUT PAY

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

7.4.2 Only regular full-time and part-time employees who have satisfactorily completed their work trial period are eligible for leave without pay. The following requirements apply:

- a) Leave may be granted to an employee for a period of up to ninety (90) calendar days upon the approval of the City Manager. Further extensions are at the discretion of the City Manager, if such leave does not interfere with the orderly and efficient provision of services to the citizens of the City
- b) Accrued compensatory time, if any, and vacation leave must be exhausted prior to taking any leave without pay.
- c) An employee's benefits are suspended during the period of unpaid leave until the employee returns to work. Vacation, sick leave and/or any other benefits do not accrue while an employee is on leave without pay.

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

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

7.5 JURY AND WITNESS LEAVE

7.5.1 The City provides all employees leave for the full period of jury duty service. Regular full-time and part-time employees who have completed their trial period receive paid jury

duty leave of up to two weeks each time they are called for jury service. In general, if jury duty extends beyond two weeks in any one instance the additional leave will be unpaid. Exempt salaried employees who are asked to serve longer than two weeks shall contact the City Manager to discuss whether further paid leave will be provided. Payment provided by the court during periods of paid jury leave must be paid over to the City, excluding expense reimbursements, such as mileage. Employees must provide their supervisor with a copy of the jury duty summons as soon as possible after receiving it. Upon completion of jury duty, the employee shall provide their supervisor with proof of jury service.

- 7.5.2 All employees summoned to testify in court are allowed time off for the period they serve as a witness. In general, witness duty leave is unpaid unless the employee is a witness in a case involving the City. For exempt salaried employees, however, salary payment will continue except for full-day absences caused because the employee is a party in a lawsuit

7.6 ADMINISTRATIVE LEAVE

- 7.6.1 On a case-by-case basis, the City may place an employee on administrative leave with or without pay for an indefinite period of time, as determined by the City Manager to be in the best interests of the City.

7.7 MILITARY LEAVE

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

7.8 BEREAVEMENT LEAVE

- 7.8.1 Bereavement leave with pay may be taken for the funeral of immediate family, not to exceed three (3) days. Employees may, however, request use of vacation, compensatory time, or leave without pay to supplement absences exceeding the normal bereavement leave time. Where extended travel is a factor, the City Manager may extend the three (3) day period.

7.9 HOLIDAYS

- 7.9.1 The City of Sammamish provides employees with a list of twelve available paid holidays of which they may select eleven. City Hall is official closed on all holidays except the personal floating holidays selected by employees. The City Manager and the employees director may restrict holiday leave to ensure staffing needs are meet.

New Years Day	January 1
Martin Luther King's Birthday	3 rd Monday in January
President's Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1 st Monday in September
Veteran's Day	November 11
Thanksgiving Day	4 th Thursday in November
Day After Thanksgiving	4 th Friday in November
Christmas Eve	December 24
Christmas Day	December 25
Personal Leave Day	(must be taken within the calendar year)

- 7.9.3 Any holiday falling on Saturday will be celebrated on the preceding Friday. Any holiday falling on Sunday will be celebrated on the following Monday.
- 7.9.4 Employees required to work on a selected holiday will be given another day off. Non-exempt employees called back to work on a holiday will be compensated at overtime rates. Such time must be pre-authorized by the supervisor.
- 7.9.5 Temporary employees will be paid at their regular straight-time rate for hours worked on a holiday.
- 7.9.6 Employees hired prior to July 1st will be entitled to a personal leave day for the year. Employees hired after July 1st do not receive a personal leave day in the year hired.

7.10 RELIGIOUS HOLIDAYS

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

7.11 FAMILY MEDICAL LEAVE ACT

- 7.11.1 At such time that the City employs 50 or more employees, the City will consider the integration of sick leave policies with Family Medical Leave Act (FMLA) leave policies.

8 EMPLOYEE RESPONSIBILITIES AND CONDUCT

8.1 GENERAL POLICY

- 8.1.1 All City employees are expected to represent the City to the public in a professional manner. Employees must maintain a clean and neat appearance appropriate to their work assignment, as determined by their position and department director.
- 8.1.2 Since the proper working relationship between employees and the City depends on each employee's on-going job performance, professional conduct and behavior, the City has established certain minimum standards of personal conduct. Among the City's expectations are: Basic tact and courtesy towards the public and fellow employees; adherence to City policies, procedures, safety rules and safe work practices; compliance with directions from supervisors; preserving, maintaining, and protecting the City's equipment, grounds, facilities and resources; and providing orderly and cost efficient services to its citizens.

8.2 OUTSIDE EMPLOYMENT AND CONFLICTS OF INTEREST

- 8.2.1 This policy is enacted to establish guidelines for ethical standards of conduct which shall govern the performance of City employees in the conduct of City business, and to prevent potential conflicts of interest.
- 8.2.2 Interest means direct or indirect monetary or material benefit accruing to a City employee as a result of a contract or transaction which is or may be the subject of an official act or action by or with the City, except for such contracts or transactions which confer similar benefits to all other persons and/or property similarly situated. For the purpose of this section, an employee shall have an interest in the affairs of:
- a) Any person of the employee's family or any person with whom the employee has a close or ongoing business or social relationship.
 - b) Any business entity in which the City employee has an ownership interest and/or is an officer, director, or employee
- 8.2.3 No City employee shall engage in any act that is in conflict with, or creates an appearance of conflict with, the performance of their employment responsibilities. Any employee is deemed to have a conflict of interest if the employee:
- a) Receives or has any financial interest in any sale to the City of any service or property when such financial interest was received with prior knowledge that the City intended to purchase such property or obtain such service.
 - b) Engages in, accepts private employment from or renders services for private interest when such employment or service is incompatible with the proper discharge of their employment responsibilities or would tend to impair independence of judgment or action in the performance of their employment responsibilities.
 - c) Discloses or uses, without legal authorization confidential information concerning the property or affairs of the City to advance a private interest with respect to any contract or transaction which is or may be the subject of official action of the City.

