

**KING COUNTY WATER DISTRICT NO. 90
KING COUNTY, WASHINGTON**

RESOLUTION NO. 1140

A RESOLUTION of the Board of Commissioners of King County Water District No. 90, King County, Washington, updating is Employee Manual of Personnel Policies and Procedures.

WHEREAS, the District strives to keep its employee policies and procedures current and compliant with law; and


WHEREAS; Personnel Policies and Procedures are important so as to inform employees of the District's goals of maintaining a safe work environment and to clearly define policies and procedures related to an employee's employment with the District;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of King County Water District No. 90, King County, Washington, as follows:

SECTION 1: That the District adopts Employee Manual of Personnel Policies and Procedures Adopted August 20, 2024 ("Policy"), attached hereto.

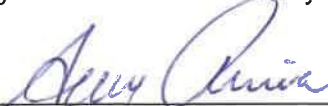
SECTION 2: District Management is authorized to share the updated policy with all employees, including future employees, and to implement appropriate training or other communication so as to keep employees informed of the Policy, and the obligation each of them have to individually act in accordance with the Policy while conducting District business.

ADOPTED by the Board of Commissioners of King County Water District No. 90, King County, Washington, at a regular open public meeting thereof on the 20th day of August, 2024.



Pete Eberle, President

8-20-2024



Sam Amira, Vice-President

8/20/24



Al Materi, Secretary

8-20-24

King County Water District No. 90
Employee Manual of
Personnel Policies and Procedures
Adopted August 20, 2024



Employee Acknowledgement

I certify that I have received a copy of the Employee Manual of District Policies and Procedures. I understand that it is my responsibility to read and ask questions, if necessary, regarding the contents of this document. I accept responsibility for understanding and complying with the District's policies.

Signature

Date

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KCWD90 DISTRICT PERSONNEL POLICIES AND PROCEDURES MANUAL

1.0 INTRODUCTION

Welcome to King County Water District No. 90 (the District). To our new employees, we wish to extend a word of welcome and introduction; to our current employees, we also extend our greetings and appreciation for your past years of service.

King County Water District 90 was incorporated on August 12, 1952. The primary reason for the formation of the District was problems with wells within the current District service area, which had problems with supply during the summer months. Many of these wells would become dry or stagnant during this period. After four years of planning, the District began to supply water to approximately 250 customers with a service area of approximately five square miles in the spring of 1956. Since then, the District has grown to its present size of over 8,200 residential & commercial meter connections serving approximately 20,000 customers. The current area served by the District is approximately 10,000 acres. Just over one-half of our customers live within the City of Renton, and the balance resides in unincorporated King County. The District's primary source of water is purchased from Seattle Public Utility (SPU). The District's goal is to obtain approximately one-third of its water from District-owned wells.

A three-person Board of Commissioners (the Board) governs the District. Voters elect each Board member within the District to serve a six-year term. The Board acts as a body to establish District operation and fiscal policies, establish operation and capital budgets, identify District major goals and objectives, and other functions identified by State law as defined in the appropriate Revised Code of Washington (RCW), particularly RCW Title 57. The District Manager reports to and is accountable to the Board and administers the day-to-day operation of the District.

2.0 OVERVIEW

The information in this Manual applies to all individuals employed by the District, including Commissioners, when applicable. Therefore, all employees are expected to read this Manual carefully as it is a valuable reference for understanding your job and the District. This Manual document includes many, but not all of the District's policies and procedures. Additional policy and procedure documents are referenced throughout this Manual and are listed as attachments at the end of this document. All employees will adhere to all District policies and procedures, whether identified in this manual or as a stand-alone policy or procedure document.

This Manual is not intended to subjugate any existing labor contract agreement with the Communications Workers of America (CWA). As such, this Manual cannot be used to determine whether the existing Union contract covers a particular area or item. This Manual will sometimes direct the reader to the current Union contract for additional information. Policies for non-represented employees are established for the District independently from those for represented employees. When a new labor agreement is effective, or changes to an existing agreement are effective, the terms of such new agreement or changes may apply to non-represented employees if approved by the Board with a Resolution. Also, for items covered by collective bargaining, this manual does not add to nor subtract from those provisions of the CWA.

