



## City of Sumas Request for Council Action

Meeting Date: February 24, 2025

**Subject:**

PERSONNEL POLICIES FOR CITY OF SUMAS EMPLOYEES

Department: City Employees

Prepared By: Mollie Bost

**Agenda Location:**

☐ Public Hearing    ☐ Old Business    ☐ New Business    ☒ Staff Reports

**Brief Summary:**

Updates with Policies

Longevity Pay (approved per Ordinance 1818)

Holidays (Juneteenth removed; Christmas Eve added)

Personal Leave (updated verbiage/ more structure)

PD Clothing Allowance (approved per 2025 Budget - Ordinance 1820)

Legal Review:    ☐ Reviewed    ☐ Not Reviewed    ☐ Review Not Required

**Staff Recommendation:**

Staff respectfully request a motion to adopt Resolution No. 845 Updating the Personnel Policies

**Senior Staff Review:**

- ☒ Mayor
- ☒ Finance Director
- ☒ City Clerk
- ☒ Public Works Director

**Budget Implications:**

- ☒ Current Budget
- ☐ New Budget Request
- ☐ Non-Budgetary

# Resolution No. 845

## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUMAS, WASHINGTON, APPROVING REVISIONS TO THE PERSONNEL POLICIES FOR CITY OF SUMAS EMPLOYEES.

**WHEREAS**, the City Council of the City of Sumas approved the Personnel Policies for City of Sumas Employees manual on December 27<sup>th</sup>, 2022 through Resolution 826, and

**WHEREAS**, it is necessary to update the manual from time to time, and

**WHEREAS**, the 2025 Final Budget, Ordinance 1820, approved an increase to the Police Officers Uniform Allowance, and

**WHEREAS**, the approved 2025 Salary and Wages, Ordinance 1818, updated the Longevity benefit, and

**WHEREAS**, the City desires to revise the Holiday schedule to remove Juneteenth, and replace it with Christmas Eve.

**WHEREAS**, the City desires to revise the description of what constitutes Personal Leave to add clarity to the allowable use, and

**WHEREAS**, the City of Sumas reserves the right to modify, amend, supplement, deviate from or rescind any or all provisions of this manual as it deems appropriate at its sole and absolute discretion, and

**WHEREAS**, this manual has been prepared as a guide for employees and is not intended as a promise of specific treatment in any specific circumstances, or as a guarantee of employment for any particular time, and

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SUMAS, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Approval of Personnel Policies for City of Sumas Employees.** The City of Sumas hereby adopts the document titled "Personnel Policies for City of Sumas Employees" attached hereto as Exhibit A and incorporated herein by this reference as if set forth in full, with an effective date of March 1, 2025.

**ADOPTED AND APPROVED** by the City Council of the City of Sumas on this 24<sup>th</sup> day of February 2025.

CITY OF SUMAS, WASHINGTON

---

Bruce Bosch, Mayor

APPROVED AS TO FORM:

ATTEST:

---

James Wright, City Attorney

---

Michelle Quinn, City Clerk

# PERSONNEL POLICIES FOR CITY OF SUMAS EMPLOYEES

## ABOUT THIS EMPLOYEE HANDBOOK

(THIS HANDBOOK IS NOT A CONTRACT OF EMPLOYMENT)

This handbook is intended to provide you with general information about the City of Sumas' policies, procedures, practices and benefits. We hope that it will be a helpful resource for you in the course of your employment. You should take time to read it and become familiar with its contents. It should be retained throughout your employment with the City of Sumas.

This handbook is not intended, and should not be construed, as a promise of specific treatment in any specific circumstance, or as a guarantee of employment for any particular time. Employment at the City of Sumas is at-will, meaning the City may terminate the employment relationship at any time, with or without cause and with or without notice.

**The policies, procedures, practices and benefits described in this handbook shall apply to all employees of the City of Sumas except where otherwise noted herein or unless they conflict with provisions of any Civil Service rule or law.**

All policies, procedures, practices, and benefits described in this handbook become effective **March 1, 2025**. Of course, circumstances may occur that will require the policies, procedures, practices, and benefits described in this handbook to change from time to time. Except for the at-will employment relationship, which can be altered only by a written agreement signed by the Mayor, the City of Sumas reserves the right to modify, amend, supplement, deviate from or rescind any or all provisions of this handbook as it deems appropriate at its sole and absolute discretion and without prior notice.

All interpretations of and changes to the policies, procedures, practices, or benefits in this handbook can be made only by the Mayor.

This document should not be construed or relied upon by anyone as a legal covenant or contract of any kind.

This manual describes conditions and procedures regarding discipline and termination of employment. Although the City of Sumas may follow these conditions and procedures, the City retains the right to deviate from them as it deems necessary, at its sole discretion.

It is not possible for any handbook to cover all events or circumstances that can arise. If you have questions about any part of this handbook, please feel free to contact your supervisor or the Finance Director.

## TABLE OF CONTENTS

SECTION 1:	CONDITIONS OF EMPLOYMENT	4
	Equal Opportunity Employer	4
	“At-Will” vs. “For Cause”	4
	Exempt/Non-Exempt	4
	Schedule	4
	Breaks	5
SECTION 2:	PROBATIONARY PERIOD	5
SECTION 3:	ATTENDANCE	5
SECTION 4:	CALL BACK	6
SECTION 5:	RESIGNATIONS	6
SECTION 6:	COMPENSATION	6
	Department Head Extra Pay	7
SECTION 7:	OVERTIME PAY	7
SECTION 8:	COMPENSATORY TIME	7
SECTION 9:	LONGEVITY PAY	7
SECTION 10:	EMPLOYEE PAID/UNPAID LEAVE	8
	Holidays	8
	Vacation/Annual Leave	8
	Sick Leave	9
	Shared Paid Sick Leave Program	10
	Use of Accrued Leave to Care for Sick Family Member	10
	Leave Due to Domestic Violence or Sexual Assault	11
	Paid Family & Medical Leave	11
	Personal Leave	12
	Leave Without Pay	12
	Jury and Witness Leave	12
	Administrative Leave	12
	Military Leave	12
	Bereavement Leave	13
	Maternity/Paternity Leave	13