- d) Uses their position with the City to make recommendations to the Public regarding private contractors where they have a financial interest in the firm or company.
- e) Solicits, accepts or seeks anything of economic value as a gift, gratuity, or favor from any person, firm or corporation involved in a contract or transaction which is or may be the subject of official action of the City.

8.2.4 The following are considered appropriate actions by City personnel:

- a) Attendance of an employee at a meal when it is provided in conjunction with a meeting directly related to the conduct of the City business or where official attendance by the employee as a staff representative.
- b) An award publicly presented in recognition of public service. Such as any gift which would have been offered or given to the employee if he or she were not a City employee, advertising novelties not exceeding \$10.00 in value which are widely distributed to others under essentially the same business relationship with the donor, or company product models and pictures made generally available under customer and public relations programs.

8.2.5 Employees shall not, directly or indirectly, engage in any outside employment or financial interest that may conflict, in the City's opinion, with the best interests of the City or interfere with the employee's ability to perform his/her assigned City job. Examples include, but are not limited to outside employment which:

- a) Prevents the employee from being available for work beyond normal working hours, such as emergencies or peak work periods, when such availability is a regular part of the employee's job;
- b) Is conducted during the employee's work hours;
- c) Utilizes City telephones, computers, supplies, or any other resources, facilities or equipment;
- d) Is employment with a firm which has contracts with or does business with the City; or
- e) May reasonably be perceived by members of the public as a conflict of interest or otherwise discredits public service.

8.2.6 An employee who chooses to have an additional job, contractual commitment or self-employment may do so only after obtaining prior approval from the City Manager.

8.3 POLITICAL ACTIVITIES

8.3.1 City employees may participate in political or partisan activities of their choosing provided that City resources and property are not utilized, and the activity does not adversely affect the responsibilities of the employees in their positions. Employees may not campaign on City time or in a City uniform or while representing the City in any way. Employees may not allow others to use City facilities or funds for political activities.

8.3.2 Any City employee who meets with or may be observed by the public or otherwise represents the City to the public, while performing his/her regular duties may not wear or display any button, badge or sticker relevant to any candidate or ballot issue during working hours. Employees shall not solicit, on City property or City time, for a contribution for a political cause.

8.3.3 Except as noted in this policy, City employees are otherwise free to fully exercise their constitutional First Amendments Rights.

8.4 NO SMOKING POLICY

8.4.1 For health and safety considerations, the City prohibits smoking by employees in all City facilities, including City-owned buildings, vehicles, and offices or other facilities rented or leased by the City, including individual employee offices.

8.5 USE OF CITY VEHICLES AND EQUIPMENT

8.5.1 Use of City phones including cellular phones for local personal phone calls should be kept to a minimum; long distance personal calls must be charged to the employees credit card or home phone. City equipment, including computers and vehicles, will only be used by employees for City business. An employee's misuse of City services, telephones, equipment or supplies can result in disciplinary action including termination.

8.5.2 Per Washington law, anyone operating or riding in City vehicles or using a personal vehicle for city business must wear seat belts at all times. All vehicles must be operated in accordance with State law. Violations and fines received by employees when operating City vehicles are the responsibility of the operator.

8.5.3 Any and all products, including working papers and documentation, developed by city staff, developed on city time, or on city property, or funded with city dollars, are the property of the City. It is the intent of the City that products, including any and all working papers and documentation, developed by contract employees or consultants, developed on city time, or on city property, or funded with City dollars, are the property of the City.

8.6 BULLETIN BOARDS

8.6.1 Information of special interest to all employees is posted regularly on the City bulletin boards. Employees may not post any information on these bulletin boards without the authorization of the City Manager. The city shall maintain a City SAFETY BULLETIN BOARD in each work place.

8.7 CONTACT WITH NEWS MEDIA

8.7.1 The City Manager, or designated department directors, shall be responsible for all official contacts with the news media, including answering of questions from the media. The City Manager or department director may authorize specific employees to provide procedural, factual or historical information on particular subjects.

8.8 DRIVER'S LICENSE REQUIREMENTS FOR DRIVERS OPERATING CITY VEHICLES

- 8.8.1 Employees assigned to operate city vehicles shall maintain at their expense a valid Washington State Driver's license applicable for the vehicle to be operated.
- 8.8.2 The City will conduct checks of all drivers license records to assure that all policies are followed.
- 8.8.3 If an employee's license is revoked, suspended or lost, or is in any other way not current, valid and in the employee's possession, the employee shall immediately cease driving City vehicles and shall promptly notify his/her department director. The employee will not resume driving until proof of a valid, current license is provided to his/her department director.
- 8.8.4 Depending on the duration of license suspension or loss, and its effect on the employees ability to carry out their work duties, an employee may be subject to disciplinary action, including termination.