This Manual is an introduction to the District and a guide to its expectations, policies, and procedures. This Manual is intended to inform and assist all employees in administrating their day-to-day duties, provide employees an understanding of what is expected of them, and promote consistent, fair, and uniform treatment of District employees in similar circumstances.

To meet the needs of its employees and ratepayers, the District needs to be flexible. Therefore, circumstances may require that policies and procedures be changed, deleted, or added from time to time. Consequently, the District reserves the right to amend this Manual and to change these policies and procedures at any time. Any changes shall become effective upon adoption by the Board. Modification, changes, deletions, and/or the addition of new policies and procedures will be provided to the employee through the District Manager and will be incorporated into this Manual through future editions. No oral statements or representations can change the provisions of this Manual.

This Manual is not intended to confer any property rights or continued employment, nor is it intended to constitute an express or implied contract. Specific requirements for union-represented employees can be found in the current Union contract. Further, except as might be approved in writing by the Board of Commissioners, no employee or representative of the District has the authority to enter into an agreement for employment for any specific period of time or to make any agreement contrary to Board-approved policies.

We believe our policies and expectations are clear. If, however, you have any questions concerning the application or intent of these policies, please consult your supervisor or manager.

3.0 DISTRICT PERSONNEL POLICIES

The Board of Commissioners and the District Manager shall have authority over all personnel matters. The Board is responsible for adopting and implementing the District budget, pay plans, collective bargaining agreements, resolutions, amendments, and personnel rules and regulations. The District Manager is responsible for administering District policies and procedures and managing District operations and personnel. The District Manager may establish, amend, or otherwise modify administrative rules and regulations pursuant to Board policies to ensure effective implementation.

3.1 EMPLOYEE OPPORTUNITIES

3.1.1 Equal Employment Opportunity

The District is dedicated to equal employment opportunities. It provides equal employment opportunities without regard to race, gender, gender identity or expression, sexual orientation, color, national origin, religion, creed, age, marital status, mental or physical disability, or any other legally protected status. This policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, termination, reduction in force, transfer, leaves of absence, compensation, and training. The District complies with all applicable federal, state, and local laws prohibiting employment discrimination.

3.1.2 Job Announcements

A job announcement will be made for any vacant position within the District and shall be initiated by the District Manager. The announcement shall specify the title and salary range of the position, the nature of the duties performed, qualification requirements, the time and place to apply, and may include the selection process to be used. For positions covered by the union

contract, the internal posting of available open positions shall be done on the District's employee bulletin board and consideration of existing union employees shall be in accordance with the current Union contract. Job announcements for all positions may be published in District publications and appropriate newsletters, job boards (i.e., WASWD, AWC, etc.), or other publications deemed appropriate by District management.

3.1.3 Applications

The Board will approve all District staffing levels. The Board will select and hire the District Manager and approve other management personnel. Existing District management and/or non-management staff may be asked to participate in the employment interview and/or selection process for specific open positions at the District's sole discretion.

Application forms for open positions shall be available at the District office or on the District's website. Applicants will complete the application form and any supplemental materials required by the District for positions within the time period specified in the job announcement.

Current employees shall be considered for open positions as specified in the current Union contract. Subject to any restrictions under the current Union contract for represented employees, the District reserves the right and discretion to concurrently post and advertise vacated positions externally.

All applicants must agree to criminal background checks and confirmation with the institution granting certification, educational coursework, and degrees. Credit checks may also be conducted when job-related. These rules apply to new employees and those seeking a promotion or change. All background checks will be performed following applicable law.

3.1.4 Selection Process

Selection criteria and procedures will be based solely on job-related knowledge, skills, abilities, experience, education, training, and, when appropriate, prior demonstrated performance, aptitude, and character. The Management Team shall design selection criteria based on the classification specifications and job requirements. Based on the selection process results, a Manager will select applicants for an employment interview. A Management team member may use an interview panel for the initial interview process and select applicants for a final interview. The Manager or designee (subject to the Manager's final approval) will make the final selections considering the panel's comments.

3.1.5 Physical Examinations

An offer of employment may be contingent upon an applicant's successful completion of any field abilities testing to determine if the applicant can perform the job's essential functions.