SECTION 11:	TRAINING AND TRAVEL	13
SECTION 12:	EMPLOYEE MEDICAL/DENTAL/VISION/EAP INSURANCE	14
	Medical	14
	Dental	14
	Vision	14
	Employee Assistance Program (EAP)	15
	COBRA Rights	15
SECTION 13:	CLOTHING ALLOWANCE	15
	Police Officers	15
	Lineman	15
	Public Works	15
SECTION 14:	WORKERS COMPENSATION	16
SECTION 15:	AFLAC INSURANCE	16
SECTION 16:	RETIREMENT	16
	Deferred Compensation Plan (DCP) 457 Plan (Optional)	16
SECTION 17:	PAYROLL RECORDS	17
SECTION 18:	GENERAL EMPLOYEE RESPONSIBILITIES AND CONDUCT	17
	Harassment and Discrimination Prohibited	17
	Reasonable Accommodation of Disabilities, Religious Beliefs & Pregnancy	18
	Workplace Violence	19
	Conflict of Interest	19
	Relationships Between Employees	20
	Internet, Email, Phone, and Computer Usage	20
	Political Participation	20
SECTION 19:	SUBSTANCE ABUSE	21
SECTION 20:	COMPLAINT PROCEDURES	21
	Whistleblower Policy	22
SECTION 21:	DISCIPLINE AND TERMINATION	22
	ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK	25

## **SECTION 1: CONDITIONS OF EMPLOYMENT**

### **Equal Opportunity Employer**

The City is an equal opportunity employer. All employees and potential employees will be recruited, selected, trained, promoted, compensated and, if necessary, disciplined or terminated, without regard to sex, race, religion, marital status, military or honorably discharged veteran status, age, national origin, sexual orientation, gender identity, color, creed, ancestry, disability, genetic information or any other basis prohibited by law. The city does not discriminate and prohibits retaliation against a person who files a charge of discrimination.

### **“At-Will” vs. “For Cause”**

All City employees, other than police officers who are covered by civil service regulations, are considered “at-will” employees. “At-will” means that employment continues at the will of the City and can be terminated any time, for any or no reason by either party.

Police officers are considered “for cause” employees and may only be discharged “for cause” according to Civil Service Rules.

### **Exempt/Non-exempt**

In addition to the full-time and part-time classifications, all employees are classified as exempt or non-exempt according to these guidelines:

Exempt: Exempt employees are ordinarily paid on a salary basis and are not eligible for overtime pay.

Non-Exempt: Non-exempt employees are ordinarily paid by the hour and are eligible for overtime pay if they work more than 40 hours in a work week.

### **Schedule**

A normal working schedule of regular, full-time employees consists of 40 hours each work week. A work week is Sunday through Saturday. Different work schedules, such as in the police department, may be established by the City to meet job assignments and provide necessary City services. Each Department Head will advise the employee regarding the employee’s specific work hours.

Temporary or part-time employees may be hired from time to time to address specific workload or seasonal work needs. Hours of work will be established by the Department Head at the time of hire. Temporary or part-time employees shall accrue sick leave but shall not receive holiday pay, vacation pay, or receive insurance coverage or retirement benefits other than mandated by State law.

## **Breaks**

Non-exempt employees are allowed a paid rest period, free from duties, of at least 10 minutes for every 4 hours worked. Where the nature of the work permits intermittent rest periods equivalent to ten minutes every four hours, scheduled rest periods are not required. Break periods cannot be accrued or waived. If you do not believe you are receiving adequate rest periods during your workday, please advise your Department Head or the Finance Director.

Nursing mothers may have additional rights under federal law.

An unpaid meal break of at least 30 minutes is allowed in the middle of the workday. Employees can waive their meal break requirement if both they and the City agree.

## **SECTION 2: PROBATIONARY PERIOD**

The probationary period for all personnel not in uniform will be the first six months of employment. Police officers shall have a one-year probationary period. Upon completion of the probationary period, a letter of satisfactory completion shall be presented to the employee and a copy placed in the employee's personnel file. Consideration for salary review may be given at this time based on a review of the probationary period. Failure to satisfactorily fulfill the requirements of the probationary period may result in extension of the probation period or may result in termination. Please note that satisfactory completion of the probationary period does not modify any individual's "at will" status, and either the employee or the City may still terminate employment at any time, with or without cause, following successful completion of the probationary period.

## **SECTION 3: ATTENDANCE**

Punctual and consistent attendance is a condition of employment. Each Department Head is responsible for maintaining an accurate attendance record of the employees. Employees unable to work or unable to report to work on time should notify their Department Head as soon as possible, ordinarily before the workday begins or within fifteen minutes of the employee's usual start time. If an absence continues beyond one day, the employee is responsible for reporting each day. If the Department Head is unavailable, the employee may leave a message with a fellow employee stating the reason for being late or unable to report for work.

Employees are expected to be at work even during inclement weather. The Department Head may allow employees to be late or leave early during severe weather conditions; however, non-attendance will be counted as an absence from work and will be charged to vacation time.

Any employee who is absent without authorization or notification is subject to disciplinary action, including possible termination. Absent extenuating circumstances or prior arrangements, in the event

the City has not heard from the employee for three (3) scheduled consecutive workdays, the employee will be considered to have resigned from employment.

#### **SECTION 4: CALL BACK**

All employees are subject to call back in emergencies or as needed by the City to provide the necessary services to the public. A refusal to respond to a call back is grounds for immediate disciplinary action, including possible termination. Employees called back to duty will be paid their appropriate rate of pay for hours worked. Call back pay shall be for a guaranteed minimum of two hours pay at the appropriate rate.