8.9 SAFETY

- 8.9.1 Every employee is responsible for maintaining a safe work environment and for following City safety rules and Washington Industrial Safety and Health Act rules (WISHA). Each employee shall promptly report all unsafe potentially hazardous conditions to his/her department director. The City will make every effort to remedy problems as quickly as possible.
- 8.9.2 In case of an accident involving a personal injury or property damage, regardless of how serious, employees shall immediately notify their department director or the City Manager.

8.10 DRUG FREE WORK PLACE AND SUBSTANCE ABUSE

- 8.10.1 The City of Sammamish is committed to protecting the safety, health, and well-being of its employees, the community which it serves and all people who come into contact with its workplaces and property, and/or use its products and services. Recognizing that drug and alcohol abuse pose a direct and significant threat to this goal, the City of Sammamish is committed to assuring a drug-free working environment for all of its employees.
- 8.10.2 The City of Sammamish strictly prohibits the following:
 - a) The use, sale, manufacture, distribution, dispensing and possession of unlawful drugs, drug paraphernalia, or alcohol on City premises or during work hours;
 - b) The abuse of prescriptions and/or over the counter drugs. "Abuse" means use that significantly affects work performance and/or which may create the risk of damage or injury to persons or property, including the employee; and
 - c) Reporting to work while under the influence of alcohol or with the odor of alcohol on the breath.

8.11 SUBSTANCE ABUSE - DRUG AND ALCOHOL TESTING

- 8.11.1 The purpose of this policy is to assure employee fitness for duty and to protect employees and the public from risks posed by employee use of alcohol and drugs.

- 8.11.2 When employees are on the job, they are expected to be physically free from any impairment or substance which could contribute to an injury, property damage, or interfere with productivity. They are to be free of illegal drugs or potentially impairing levels of legal substances. In short, all City employees are expected to be "fit for work."
- 8.11.3 Employees are encouraged to notify their supervisors when they are taking over-the-counter or doctor prescribed drugs that could prevent the employee from performing his or her job safely and effectively.
- 8.11.4 An employee convicted of a controlled substance-related violation must inform the City within five (5) days of such conviction.
- 8.11.5 The City is required to inform any federal granting agency within ten (10) days after receiving notice of any employee convicted of a violation as described above that occurs in the workplace.
- 8.11.6 Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination. The City may require employees who violate this policy to successfully complete a drug abuse rehabilitation program as a condition of continued employment.
- 8.11.7 Employees may be required to submit to alcohol, drug or controlled substance testing when: an employee's work performance causes reasonable suspicion that the employee is impaired due to current intoxication, drug or controlled substance use; testing is required prior to appointment to a position; as a result of a job related accident; or in cases where continued employment has been conditioned, in a return to work agreement, upon remaining alcohol, drug or controlled substance free following treatment. Refusal to submit to testing, when requested, may result in immediate disciplinary action up to and including termination.
- 8.11.8 Employees who hold a commercial driver's license (CDL) and who operate commercial vehicles while employed by the City are required by the federal government to be tested on a random basis and under certain conditions. Employees who fall into this category shall be informed by their Department Director of the rules and circumstances of the testing program established by the City to comply with the law.
- 8.11.9 Employees who voluntarily enter treatment programs for drug or alcohol addiction shall not be subject to discrimination or retaliation. Such occurrences will be regarded as medical conditions with regard to City provided benefits and rights. However, the City may condition continued employment on the employee's successful completion of treatment or counseling programs and future avoidance of alcohol, drugs or other controlled substances.

8.12 COMPLAINT PROCEDURE

- 8.12.1 The City recognizes that situations arise in which an employee feels that he or she has not been treated fairly or in accordance with City rules and procedures or evaluated correctly for performance. For this reason the City provides its employees with procedures for resolving complaints.
- 8.12.2 Step 1: An employee should first try to resolve any problem or complaint with his/her supervisor, within five (5) working days of becoming aware of the incident or evaluation.
- 8.12.3 Step 2: When normal communication between an employee and the supervisor is not successful, when the problem or complaint involves discrimination or harassment by the

supervisor, or when an employee disagrees with the application of City policies and procedures or the performance evaluation, the employee should submit a written statement to the department director within three (3) working days. The written statement should contain:

- a) A description of the problem;
- b) A specific policy or procedure which the employee believes has been violated or misapplied, or the perceived evaluation oversight;
- c) The date and approximate time of the circumstances leading to the complaint; or the date when the employee first became aware of those circumstances; or the date and time of the evaluation.
- d) The steps taken by the employee to deal with the problem.
- e) The remedy sought by the employee to resolve the complaint.

The department director will respond to the employee in writing within seven (7) working days after meeting with him/her, if possible. If a meeting is not possible, then the Department Director will respond to the employee in writing within ten (10) days from the date the employee's statement was received by the Director. If not responded to in an appropriate time, the issue will be resolved in favor of the employee.

- 8.12.4 Step 3: If the employee is not satisfied with the response from the department director, the employee may submit the written statement to the City Manager within fourteen (14) working days of the response (or lack thereof) from the Department Director.
- 8.12.5 The City Manager shall meet with the parties, either individually or together, and will respond in writing to the aggrieved employee within fourteen (14) days of the meeting. The City Manager's response and decision shall be final and binding.
- 8.12.6 The time limits prescribed in this section for the initiation and completion of the steps of the review process may be extended by the City or by mutual consent of the parties involved.