Employment by the District in a safety-sensitive position is conditioned upon an employee's taking of a post-offer, pre-employment medical examination. An alcohol and drug screening may also be required for safety-sensitive positions following the District's Drug and Alcohol Policy. Any information gathered will be treated as a confidential medical record.

Additionally, in cases where the District feels that an employee's physical condition or health could pose a safety risk, the District may ask for a medical/physical examination or statement from the employee's medical doctor that the employee can perform the job to which the employee was assigned, as a condition of continued employment. In certain cases, the District

may require that such medical examinations be performed by a medical care provider designated by the District, at the District's sole expense.

3.1.6 Driving Record

Employees that may be required to drive on District business, either in District-owned vehicles or their personal vehicle, must possess a valid driver's license and comply with all listed operator's restrictions and State law regarding appropriate personal insurance coverage. Further, employees must meet any additional conditions identified by the District's insurer. All employees required to drive on District business may have their driving record checked by the District at any time and/or as mandated by law. If the record indicates violations, the employee may be subject to disciplinary action, up to and including termination of employment. As a condition of continued employment, each employee who operates District vehicles must maintain a satisfactory personal driving record.

An employee who works in a position for which a valid State driver's license or any other license or certificate is required shall notify their supervisor immediately if that license or certification expires or is suspended, revoked, or withheld for any reason. Employees must report any traffic violation to District management on or off the job.

3.1.7 Hiring Requirements/Qualifications for CDL-Holders

A job candidate hired into a position that requires a CDL will be required to submit to a post-offer, pre-employment drug and alcohol test. Initial employment is conditioned upon that person satisfactorily passing such a test. Additionally, if a job candidate is to be hired for a position that requires a CDL and has a prior commercial driver history, they must authorize a request from all former employers to release information regarding positive alcohol or drug tests and refusals to be tested for the past two years of employment. All efforts will be made to obtain this information before the District employs the person. If the information is not obtained by the anticipated hire date, and if the person has passed the pre-employment drug and alcohol test (as applicable), the person may be hired, and the requested information must be obtained from the previous employer(s) within 14 calendar days of the date of hire. If the information is not received within 14 calendar days, the person shall not be permitted to drive commercial vehicles until the information has arrived. If the information does not timely arrive, or if the information obtained from a previous employer(s) indicates either a positive test or a refusal to be tested, or if the employee obstructs or interferes with the release of the information, the employee shall not be permitted to drive commercial vehicles and may be terminated.

CDL holders are also subject to random drug and alcohol testing following USDOT guidelines. CDL holders must also report accidents, traffic convictions, and/or license suspensions or revocations (on or off the job) following USDOT requirements. CDL holders are responsible for knowing, understanding, and complying with their licensing obligations. The District will annually check each employee's CDL status, as applicable.

3.1.8 Verification of Eligibility to Work

The Immigration Reform and Control Act (IRCA) requires all employers to verify their identity and eligibility for employment in the United States without regard to citizenship, ethnic background, or place of national origin. In conformity with the Immigration Reform and Control Act of 1986, the District policy is to hire only those eligible to work in the United States. Verification documentation, in any of those forms permitted by law, is required of all new hires within three days of employment.

3.1.9 Probationary Period

The current Union contract governs the probationary period for represented employees. During or after the probationary period, either the District or the employee may terminate the employment relationship for any reason without prior warning or notice.

Non-represented employees are also subject to the six-month probationary period and the same probationary requirements as represented employees.

Upon promotion, probation is six (6) months unless otherwise specified in the position or at the time of the promotion opportunity. All promotions will be reported to the Board.

3.2 EMPLOYEE STATUS

3.2.1 Regular full-time employees

An employee who regularly works at least thirty-two (32) hours a week on a continuing basis and who has completed the probationary period is considered a regular full-time employee and receives full benefits.

3.2.2 Regular part-time employees

Once the probationary period is completed, an employee who works less than 32 hours a week is considered a regular part-time employee. If other eligibility requirements are met pursuant to the applicable plan or policy, the district shall pay a proportion of benefits based on the regular work hours.