#### **SECTION 5: RESIGNATIONS**

Resignations by Department Heads shall be submitted to the Mayor a minimum of thirty (30) days prior to the termination of employment. Notification of less than thirty days is subject to approval of the Mayor. All other personnel should submit resignation to their Department Head fourteen (14) days prior to intent to terminate employment. The Department Head shall immediately notify the Mayor of the intent to terminate employment.

Upon separation for any reasons, employees must immediately return all City property to the City, including keys, credit cards, equipment, etc.

Final paychecks will normally be issued on the next payroll following the separation date. Any information regarding benefits following separation will be provided by the City or directly by the benefit provider.

#### **SECTION 6: COMPENSATION**

Employees are paid by direct deposit on a monthly basis on the last day of the month. Employees may elect to take a draw on the 15<sup>th</sup> day of the month. The draw amount must be less than half of the gross monthly salary and can be modified by notifying the Finance Director. If a pay date falls on a weekend, the payment will be deposited in the employee's account the preceding Friday. Employees will submit a monthly record of time worked (timesheet) and submit it to their Department Head for approval. Timesheets will note hours worked, compensatory time earned or used, leave accrued and taken and overtime. The Mayor shall sign timesheets for the Department Heads.

The salary for each position is set in a step schedule with 5 steps (7 steps for Apprentice Lineman). All newly hired employees will start at Step 1 unless it is recommended by the Mayor and Department Head to start at a higher step based on prior experience or additional qualifications. The City Council



sets cost of living (COLA) increases prior to the start of each calendar year. Salary step increases will be determined by one or more of the following factors as determined by the City: annual performance evaluation, satisfactory performance of job duties, recommendation by Department Head, or upon completion of required certifications.

### **Department Head Extra Pay**

Department Heads, who are overtime exempt, receive a monthly stipend in addition to their regular salary to recognize the need to attend work-related events such as City Council meetings or committee meetings and to be available for supervisory callouts outside of the regular 40-hour work week. This stipend is based on a combination of the average estimated extra hours worked per month and the current equivalent straight time hourly rate of pay. This stipend may be reviewed and adjusted annually.

## **SECTION 7: OVERTIME PAY**

All non-exempt employees are entitled to additional compensation when they work more than 40 hours per work week. All overtime work must be authorized in advance by the employee's Department Head. Overtime pay is calculated at one and one-half times the employee's regular rate of pay for all time worked beyond 40 hours per work week.

## **SECTION 8: COMPENSATORY TIME**

Full-time non-exempt employees, with permission from their Department Head, may choose compensatory (comp) time off in lieu of payment for overtime worked. If the comp time option is exercised, the employee is credited with one and one-half times the hours worked as Comp Time Earned. Maximum accruals of comp time shall be limited to 40 hours. After maximum accrual, overtime compensation shall be paid out. Employees may use comp time with approval of the Department Head within a reasonable time period of the request unless doing so would unduly disrupt City operations. Comp time should be used for short term absences from work during times mutually agreed to by the employee and the Department Head. Accumulation of comp time to be used as a substitute for extended vacation time off is not normally permitted.

## **SECTION 9: LONGEVITY PAY**

A longevity bonus is paid to each employee upon completion of 5 years of employment. The longevity bonus starts at \$35 per month beginning in the 6<sup>th</sup> year of employment and is added to the monthly paycheck for that employee. Each additional year of service increases the monthly rate as follows:

Year	6	\$35 per month
Year	7	\$40 per month
Year	8	\$45 per month
Year	9	\$50 per month
Year	10	\$55 per month
Years	11-15	1.5% of gross wages
Years	16-20	2.5% of gross wages
Years	21+	3.5% of gross wages

## **SECTION 10: EMPLOYEE PAID/UNPAID LEAVE**

### **Holidays**

All full-time employees are authorized for the following paid holidays:

<i>New Year's Day</i>	<i>Martin Luther King Jr. Day</i>	<i>President's Day</i>
<i>Easter (Good Friday)</i>	<i>Memorial Day</i>	<i>Independence Day</i>
<i>Labor Day</i>	<i>Veteran's Day</i>	<i>Thanksgiving Day</i>
<i>Day After Thanksgiving</i>	<i>Christmas Eve Day</i>	<i>Christmas Day</i>
<i>Floating Holiday (Birthday)</i>	<i>Floating Holiday (Police June 1)</i>	

Holidays falling on a Sunday will result in the following Monday being declared the legal holiday. Holidays that fall on a Saturday will result in the preceding Friday being declared the legal holiday. The birthday holiday must be used within 30 days of the actual date.

All full-time police officers will receive holiday pay in lieu of the actual holiday and will be paid an additional 10-hours at straight time for each holiday. Officers are allowed the option of requesting 10-hours comp time earned in lieu of straight time holiday pay for each holiday. The 40-hour comp time cap set forth above applies to comp time earned under this section. In addition, any actual time worked on that holiday shall be paid at time and a half for hours worked.

### **Vacation/Annual Leave**

Paid vacation for full-time employees is as follows:

Years	0-3	80 hours per year
Years	4-6	120 hours per year
Years	7-9	140 hours per year
Years	10-12	160 hours per year
Years	13-15	180 hours per year
Years	16-20+	200 hours per year

Vacation allowances for each calendar year will be added to the first pay period in January. Newly hired employees will receive prorated vacation based on the months remaining in the calendar year from the date of hire. All employees shall be allowed to carry over 40 hours of unused vacation from the previous year. Any unused vacation above 40 hours at the end of the year will be forfeited. If a circumstance outside the employee's control did not allow for the use of vacation hours as scheduled prior to the end of the year, the employee may request special permission from the Mayor to either be cashed out the amount above 40 hours or allowed additional time to use vacation into the next year. Department Heads may have the option of using January of the following year to reduce their prior year's balance to 40 hours. Vacation time shall be cashed out upon termination of employment.

### **Sick Leave**

All full-time regular employees accrue sick leave benefits at the rate of 8 hours for each calendar month of continuous employment. No more than 142 days or 1136 hours may be carried over to the following year. Upon termination of employment after ten years of service, all unused sick leave accumulated shall be paid out at a rate of 25 percent.