8.13 WHISTLEBLOWER ACT

- 8.13.1 Every City employee has the right and obligation to report to the appropriate person information concerning alleged improper governmental actions within 30 days of the event or knowledge of the event and the right to do so free from retaliatory action. City officials and employees are prohibited from taking retaliatory action against any City employee because they reported in good faith an improper governmental action in accordance with these policies and procedures. Therefore, it is the City's policy to:
 - a) Encourage City employees to report improper governmental actions taken by City officials or employees; and
 - b) Protect City employees who have reported improper governmental actions in accordance with the City's policies and procedures.
- 8.13.2 Definitions. As used in this policy, the following terms shall be defined as indicated.

- a) "Improper governmental action" means any action by a local governmental officer or employee undertaken in the performance of the officer's or employee's official duties, whether or not within the scope of the employee's employment, that is in violation of any law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety, or is a gross waste of public funds. "Improper governmental action" does not include personnel actions.
- b) "Retaliatory action" means any adverse change in an employee's employment status, or the terms and conditions of employment including denial of adequate staff to perform duties, frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unwarranted and unsubstantiated letters of reprimand or unsatisfactory performance evaluations, demotion, transfer, reassignment, reduction in pay, denial of promotion, suspension, dismissal, or any other disciplinary action.

8.13.3 Procedures. Procedures for reporting improper action shall be as set forth in Resolution No. ___ dated _____, which is attached hereto and incorporated herein as Appendix A.

9 DISCIPLINE AND TERMINATIONS

9.1 DISCIPLINE

- 9.1.1 The primary mission of every employee is to provide courteous, orderly, efficient, and economic delivery of services to the citizens of the City. All employees are expected to exercise good judgment, loyalty, common sense, dedication, respect, and courtesy in the performance of their duties.
- 9.1.2 Acts, errors, or omissions which discredit the public service or impair the provision of orderly services to the citizens of the City may result in discipline, including termination.
- 9.1.3 The City Manager, department director, or supervisor, as appropriate, has full discretion and authority to impose disciplinary action in accordance with City policy and the circumstances of the particular case, and to deviate from such policies at the City's sole discretion.
- 9.1.4 The following examples of the types of behavior which may result in discipline are offered here by way of example only, and not by way of limitation or exclusion:
- a) Drinking alcohol or the abuse of non-prescription or prescription drugs or other controlled substances on the job, or arriving on the job under the influence of or while in possession of alcohol, drugs, or other controlled substances;
 - b) Violation of a lawful duty;
 - c) Insubordination;
 - d) Absence from work without first notifying and securing permission from the supervisor;
 - e) Habitual absence or tardiness for any reason;
 - f) Unsatisfactory job performance, as determined by the City;
 - g) Conviction of a felony or a misdemeanor involving moral turpitude;
 - h) Acceptance of fees, gratuities or other valuable items in the performance of the employee's official duties for the City;
 - i) Refusal, inability, or failure to perform the duties of the assigned job;
 - j) Violation of duties or rules imposed by this manual, or by any other City rule, regulation or administrative order;
 - k) Sexual harassment or harassment or discrimination based on age, race, sex disability, national origin, religion, sexual orientation, marital states, or any other basis prohibited by local, state or federal law;
-

- l) Violations of safety rules or common safety practices; personal conduct at work which is dangerous to others; failure to report on the job injuries or accidents promptly to employee's supervisor;
 - m) Negligent or willful damage to the City's property, waste of supplies or equipment;
 - n) Discourteous treatment of the public or other employees;
 - o) Any other conduct that the City considers inappropriate;
 - p) Loss of a valid Washington State Driver's license when operating city vehicles is a requirement of the job;
 - q) Unauthorized possession or use of City property, equipment or materials; and/or
 - r) Theft of City property or property belonging to employees or customers.
- 9.1.5 The City may discipline or terminate employees for other reasons not stated above. Nothing in this policy modifies employees' at will status.
- 9.1.6 Under normal circumstances, the City endorses a policy of progressive discipline in which the supervisor or department director attempts to provide employees with notice of deficiencies and an opportunity to improve their performance or behavior. However, the City retains the right to administer discipline in the manner it sees fit. This policy does not restrict the City's right to bypass progressive discipline or the suggested procedures contained herein if the department director determines it is warranted by the severity of the offense or the surrounding circumstances. In the event that discipline is necessary, the following types of disciplinary actions may be used:
- a) Oral Warning. An oral warning is a counseling session between the employee's supervisor and the employee on the subject of the employee's conduct and performance, or his/her failure to observe a rule, regulation, or administrative instruction. It is intended to increase an employee's efficiency and value to the City by changing the employee's conduct, attitude, habits, or work methods. Following the counseling session the supervisor shall document the oral warning, in writing, in the employee's personnel file. Written documentation may be removed pending a pull date as determined by the department director.
 - b) Reprimand. A reprimand is a formal written disciplinary action that may be used for misconduct, inadequate performance, repeated lesser infractions, or any other situation situations where warranted. Written reprimands are placed in the employee's personnel file. Written documentation may be removed pending a pull date as determined by the department director.
 - c) Trial Work Period. An employee may be placed on trial work period after an oral warning and reprimand are provided. The City Manager must approve any trial work periods.
 - d) Suspension. A suspension is a temporary, unpaid absence from duty which may be imposed as a penalty for significant misconduct, repeated lesser infractions, or any other situations where warranted. A suspension is a severe disciplinary action and the documentation will become part of the employee's permanent record. Employees who are exempt from overtime laws will not be suspended without pay

for disciplinary purposes for periods of less than a full work week, unless the infraction involves violation of safety rules of major significance. Suspensions with pay, where the employee is placed on administrative leave, may be utilized by a department director or the City Manager pending the results of an investigation or disciplinary action where the department director or City Manager determines that factors such as public confidence, the safety of the employee or the efficient functioning of the City call for such a suspension.