3.2.3 Temporary Employees

Temporary employees hold jobs of limited duration arising out of special projects, abnormal workloads, or emergencies. They are ineligible for employer-paid benefits unless otherwise required by law.

3.2.4 Duration of Employment

All employees except temporary employees are hired for an unspecified duration. The District does not guarantee employment for any specific length of time. Employment is at the mutual consent of the employee and the District. Accordingly, following District procedures, the employee or the District can end the employment relationship anytime. Discipline and discharge may occur subject to the policies and procedures outlined in Section 6.0 "Progressive Discipline Procedures" and in conjunction with the Union Contract, where applicable.

3.2.5 Exempt and Non-Exempt Classification

The Federal Fair Labor Standards and Washington Minimum Wage Acts (Acts) cover all non-exempt employees. These laws require adherence to specific regulations, including keeping certain records such as time worked and payment for overtime hours.

Most District employees are considered non-exempt. Exempt employees are those who are paid on a salary basis and perform certain duties that are typically administrative, executive, or professional in nature. The provisions of the Acts do not cover exempt employees. Employees are notified of their exemption status at the time of hire or promotion.

3.2.6 Exempt Employee Pay

Exempt employees are paid an established salary for all hours they work. They are not eligible for overtime or other premium pay. Deductions from an exempt employee's salary shall be consistent with the Acts.

3.2.7 Job Classifications/Descriptions

The current Union contract identifies job classifications and positions for all Union-represented employees. The District Manager maintains appropriate job descriptions for all employee positions within the District, including management and temporary positions.

3.3 CONDITIONS OF EMPLOYMENT

3.3.1 Employment of Relatives

It is in the best interest of the District and its employees to keep business and professional relationships separate from personal and family relationships. Individuals related to a current District employee or District Commissioner will not generally be considered for employment if the relationship involves a spouse, siblings, child, grandchild, parent, grandparent, or first cousin. An in-law of an employee and a co-habitant living with an employee shall also not generally be considered for employment by the District.

The District may consider the employment of relatives only if the individuals, whether existing or new, do not work in a direct supervisory relationship and such employment would not impose an actual or apparent conflict, as determined by the District Manager and the Board of Commissioners in their discretion. The Board must approve all relatives' employment.

When employees marry or become domestic partners while concurrently employed by the District and the District determines that this creates a conflict that cannot be resolved by transferring one or both employees, the District may terminate the employment of one of the employees. Whenever practical, the District will allow the spouses or domestic partners to decide which employee will keep their job; however, if the employees do not make that decision in a timely manner, the District reserves the right to make this decision.

In cases where two District employees become romantically involved, they must immediately disclose the relationship to the General Manager or Commissioner so that the District may determine whether an appearance of or actual conflict of interest exists. Any such conflict shall be subject to this policy. Where there is no conflict, the employees will be required to execute a written acknowledgement of the consensual relationship, to be provided by the District.

3.3.2 Orientation

Upon employment, management shall be responsible for orienting new employees. Orientation shall include the district's organization and services, work rules, personnel policies and procedures, safety training, completion of payroll forms, and introduction to other District personnel.

3.3.3 Separation of Employment

A separation of employment may be either voluntary or involuntary. Voluntary termination includes resignations, retirement, and layoffs due to work or staff reduction. Involuntary termination is a termination initiated by the District.

3.3.3.1 Layoffs

Layoffs of represented employees are governed by the current Union contract and are based on seniority. The District reserves the right to lay off non-represented employees based on the General Manager's assessment of operational and staffing needs, workload, and budgetary constraints.

In lieu of a layoff, the District Manager may reduce the hours District personnel work.

3.3.3.2 Resignations and Retirements

To voluntarily resign in good standing, an employee must submit a written notice of resignation to the District Manager at least ten (10) working days before the resignation date. Employees retiring from the District through the PERS system must provide the District with not less than thirty (30) working days' notice. Failure to submit a timely written notice of resignation or retirement may preclude the individual from future employment opportunities with the District. Additionally, if non-represented employees fail to provide the required notice, their accrued paid time off shall not be cashed out to them and shall be forfeited.

The District may elect to accelerate a resigning/retiring employee's separation date, in which case it shall pay the employee their regular compensation and benefits through the required notice period.