Regular part-time and temporary employees earn 1-hour sick leave for every forty hours worked and may carryover up to 40 hours sick leave into the next calendar year.

No employee accrues sick leave benefits during a leave without pay.

Sick leave shall start with the first day of illness, injury, accident or hospitalization. A verification for absences exceeding three days may be required and if so, it must be received within 10 calendar days after the first day of absence. If an employee is unable to provide verification due to an unreasonable burden or expense, they can instead present an oral or written statement that their absence was allowable under the paid sick leave law, and must also include a statement that providing the required verification would create an unreasonable burden or expense for the employee. The City has 10 days to either accept the employee's statement or to provide an alternate method of getting verification, such as helping to pay the employee's out-of-pocket expenses to get a doctor's note.

Sick leave benefits may be used by eligible employees for themselves or their family members for the following reasons:

- A mental or physical illness, injury, or health condition
- To diagnose, care for, or treat a mental or physical illness, injury, or health condition
- To received preventative medical care
- For leave that qualifies under the state's Domestic Violence Leave Act
- If an employee's workplace, or their child's school or place of care, has been closed by order of a public official for a health-related reason

A family member is:

- A child (biological, adopted, foster, stepchild, etc.), regardless of age or dependency status
- A parent (biological, adoptive, foster, stepparent, etc.), or the parent of the employee's spouse or registered domestic partner
- A spouse or registered domestic partner
- A grandparent
- A grandchild
- A sibling

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

Any employee found to have abused sick leave privileges by falsification or misrepresentation shall be subject to disciplinary action, including but not limited to repayment of any amounts by such employees for such periods of absence, and/or discharge. If an employee disagrees with the denial of the use of sick leave, they can file a complaint with the Department of Labor and Industries (L&I).

### **Shared Paid Sick Leave Program**

The shared paid sick leave program provides employees the opportunity to receive and to use donated paid sick leave, and to donate their paid sick leave to other employees. An employee is eligible to apply for shared paid sick leave after they have satisfactorily completed their probationary period. If an employee wishes to participate in the shared paid sick leave program, the employee must complete the *Employee Request to Receive Shared Paid Sick Leave* form or complete the *Employee Request to Donate Paid Sick Leave* form and provide the form to the Finance Director. An employee who wishes to donate may not reduce their own sick leave balance below 40 hours. The Finance Director is responsible for ensuring employees meet the eligibility criteria for receiving and donating shared paid sick leave, approving requests to receive/donate shared paid sick leave, and monitoring use of the shared paid sick leave. Donated paid sick leave will be recorded as if the donating employee had used the time and will reduce the donating employee's available balance of paid sick leave.

### **Use of Accrued Leave to Care for Sick Family Member**

Consistent with the Washington Family Care Act, employees may use their choice of any accrued leave (*e.g.*, vacation or sick leave) that they have available for their own use in order to care for their child, spouse, registered domestic partner, parent, parent-in-law or grandparent.

An employee may use available paid time off to care for his/her child where the child has a health condition requiring treatment or supervision, or where the child needs preventive care (such as medical, dental, optical or immunization services).

An employee may use available paid time off when a spouse, registered domestic partner, parent, parent-in-law, or grandparent has a "serious or emergency health condition", which are conditions:

- Requiring an overnight stay in a hospital or other medical-care facility;
- Resulting in a period of incapacity or treatment or recovery following inpatient care;
- Involving continuing treatment under the care of a health care services provider that includes any period of incapacity to work or attend to regular daily activities; or
- Involving an emergency (i.e., demanding immediate action).

Employees are required to notify their supervisor of the need to take time off to care for a family member as soon as the need for leave becomes known. The City reserves the right to require verification or documentation confirming a family member's health condition when available leave is used to care for that family member.

### **Leave Due to Domestic Violence or Sexual Assault.**

The City will provide a reasonable amount of leave to employees who are victims of domestic violence, sexual assault, or stalking in accordance with this policy and state law. This leave is also available to employees with a family member (child, spouse, registered domestic partner, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship) who is a victim of domestic violence, sexual assault, or stalking. The leave may be taken in blocks, intermittently, or on a reduced leave schedule. Domestic violence/sexual assault leave is unpaid, although an employee may elect to use accrued leave balances in connection with such leave.

Domestic Violence/Sexual Assault Leave may be taken for the following purposes:

- To seek law enforcement or legal assistance or to prepare for or participate in any legal proceeding related to domestic violence, sexual assault, or stalking;
- To seek health care treatment for physical or mental injuries from domestic violence, sexual assault, or stalking, or attend to such health care treatment for a family member;
- To obtain (or assist a family member in obtaining) services from a domestic violence shelter, rape crisis center, or other social services;
- To obtain (or assist a family member in obtaining) mental health counseling related to domestic violence, sexual assault, or stalking; or
- To participate in safety planning, to temporarily or permanently relocate, or to take other actions to increase the safety of the employee or family member relating to domestic violence, sexual assault, or stalking.

When possible, employees must give advance notice of the intention to take leave. If advance notice is not possible, employees (or their designees) must give notice of the need for this leave no later than the end of the first day the employee takes the leave. The City may require verification to support the need for the leave. Depending on the situation, verification can take the form of police reports, court documents, or the employee's own written statement of the need for the leave. Except where disclosure is authorized or required by law, the City will maintain confidentiality of all information provided by the employee in conjunction with Domestic Violence/Sexual Assault Leave.

## **Paid Family & Medical Leave**

The Employment Security Department administers the Paid Family and Medical Leave program beginning in 2020. The City currently pays both the employer and employee portion of the mandatory premium deduction of 0.4% of gross wages. The program allows most employees to receive up to 12 weeks of paid leave for:

- Bonding after the birth or placement of a child
- An employee's serious health condition
- A serious health condition of a qualifying family member
- Certain military events

To receive your benefits under the Paid Family and Medical Leave program, you must work a total of at least 820 hours for any Washington employer during the previous 12 months.