9.2 TERMINATION

9.2.1 An employee may be terminated from City employment for any of the reasons listed below. These reasons are intended as examples only and are not intended to limit or exclude other reasonable grounds for termination:

- a) During or at the end of the employee's work trial period;
- b) As a result of disciplinary action;
- c) Due to loss of skills, certifications or other conditions which would make the employee unfit for service; or
- d) Whenever the City Manager determines that it is in the best interests of the City.

9.2.2 City Manager Review. At-will employees serve at the pleasure of the City Manager. The City Manager will endeavor to review all disciplinary actions with the department director, but final action regarding discipline or discharge of an at will employee shall be at the City Manager's sole discretion. There shall be no appeal from the City Managers decision.

9.3 PRE-TERMINATION HEARING

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

9.4 LAYOFF

9.4.1 The City Manager may lay off employees for lack of work, budgetary restrictions or reorganization or restructuring of the work force. Affected employees will be given at least ten (10) days advance notice before such layoff becomes effective.

9.4.2 Temporary employees performing similar work in the same department should be laid off before regular employees are affected.

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

- 9.4.4 Options such as part-time work schedules, job sharing, and voluntary time and/or pay reductions may be explored if, in the opinion of the department director or supervisor, such options are feasible and approved by the City Manager.
- 9.4.5 Employees who are laid off may be eligible to be re-employed, if a vacancy occurs in a position for which they are qualified.

9.5 RESIGNATION

- 9.5.1 Employees are required to provide at least two (2) weeks' notice of termination of employment or resignation in order to be determined to have resigned in good status.

**CITY OF SAMMAMISH
WASHINGTON**

RESOLUTION NO. *R99-27*

**A RESOLUTION OF THE CITY OF SAMMAMISH,
WASHINGTON, ESTABLISHING POLICIES AND
PROCEDURES TO ENCOURAGE CITY EMPLOYEES TO
REPORT IMPROPER GOVERNMENTAL ACTION AND
TO PROTECT CITY EMPLOYEES WHO HAVE
REPORTED IMPROPER GOVERNMENTAL ACTION IN
ACCORDANCE WITH THE CITY'S POLICIES AND
PROCEDURES**

WHEREAS, the Legislature of the State of Washington adopted Substitute Senate Bill 6321 (codified at RCW 42.41), known as the "Whistleblower Protection Act," requiring local governments to adopt policies and procedures to encourage employees to report improper governmental action and to protect employees who report improper governmental action; and

WHEREAS, the public interest is served by adopting such policies and procedures;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. City Policy Statement. Every City employee has the right and obligation to report to the appropriate person information concerning alleged improper governmental actions and the right to do so free from retaliatory action. City officials and employees are prohibited from taking retaliatory action against any City employee because he or she reported in good faith an improper governmental action in accordance with the policies and procedures set forth in this section. Therefore, it is the City's policy to:

1. Encourage City employees to report improper governmental actions taken by City officers or employees; and
2. Protect City employees who have reported improper governmental actions in accordance with the City's policies and procedures.

Section 2. Definitions. As used in these policies and procedures, the following terms shall be defined as indicated:

1. "Improper governmental action" means any action by a local governmental officer or employee undertaken in the performance of the officer's or employee's official duties, whether or not within the scope of the employee's employment, that is in violation of any law or rule, is an

abuse of authority, is of substantial and specific danger to the public health or safety, or is a gross waste of public funds. "Improper governmental action" does not include personnel actions.

2. "Retaliatory action" means any adverse change in an employee's employment status, or the terms and conditions of employment, including denial of adequate staff to perform duties, frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unwarranted and unsubstantiated letters of reprimand or unsatisfactory performance evaluations, demotion, transfer, reassignment, reduction in pay, denial of promotion, suspension, dismissal, or any other disciplinary action.

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

Section 3. Procedures for Reporting Improper Action.

A. City employees who become aware of improper governmental action shall submit a written report of such to the City Manager of the City. If the City Manager is the subject of the report, then the report should be made to the Mayor or, in the Mayor's absence, to any Councilmember.

B. Except in the case of any emergency, before an employee provides information of an improper governmental action to a person who is not a public official or a person listed in the City's policy, the employee shall submit a written report to the City Manager. An employee who fails to make a good faith attempt to follow this policy shall not receive the protection of the State whistleblower law.

C. The City Manager shall promptly investigate the report of improper governmental action. City officers and employees involved in the investigation of such shall keep the identity of reporting employees confidential to the extent possible under law, unless the employee authorizes the disclosure of his or her identity in writing.

D. Following the completion of an investigation, the employee reporting the alleged improper governmental action may be advised of the results of the investigation and any actions taken by the City Manager or City Council with respect to such report. However, any personnel actions taken as a result of the investigation may be kept confidential.

E. In the case of an emergency, where the employee believes that damage to persons or property may result if action is not taken immediately, the employee may report the improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action. Attached as Exhibit "A" is a list of agencies responsible for enforcing federal, state, and local law and investigating other issues involving improper governmental action.

F. City employees may report information about improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action if the

City employee believes that an adequate investigation was not undertaken by City staff to determine whether an improper governmental action occurred, or that insufficient action has been taken by City staff to address the improper governmental action or that for other reasons the improper governmental action is likely to recur.

Section 4. Dissemination and Posting of City Policies and Procedures. A copy of this Resolution containing the City's policies and procedures for reporting alleged improper governmental action and to protect City employees reporting such shall be provided to all existing and new City employees and a copy of this Resolution shall be permanently posted in a place at the City office where all employees will have reasonable access to it. In addition, a copy of this Resolution shall be made available to any employee upon request.

Section 5. Procedures to Obtain Protection From Retaliatory Actions. An employee who believes he/she has been the subject of retaliatory action for reporting improper governmental action shall obtain relief as follows:

1. Provide the City Council a written notice of the charge of retaliatory action no later than thirty (30) days after the occurrence of the alleged retaliatory action specifying (a) the alleged retaliatory action, and (b) the relief requested. The City shall respond to the charge and request for relief within thirty (30) days.

2. Within fifteen (15) days of the delivery of the response, or within fifteen (15) days of the last day on which the City could respond, the employee may request a hearing to establish that a retaliatory action occurred and to obtain relief.

3. Within five (5) working days of receipt of the request for hearing, the City shall apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge. The employee must prove his or her claim by a preponderance of the evidence. The administrative law judge shall issue a final decision no later than forty-five (45) days after the date the request for hearing was delivered to the local government unless such time period is extended by the administrative law judge. The final decision of the administrative law judge is subject to judicial review under the arbitrary and capricious standard. Relief ordered by the administrative law judge may be enforced by petition to Superior Court.

4. The administrative law judge may grant the following relief:

a. Reinstatement with or without back pay;

b. Injunctive relief to return the employee to the position he or she held before the retaliatory action to prevent any recurrence of retaliatory action;

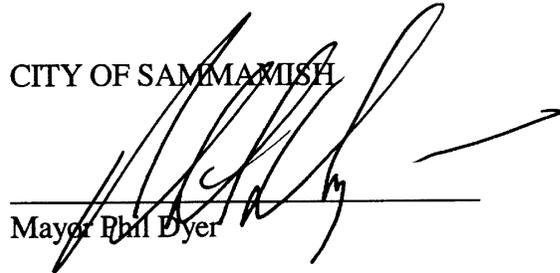
c. Costs and reasonable attorneys' fees to the prevailing party; and

d. The imposition of a civil penalty personally upon the retaliator of up to three thousand dollars (\$3,000.00) payable by each person found to have retaliated against the employee,

and a recommendation to the City that any person found to have retaliated against the employee be suspended with or without pay or dismissed. All penalties recovered shall be paid to the local government administrative hearings account created in RCW 42.41.060.

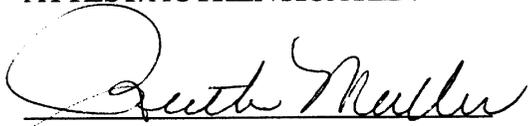
6th PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE DAY OF September, 1999.

CITY OF SAMMAMISH



Mayor Phil Dyer

ATTEST/AUTHENTICATED:



Ruth Muller, Interim City Clerk

Approved as to form:



Bruce L. Disend, City Attorney

Filed with the City Clerk: September 2, 1999
Passed by the City Council: September 8, 1999
Resolution No.: R99-27

EXHIBIT A: CONTACT LIST

EXHIBIT A: CONTACT LIST

King County Council
1200 King County Courthouse
516 Third Ave., M.S. 12C
Seattle, WA 98104
(206) 296-1000

King County Public Health
999 Third Avenue, Suite 1200
Seattle, WA 98104
(206) 296-4722

King County Department Of Planning
Building Services Division
900 Oakesdale Avenue S.W.
Renton, WA 98055-1219
(206) 296-6600

King County Prosecuting Attorney
King County Courthouse
516 Third Ave., West 554
Seattle, WA 98104
Civil Division: (206) 296-9015
Criminal Division: (206) 9000

Puget Sound Air Pollution Control Agency
110 Union Street, Suite 500
Seattle, WA 98101
(206) 343-8800

State of Washington
Attorney General's Office
Consumer Protection Division
2000 Bank of California Center
900 Fourth Avenue, Suite 200
Seattle, WA 98164-1012
(206) 464-6684

Auditor's Office
Legislative Building
P.O. Box 40021
Olympia, WA 98504-0021
(360) 753-5280

Department of Ecology
3190 160th S.E.
Bellevue, WA 98008-5452
(425) 649-7000

Human Rights Commission
1511 Third Avenue
Seattle, WA 98101

1-800-233-3247 or
(206) 464-6500

Department of Health
Health Consumer Assistance
P.O. Box 47890
Olympia, WA 98504-7890
1-800-525-0127

Department of Labor & Industries
1305 Tacoma Avenue S., Suite 305
Tacoma, WA 98402-1988
(253) 596-3800

Liquor Control Board
Enforcement Office
515 South M Street
Tacoma, WA 98405
(253) 597-3653