## **Personal Leave**

Employees may be granted up to 8 hours of Personal Leave per calendar year to attend to personal circumstances that are unexpected in nature making advanced planning difficult and not covered by any other leave type.

## **Leave Without Pay**

The Mayor may grant leaves of absence without pay for absence from work not covered by any other type of leave or if other leave balances are exhausted. Examples of situations for which leave without pay may be granted include time off work for personal reasons, such as prolonged illness, parenting, caring for an ill relative, or pursuing an education. Only regular full-time employees are eligible for leave without pay. All accrued comp time, vacation leave and sick leave must be exhausted prior to taking any leave without pay. Vacation, sick leave and/or any other benefits do not accrue while an employee is on leave without pay.

## **Jury and Witness Leave**

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

## **Administrative Leave**

On a case-by-case basis, the City may place an employee on administrative leave with pay for an indefinite period of time, as determined by the Mayor, to be in the best interests of the City during a pending investigation or other administrative proceedings.

## **Paid Military Leave**

Employees who are members of the National Guard or Federal Reserve Military units may be absent from their duties, with pay, for a period of up to 21 days per calendar year, when they are performing ordered military training duty and while going to and from that duty.

**Other Military Leave.** An employee who is a member of the Washington National Guard or of the U.S. Army, Navy, Air Force, Coast Guard or Marine Corps, or of any organized reserve of the United States, will be granted military leave in accordance with state and federal law. Employees who take military leave will have whatever rights to reinstatement, seniority, vacation, layoffs, and compensation as are provided by applicable law. Employees should notify your supervisor as soon as the employee receives notice of the need to report for military duty and provide the supervisor with a copy of the orders.

**Leave for Spouses of Military Personnel.** During a period of military conflict declared by the President or Congress, an employee who is the spouse or registered domestic partner of a member of the Armed Forces, National Guard or Reserves is entitled to up to 15 days of unpaid leave while their spouse/partner is on leave from deployment, or before and up to deployment. The purpose of this leave is to support the families of military personnel serving in military conflicts by permitting them to spend time together before a family member is deployed or while the family member is on leave from a deployment. An employee must work an average of 20 hours per week to be eligible for this family military leave. An employee who seeks to take family military leave must provide the City with notice of his/her intent to take leave within five business days of receiving official notice that the employee's spouse or partner will be on leave or of an impending call to active duty. Although this leave is unpaid, the employee may substitute accrued leave for any part of this family military leave.

### **Bereavement Leave**

Full-time employees with a death occurring in the immediate family shall be allowed up to five working days off without loss of pay. Immediate family shall include spouse, child, parent, or sibling. This provision is for existing marriages only.

Full-time employees suffering a death in his or her non-immediate family shall be allowed up to three working days off without loss of pay. Non-immediate family shall include mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparents and grandchildren for spouse or employee. Leave is granted for existing marriages only.

### **Maternity/Paternity Leave**

Employees shall be granted time off up to twelve workweeks of unpaid leave in a 12-month period for:

- The birth of a child and to care for the newborn child within one year of birth;
- The placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;

Use of accrued sick leave and/or vacation leave may be used during the leave status. The leave may also be taken as unpaid if desired by the employee.

## **SECTION 11: TRAINING AND TRAVEL**

All travel away from the City must be approved in advance by the Mayor and/or Department Head. City employees will be reimbursed for reasonable and customary expenses actually incurred in connection with the business of the City in accordance with the City's guidelines provided in the Travel and Expense Reimbursement Policy.

All personnel may be offered the opportunity to attend job-related workshops, seminars, conferences and other training programs as deemed necessary or appropriate by the City. The cost of approved training and related expenses will be paid for by the City. Employees shall be compensated for any time spent in training sessions during regular working hours. Employees shall not be compensated at training sessions held outside of the employee's regular working hours unless attendance at the training session was mandatory, the employee was required to perform productive work, or the training session was directly related to the employee's current position.

## **SECTION 12: EMPLOYEE MEDICAL/DENTAL/VISION/EAP INSURANCE**

The City pays 100% of medical, dental, and vision insurance premiums for full-time employees, their spouses and their eligible dependents. The plans are managed by the Association of Washington Cities (AWC). Should an employee have a spouse with health insurance, and they decide to opt-out of the City's insurance to go on their spouse's insurance, the employee would get paid ½ of the overall savings to the City for health insurance. This option is limited to 20% of full-time employees eligible therefore seniority would determine who is eligible to leave the City's medical insurance plan.

AWC offers an open enrollment period one time per year during which an employee can make changes to their medical or dental plan choices or to add or drop dependents for non-qualifying events. Plan changes due to a qualifying event such as loss of coverage for an eligible dependent or to add the birth of a child can be made at the time of the qualifying event.

### **Medical**

Employees have a choice between *AWC HealthFirst 250 Plan* operated by Regence BlueShield (RBS) or *Kaiser Permanente \$200 deductible plan* (KP). The KP plan's premium is currently less than the RBS plan and therefore, if an employee chooses KP for their insurance, they will receive a medical incentive from the City for 50% of the difference between the plan premiums for the employee, spouse and eligible dependents.

### **Dental**



Employees and their covered family members have a choice between *Delta Dental of Washington-Plan F with Ortho Rider-Option II*, or *Willamette Dental \$10 copay plan*.

## **Vision**

Employees and their covered family members are eligible for the *Vision Service Plan (VSP) No copay plan with Second Pair Rider*.

## **Employee Assistance Program (EAP)**

Employees, their family, and anyone residing in the employee's home is covered for 1-3 sessions per year at no charge for access to confidential counseling; financial, legal, and supervisory resources; critical incident response; and a robust website from ComPsych.

## **COBRA Rights**

Employees and their covered family members are eligible for COBRA continuation of medical coverage when coverage would end because of a life event known as a "qualifying event." If COBRA coverage is elected, the employee is responsible for the full cost of the premium and a 2% administrative fee.