Department of Natural Resources
P.O. Box 68
Enumclaw, WA 98022-0069
(253) 825-1631

Puget Sound Water Quality Authority
P.O. Box 40900
Olympia, WA 98504
(360) 493-9300

Department of Social & Health
Special Investigation Office
5200 Southcenter Blvd., Ste. 23
Tukwila, WA 98188
(206) 764-4048

US

Department of Agriculture
Office of Inspector General
915 Second Avenue
Seattle, WA

Supervisor Auditor:
(206) 220-7490
Supervisor Special Agent Investigation:
(206) 220-7991

Alcohol Tobacco & Firearms
Criminal Enforcement
915 Second Avenue, Rm. 806
Seattle, WA 98174
(206) 220-6440

U.S. Attorney
800 Fifth Avenue, Suite 3600
Seattle, WA 98194
(206) 553-7970

Department of Commerce
Office of Inspector General
Office of Audits
915 Second Avenue
Seattle, WA 98174
(206) 220-7970

Government Accounting Office
Fraud Hot Line: 1-800-424-5454
Consumer Product Safety Commission
Hot Line: 1-800-638-2772

U.S. Customs Service
Office of Enforcement
909 First Avenue
Seattle, WA 98104
(206) 553-7531

U.S. Department of Education
Office of Inspector General
915 Second Avenue
Seattle, WA 98174

Audits/Investigations:
(206) 220-7860/(206) 220-7876

Environmental Protection Agency
Criminal Investigations
1200 Sixth Avenue, MS CID073
Seattle, WA 98101
(206) 553-8306

Equal Employment Opportunity Commission
909 First Avenue, Suite 400
Seattle, WA 98104
(206) 220-6883

Federal Emergency Management Agency
130 228th Street S.W.
Bothell, WA 98021
(425) 487-4600

Federal Trade Commission
915 Second Avenue, Suite 2896
Seattle, WA 98174
(206) 220-6363

General Services Administration
915 Second Avenue
Seattle, WA 98174

City of Sammamish Personnel Polices: September, 99

Office of Inspector General Audits Investigations
(206) 931-7650/(206) 931-7654

Department of Health and Human Services
Food & Drug Administration
22201 23rd Drive S.E.
Bothell, WA
Consumer Trade Complaints:
(425) 483-4949

Office of the Regional Secretary
General Counsel's Office, Inspector General
Audits/Investigations:
(206) 615-2252/(206) 615-2259

Department of Housing and Urban Development
Office of Counsel
909 First Avenue, Suite 190
Seattle, WA 98104
(206) 220-5192

Office of Inspector General
Audits/Investigations and Fraud
(206) 220-5360/(206) 220-5380

Interstate Commerce Commission
915 Second Avenue, Room 1894
Seattle, WA 98174
(206) 220-6424

Department of Interior
U.S. Fish & Wildlife Services
Division of Law Enforcement
600 Capitol Way, N(GJ-11)
Olympia, WA 98501
(360) 920-2200

Department of Justice
Drug Enforcement Administration
220 West Mercer, Suite 104
Seattle, WA 98119
(206) 553-5443

Department of Labor
Occupational Safety & Health (OSHA)
1111 Third Avenue, Suite 715
Seattle, WA 98101-3212
(206) 553-5930

Office of Inspector General Audits:
1111 Third Avenue, Suite 600
Seattle, WA 98101-3212
(206) 553-4880
Investigations:

1111 Third Avenue, Suite 785
Seattle, WA 98101-3212

Office of Women's Bureau
1111 Third Avenue, Suite 885
Seattle, WA 98101-3212
(206) 553-1534

Mine Safety & Health Administration
3633 136th Place S.E.
Bellevue, WA 98006
(206) 553-7037

National Transportation Safety Board
19518 Pacific Highway South
Seattle, WA
(206) 764-3782

Nuclear Regulatory Commission
1-800-882-4672

Securities & Exchange Commission
915 Second Avenue
Seattle, WA 98174
(206) 220-7500
Fraud/Waste/Abuse Hotline
1-800-488-8244

APPENDIX B: TRAVEL POLICIES

CITY OF SAMMAMISH

ATTACHMENT "A"

WASHINGTON

RESOLUTION NO. R99-09

**A RESOLUTION OF THE CITY OF SAMMAMISH,
WASHINGTON, ADOPTING GUIDELINES AND
WRITTEN PROCEDURES RELATING TO EMPLOYEES'
TRAVEL EXPENSES WHILE CONDUCTING OFFICIAL
BUSINESS AND THE USE OF CREDIT CARDS FOR
TRAVEL PURPOSES**

WHEREAS, the City Council of the City of Sammamish wishes to establish written procedures and a format relating to expenses incurred in the course of official business by all Sammamish city officers and employees; and

WHEREAS, the City wishes to establish written procedures for the use of credit cards for traveling purposes in the course of official business by all Sammamish city officers and employees;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The written procedures and guidelines will conform to Revised Code of Washington 42.24.115 and BARS Manual Volume 1, Part 3, Chapter 3, Page 19. The term "officers" means all City Council members and the City Manager.

Section 2. Policy. It is the general policy of the City to pay the reasonable expenses of City officers and employees while on official City business. All travel by employees must be authorized by the Interim City Manager in order to obtain reimbursement. All travel by officers must be authorized by the Mayor in order to obtain reimbursement.

Section 3. Meals. Reimbursement for meals will be made on a per diem basis, according to the most recent Internal Revenue Service publication pertaining to Travel, Entertainment, and Gift Expenses. Meals included in registration fees or on flights are not reimbursable. Gratuities, not to exceed 15%, may be added to the meal price. Tips must be shown separately on each receipt. Expenditures not allowed as meal costs include, but are not limited to liquor, expenses related to spouse/family members, and expenses for guests or other persons not authorized to receive reimbursement under this policy.

Section 4. Accommodations. Reasonable hotel/motel accommodations for City officers and employees will be reimbursed or paid at a maximum of the single room rate. A vendor's receipt for those expenditures is required in all cases. Direct billing of hotel/motel charges is not allowed unless by way of an authorized City credit card.

Section 5. Automobile Expenses.

A. Personal Vehicles. Expenses shall be reimbursed for travel within a 300-mile radius of the City at such rate per mile as shall be established from time to time by the Interim City Manager in his discretion, but not to exceed the then current maximum rate allowed by the United States Internal Revenue Service for reimbursement of such expenses for purposes of business travel expense deductions. Trips beyond this limit will be reimbursed at the lower of (a) the established rate per mile, or (b) the lowest available (other than nonrefundable) airfare obtainable by the City plus mileage reimbursement at the then current City rate, based upon the estimated distance between the airport and the destination. Incidental travel costs such as parking, ferry, or bridge tolls are reimbursable, as they would be if a City vehicle was provided.

Section 6. Out-of-State Travel. Trips by employees beyond the State of Washington must be authorized by the Interim City Manager prior to making final arrangements. The travel agency or vendor providing air reservations should bill the City directly or the employee can be reimbursed by completion of a request for reimbursement.

Section 7. Telephone Expenses. Telephone calls to the City are reimbursable. Employees traveling may make one phone call home per day.

Section 8. Other Travel Expenses. Miscellaneous travel costs such as bus, taxi, bridge or other tolls, parking, ferry, porter, bellman, and the like (not including any maid service) are authorized by a listing of same as provided by the reimbursement form. Payment of a reasonable amount for porter service, bellman service, and the like is considered to be a necessary payment for such service and, therefore, reimbursable.

Section 9. Non-Allowable Incidental Expenses. All non-allowable incidental expenses include: personal entertainment; theft, loss, or damage to personal property; expenses of a spouse, family, or other persons not authorized to receive reimbursement under this policy; barber or beauty parlor services; airline and other trip insurance; personal postage, reading material and/or telephone calls; and/or personal toiletry articles.

Section 10. Procedure. Request for reimbursement of allowable travel expenses shall be prepared by the officer or employee claiming reimbursement on the Request for Reimbursement form with all the required receipts. Reimbursement will not be made if the required receipts are not attached. A purchase order will then be signed and the purchase order processed through the next accounts payable run.

Credit cards may be authorized by the Interim City Manager to employees for the sole purpose of payment of expenses for authorized travel and in accordance with RCW 42.24.115. The Interim City Manager shall hold City credit cards for the sole purpose of covering expenses incident to conducting official business. Credit cards may be obtained by completing the Credit Card Travel form and presenting it to the Interim City Manager. If a credit card is obtained, it must be surrendered to the Interim City Manager within 48 hours after returning from the authorized travel. Credit cards may be authorized by the Mayor for City officers upon the same terms and conditions applicable to employees.

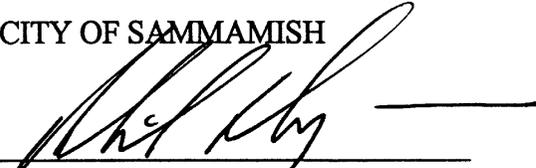
Credit card reconciliation of the expenses shall require the completion of a City purchase order. Each expense shall be itemized separately with the corresponding credit card receipt attached. Disallowed charges or charges not properly identified will be paid by the officer or employee before the charge card billing is due. Failure to do so will render the officer or employee personally liable for the unpaid amount plus interest at the rate charged by the bank which issued the credit card.

If, for any reason, disallowed charges are not repaid before the charge card billing is due and payable, the City shall have a prior lien against and a right to withhold any and all funds payable or to become payable to the officer or employee in the amount of the disallowed charges plus interest. If any charges are determined "disallowed" based on this policy, the officer or employee will be notified by Mayor or by the department director. If the affected officer or employee wishes to dispute the charges, a request for a review of the charges by the Interim City Manager must be in writing and completed within four working days and returned to the department director. The Clerk/Treasurer shall obtain the department director's comments and the Interim City Manager's decision. The affected employee shall be notified of the decision no later than seven working days after the Clerk's receipt of the request for review of the Interim City Manager's decision. If an officer wishes to dispute the charges, a request for a review of the charges by the Mayor shall be made by the officer within four working days.

All decisions of the Interim City Manager are final.

PASSED BY THE CITY COUNCIL OF THE CITY OF SAMMAMISH,
WASHINGTON, AT A REGULAR MEETING THEREOF THIS ~~31~~ DAY OF ~~MAY~~, 1999.

CITY OF SAMMAMISH


Mayor Phil Dyer

ATTEST/AUTHENTICATED:


Ruth Muller, Interim City Clerk

Approved as to form:


Bruce L. Disend, Interim City Attorney

Filed with the City Clerk: *June 4, 1999*
Passed by the City Council: *June 9, 1999*
Resolution No.: *R99-09*