Qualifying events include:

- Termination of employment for any reason other than for gross misconduct
- If work hours are reduced and you are no longer eligible for coverage
- Your death
- Legal separation, divorce, or termination of domestic partnership
- Your child is no longer eligible for coverage due to age or loss of disability status
- 

Notification must be given to AWC within 30 days from the date of a qualifying event to be eligible for continued coverage.

## **SECTION 13: CLOTHING ALLOWANCE**

### **Police Officers**

Each officer, including the Chief, receives a clothing allowance of \$1,000.00 per year to use for purchasing required uniforms and gear needed for use in the line of duty. Officers should replace clothing that shows wear in order to maintain a professional appearance. Officers can choose to receive the allowance in a lump sum at the beginning of the year, or order items and bill to the City.

### **Lineman**

Lineman who work with and around high voltage power lines will be provided with the necessary set of clothing that is RF rated to avoid electric shock. Employees should take care of these items

following manufacturer cleaning instructions to extend the life of the clothing as long as possible. The City will replace items on an as needed basis with prior approval by the Public Works Director.

### **Public Works Employees**

Each city crew member shall be allowed to purchase one set of rain gear and one pair of coveralls as needed on a yearly basis with prior authorization by the Public Works Director.

## **SECTION 14: WORKERS COMPENSATION**

Workers compensation insurance is provided through the Department of Labor and Industries (L&I), and covers approved medical, hospital, and related services due to workplace injuries or occupational illnesses. It also covers partial wage replacement for those who are unable to work because of their workplace injuries or occupational illnesses. All job-related accidents or illnesses should be reported immediately to your supervisor. If appropriate, the supervisor should direct the employee to get medical treatment and to complete a Washington State Labor & Industries form for reporting the incident.

## **SECTION 15: AFLAC INSURANCE**

The City provides each full-time employee with a credit up to \$50.00 per month towards optional insurance coverage provided by Aflac. If the employee's plan choice is more than \$50.00 per month, the City will deduct the remaining balance from the employee's paycheck and submit it directly to Aflac. Aflac provides an open enrollment period once a year to make changes to plan choices.

## **SECTION 16: RETIREMENT**

Full-time employees and qualifying part-time employees of the City of Sumas must be enrolled in one of Washington State Department of Retirement Systems (DRS) plans. Each retirement plan has a payroll deduction and a City contribution whose percentages are set by the state actuary committee.

All Police Officers, including the Police Chief, are members of Law Enforcement Officers and Fire Fighters (LEOFF) plan 2. All other City employees are members of the Public Employees Retirement System (PERS) plan 2 or PERS plan 3. PERS employees have 90 days from the date of hire to make their permanent plan choice.

### **Deferred Compensation Plan (DCP) 457 Plan (Optional)**

Full-time employees of the City of Sumas are eligible to participate in a Deferred Compensation Plan (DCP) with the Washington State Department of Retirement Systems (DRS). Optional coverage may start anytime during employment. The amount of contribution is set by the employee in accordance

with federal law limits. The minimum employee contribution is \$30 per month and maximum employee contribution is approximately \$1,625 per month. Contribution amounts can be changed or placed on hold anytime with one month's notice.

## **SECTION 17: PAYROLL RECORDS**

The official payroll records are kept by the Finance Director. Employees have the right to request copies of these records at any reasonable time. The City will allow the employee to inspect, review, transcribe, or photocopy their own records. The City is required by law to protect employees' personally identifying, sensitive, or health-related information from unauthorized disclosure.

## **SECTION 18: GENERAL EMPLOYEE RESPONSIBILITIES AND CONDUCT**

All City employees are expected to represent the City to the public in a professional manner which is courteous, efficient and helpful. Employees must maintain a clean and neat appearance appropriate to their work assignment, as determined by their position.

### **Harassment and Discrimination Prohibited**

It is the City's policy to foster and maintain a work environment that is free from harassment, discrimination and retaliation. Employees are always expected to show respect for each other and the public despite individual differences. The City does not tolerate unlawful harassment, discrimination or retaliation, including sexual harassment, which is a form of unlawful discrimination.

Harassment encompasses unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status, such as sex, sexual orientation, gender identity, color, race, ancestry, religion, national origin, age, disability, marital status, veteran or military status, citizenship status, or other protected group status. The City will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment.

Sexual harassment is one form of prohibited, unlawful harassment. Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitute sexual harassment when (1) submission to the conduct is an explicit or implicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for an employment decision, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, display of foul or obscene printed or visual material, and physical contact such as patting, pinching, or brushing against another's body.

**Complaint Procedure.** If at any time an employee believes they are being subjected to unlawful harassment or discrimination, or if an employee becomes aware of such conduct being directed at someone else, promptly notify the Department Head or Mayor. We encourage employees to use this harassment reporting policy without worrying about whether the conduct involved would be considered harassment in a legal sense. If an employee thinks it might be harassment, report it. This applies to harassment or discrimination caused by anyone with whom an employee comes into contact as part of an employee's job, including co-workers, clients, contractors, vendors, suppliers, members of the public, or any other third party.

Complaints will be investigated thoroughly and promptly. To the extent possible, complaints will be handled confidentially. Refusal to cooperate in an investigation will be grounds for discipline up to and including termination.

The City prohibits retaliation or adverse action against employees because of their good faith report of harassment or participation in the investigation of alleged harassment.

Any harassment, discrimination or retaliation of a fellow employee or member of the public will be cause for disciplinary action, up to and including termination of employment.

The City employs, retains, promotes, disciplines and otherwise treats all employees and job applicants strictly based on job-related qualifications and competence. These policies and all other employment practices shall be applied without regard to any individual's sex, race, color, creed, religion, national origin, sexual orientation, gender identity, pregnancy, age, marital status, military or veteran status, disability, genetic information, citizenship or immigration status or any other characteristic protected by law.

### **Reasonable Accommodation of Disabilities, Religious Beliefs and Pregnancy**

The City prohibits discrimination on the basis of a disability and is committed to providing reasonable accommodation to any qualified individual with a disability who needs such accommodation to perform the essential functions of his/her job. Any employee who has a disability and wishes reasonable accommodation should promptly contact their Department Head. The City will work with the employee and his/her health care provider to explore the extent to which we can provide reasonable accommodation without undue hardship to the City.

The City will also make reasonable efforts to accommodate the sincerely held religious beliefs of an employee, absent undue hardship to the City.

Finally, a pregnant employee may be afforded the following accommodations with or without medical certification: frequent, longer, or flexible restroom breaks; modification of a no food or drink policy; seating or allowing the employee to sit more frequently; and limiting lifting to 17 pounds or less. In addition, a pregnant employee may be entitled to other workplace accommodation(s), as long as there is no significant difficulty or expense to the City and subject to written certification from a health care professional regarding the need for the accommodation.

## **Workplace Violence**

The City strictly prohibits threatened or actual workplace violence. This includes, but is not limited to, any of the following conduct in or around the workplace, or otherwise related to employment:

- Threatening or causing injury to a person;
- Fighting or threatening to fight with another person;
- Using or threatening to use a weapon while on Company premises;
- Abusing or damaging property;
- Using obscene or abusive language or gestures in a threatening manner;
- Raising voices in a threatening manner;
- Because of the potential for misunderstanding, joking about any of the above misconduct is also prohibited.

If an employee believes that a situation with an aggressive employee, guest, client, vendor, or other party may become violent, the employee should take immediate action to ensure safety. Depending on the circumstances, the employee should call 911 or building security, secure the office, alert co-workers to the potential threat, and/or take other action as deemed appropriate.

## **Conflict of Interest**

The City is committed to achieving the highest standards of professionalism and ethical conduct in its operations and activities, and to complying with all applicable laws. This section is intended to increase awareness of potential conflicts of interest and establish a procedure for reporting them.

The City prohibits all employees from using their position with the City or the City's relationship with its clients, vendors, or other business affiliates for private gain or to obtain benefits for themselves or members of their family. For purposes of this section, a potential conflict of interest occurs when an employee's outside interests (for example, financial or personal) interfere with the City's interests or the employee's work-related duties. If you have a question about whether a situation is a potential conflict of interest, please contact Human Resources. By way of example, employees shall not:

- Use or give the appearance of using their positions for personal gain for themselves or for those with whom they have family, business or other personal interests.
- Receive, accept, take, seek or solicit, directly or indirectly, anything of economic value as a gift, gratuity or favor from any person or from any officer or director of such person, if they have reason to believe the donor would not give the gift, gratuity or favor but for their position with the City
- Receive, accept, take, seek or solicit, directly or indirectly, anything of economic value as a gift, gratuity or favor from any person or from any officer or director of such person, if they have reason to believe such person:
  - Has or is seeking to obtain contractual or other business or financial relationship with the City; or
  - Conducts operations or activities that are regulated by the City; or

- Has interests which may be substantially affected by the performance or non-performance of official duties.
- Have a beneficial interest, directly or indirectly, in any contract, sale, lease or purchase that may be made by, through or under their authority, in whole or in part, or accept, directly or indirectly, any compensation, gratuity, or reward from any such person beneficially interested therein.
- Use any person, money, equipment or property under their official control, custody or direction for their own private gain or benefit.

### **Relationships Between Employees**

When there is a family relationship or consensual romantic relationship between an employee who has supervisory authority and one who does not, an actual or perceived conflict of interest exists. Accordingly, these situations must be disclosed to Human Resources. The City will carefully consider the circumstances and may take appropriate action to address any conflict of interest. A supervisor's failure to disclose a relationship pursuant to this section may be grounds for discipline, including demotion or termination.

### **Internet, Email, Phone, and Computer Usage**

The City provides computers, cell phones, internet access, and email accounts to employees based on their individual responsibilities to perform work on behalf of the City. Employees are responsible for their conduct while using City owned technology and while using the internet. An employee does not have a right to privacy when using the Internet via City resources and employees should not expect or assume any privacy regarding content of email communications. The City reserves the right to monitor and inspect the activities of the employee while accessing the internet at any time, and to read, use and disclose email messages.

All software, files, information, communications, and messages downloaded or sent using City resources are the City's records and property of the City. Such records are subject to potential review and disclosure under the public records act.

Employees should not share passwords or login information with another individual. Care should be taken to avoid downloading a virus when opening emails or attachments or going to a website that is not familiar. Employees experiencing technical difficulty should first notify their Department Head and/or the City's IT provider to resolve any issues.

### **Political Participation**

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 employee 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.

Employees 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 partisan political cause.

## **SECTION 19: SUBSTANCE ABUSE**

Alcohol and drug abuse pose a threat to the health and safety of the City's employees and to the security of the City's equipment and facilities. For these reasons, the City of Sumas is committed to a drug and alcohol-free workplace. Employees should report to work fit for duty and free of any adverse effects of drugs or alcohol.

The City is committed to supporting employees who voluntarily undergo treatment and rehabilitation for alcohol or other chemical dependency prior to violating City policy. Employees who voluntarily seek treatment may use sick leave to attend a bona fide treatment or counseling program. 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.

The City may discipline or terminate an employee possessing, consuming, selling or using or being under the influence of alcohol, drugs or other controlled substances during work hours.

An employee may be required to submit to alcohol, drug or controlled substance testing when the employee's work performance causes a reasonable suspicion that the employee is impaired due to current intoxication, drug or controlled substance use or in cases where employment has been conditioned upon remaining alcohol, drug or controlled substance free following treatment. Refusal to submit to testing, when requested, may result in immediate disciplinary action, including termination.

Nothing in this policy prohibits an employee's use of prescribed or over-the-counter medications in accordance with a health care provider's instruction. If you have reason to believe that such a medication could adversely affect safety or work performance, however, please see talk to your Department Head.

## **SECTION 20: COMPLAINT PROCEDURES**

The City recognizes that sometimes situations arise in which an employee feels that he or she has not been treated fairly or in accordance with City rules and procedures, believes they have had improper payroll deductions, or feel they have been discriminated against or harassed. For this reason, the City provides employees with procedures for resolving complaints.

**Step One:** An employee should first try to resolve the problem or complaint with his/her Department Head. The Department Head will respond to the employee, in writing, within five days after meeting with him/her, if possible.

**Step Two:** If the employee is not satisfied with the response from the Department Head, the employee may submit the problem, in writing, to the Mayor. The written complaint must contain the following information:

1. A description of the problem.
2. A specific policy or procedure that the employee believes has been violated or misapplied.
3. The date of the circumstance leading to the complaint or the date when the employee first became aware of those circumstances.
4. The remedy sought by the employee to resolve the complaint.

Following the receipt of the written information, the Mayor shall forward within ten days copies to the council staff review/appeals committee. The employee may request a meeting with this council committee. Any decision from this committee shall be final and binding. Certain employees may be subject to the City's Civil Service rules. These employees shall use that procedure and under no circumstances shall such an employee have the right to utilize both procedures.

### **Whistleblower Policy**

City employees are prohibited from engaging in improper governmental action and are encouraged to report suspicious, unethical, or illegal conduct. Employees who make good faith reports of improper governmental action will be protected from intimidation or retaliation for making a report.

Refer to the procedures outlined in the City's ***Whistleblower Policy*** for how to properly report suspected improper governmental actions.

## **SECTION 21: DISCIPLINE AND TERMINATION**

ALL employees are expected to exercise good judgment, loyalty, common sense, dedication and courtesy in the performance of their duties. The primary mission of every employee is to provide courteous, orderly, efficient, and economic delivery of service to the City of Sumas and its citizens.

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.

The Mayor or Department Head, as appropriate, has full discretion and authority to impose disciplinary action in accordance with City policy and the circumstances of the particular case.

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



1. Drinking alcohol or the abuse of non-prescription or prescription drugs or other controlled substances on the job or arriving on the job under the influence of or while in possession of alcohol, drugs, or other controlled substances.
2. Violation of a lawful duty.
3. Insubordination.
4. Absence from work without first notifying and securing permission from the Department Head.
5. Habitual absence or tardiness for any reason.
6. Unsatisfactory job performance, as determined by the City.
7. Conviction of a felony or a misdemeanor involving moral turpitude.
8. Acceptance of fees, gratuities or other valuable items in the performance of the employee's official duties for the City.
9. Inability, refusal, or failure to perform the duties of the assigned job.
10. Dishonesty.
11. Workplace violence.
12. Violation of the no discrimination, harassment or retaliation policy.
13. Violation of duties or rules imposed by this policy, or by any other City rule, regulation or administrative order.

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

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

1. **ORAL WARNING** An oral warning is a counseling session between the employee and their Department Head and/or the Mayor on the subject of the employee's conduct and performance, or his/her failure to observe a rule, regulation, or administrative instruction. It is intended to increase an employee's efficiency and value to the City by changing the employee's conduct, attitude, habits, or work methods. Following the counseling session, the Department Head or Mayor shall document the oral warning and place such documentation in the employee's personnel files.
2. **REPRIMAND** A reprimand is a formal written disciplinary action for misconduct, inadequate performance, or repeated lesser infractions. Written reprimands are placed in the employee's personnel file.
3. **SUSPENSION** A suspension is a temporary, unpaid absence from duty which may be imposed as a penalty for significant misconduct or repeated lesser infractions. A suspension is a severe disciplinary action which is made part of the employee's permanent record.
4. **TERMINATION** The Mayor has the authority to terminate an at-will employee with or without cause. The Mayor also has the authority to terminate a civil service covered employee by following civil service statutes.

The City of Sumas reserves the right to determine the appropriate disciplinary action based upon the circumstances presented and although it generally subscribes to the principles of progressive discipline, the City may terminate for a first offense where it deems appropriate.

Civil service covered employees who become subject to termination are entitled to a due process hearing. Procedure can be as follows:

- The employee shall be provided with a notice of the recommendation for termination written by the Mayor.
- The notice shall include an explanation of the charges on which the recommendation is based, and the time and date for a pre-termination hearing.
- If the employee fails or refuses to appear, the termination may proceed.

Pre-termination hearings will be presided over by the Mayor and two council members present. At the hearing, the employee may show cause why he/she should not be terminated. The employee may bring other employees to the hearing as a witness on their behalf.

Within five working days after the pre-termination hearing, the Mayor and council will issue a decision on whether there are reasonable grounds for termination. If the decision finds the charges credible, the termination may proceed. If the decision finds the charges questionable or insufficient for termination, the matter may be referred to disciplinary action short of termination.

## **ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK**

I have received the City's Employee Handbook and understand that it is my responsibility to read these policies and ask questions about anything I do not understand.

I acknowledge that these policies are general guidelines only. They do not promise specific treatment in specific circumstances, they do not create an employment contract either express or implied, and they do not guarantee employment for any length of time with the City. While I acknowledge that the Employee Handbook does not amount to a contract, I understand that it contains policies that are very important to the City's ability to provide a lawful and respectful work environment. I have reviewed the policies in the Handbook – including but not limited to the policies regarding unlawful harassment, workplace violence, substance abuse and electronic communications – and I agree to comply with those policies. I understand that violation of City policies may result in discipline, up to and including discharge.

I understand and acknowledge that the City has reserved the right to revise, supplement, clarify, deviate from or rescind any policy or portion of a policy set forth in the Employee Handbook when deemed appropriate by the Mayor and/or City Council.

Finally, I understand and acknowledge that my employment with the City is "at will" unless I am covered by the Civil Service Rules.

---

**Employee Signature**

---

**Print Name**

---

**Date**