3.3.3.3 Terminations

The current Union contract governs involuntary terminations of represented employees. Non-represented employees are subject to the progressive discipline process (as outlined in section 6.0).

Only former employees terminated voluntarily will be considered for rehire. Except as otherwise required by the current Union contract for represented employees or in the case of a termination due to military service, rehired employees will not retain former seniority. They will be given a new service start date.

Upon separation of employment, employees will be cashed out their accrued paid time off following the current Union contract, provided that non-represented employees must provide the District with the required written notice of resignation or retirement to be eligible for such cash-out. If a non-represented employee fails to provide the required written notice of resignation or retirement, that employee shall forfeit the payment of their accrued paid leave.

3.3.4 Severance Pay

All employees who separate from the District will be paid their regular compensation and benefits through the separation date at the next regularly scheduled pay date for the payroll period in which the separation occurs.

In certain limited circumstances, the District Manager may offer a separating employee "severance pay" in exchange for that employee's execution of a separation and release agreement in a form to be approved by the District legal counsel. The District Manager shall have the authority to offer severance pay when the District Manager determines that it is in the District's best interest to do so; any severance pay authorized shall require approval of the Board.

3.4 PAYROLL, SCHEDULING, AND OVERTIME PRACTICES

District policies and procedures covering wage compensation, work week and working hours, rest and meal periods, overtime, and stand-by time for represented employees are identified in the current Union contract. Personnel procedures for non-represented employees also follow the union contract unless specifically modified by the Board.

3.4.1 Time Records

Time tickets must accurately record the time each employee is paid wages, including overtime. Each employee is expected to record the time spent working on District business accurately. Personal time spent in District offices outside regular working hours should not be recorded. Falsification of time records is a serious offense that is grounds for disciplinary action, up to and including termination of employment.

3.4.2 Anniversary Dates

An employee's anniversary date determines vacation and sick leave accruals, as well as wage increases other than the general cost of living increases. There is no change to an anniversary date for employees on temporary leave, such as FMLA (maximum leave of 12 weeks per calendar year). Employees on leave do not accrue sick or vacation hours during the leave period. The anniversary date for temporary employees who are converted to regular employment is the date of conversion.

3.4.3 Payroll Deductions

Deductions from paychecks shall be made as required by State or Federal law or as a condition for participating in employee benefit plans. Any amounts due to the District from an employee at termination of employment will be deducted from their last paycheck, subject to applicable law, and after consultation with the District's lawyer vetting the proposed deductions. If the last paycheck is insufficient, the employee will be billed for payment. All equipment (phones, laptops, tablets, keys, etc.) must be returned to the District Manager upon employment separation.

Employees who separate from employment before the end of the probation period will be required to return all (non-personalized) foul weather gear to the District.

3.4.4 Adverse Weather

The office will be considered open on all regularly scheduled business days. If an employee must be absent due to weather conditions on one of these days, that employee shall notify their immediate Supervisor as soon as possible. This will be considered time off without pay unless arrangements are made with the immediate Supervisor to charge it against accrued vacation or sick leave or comp time. The District Manager or the District Manager's designee may change the start time or cancel the workday completely (for example due to extreme weather events). In this case, employees will be paid their regular wages.

In situations where all or many employees are similarly delayed on the way to work due to adverse weather conditions, the District Manager may authorize a full day of pay despite each employee's arrival time. Individual employees delayed by weather or traffic related incidents may be paid for less than a full day if they opt not to use sick, vacation or comp time to offset the missed hours. Alternatively, employees may have the ability to adjust their hours (i.e., leave later at the end of the day) to make up for any missed work hours.

3.5 EMPLOYEE BENEFITS

Employment by the District affords numerous and valuable benefits beyond an hourly wage or salary. Benefits, including compensatory time, vacation leave, holidays, sick leave, bereavement leave, and jury duty for represented employees, are identified in the current Union contract. Benefits for non-represented employees also generally follow the CWA contract. Modified benefits for non-represented employees are adopted by the Board by Resolution and can be changed at any time.

No benefits or paid time off are paid or accrued to non-represented part-time or temporary employees except as otherwise required by law. All employees can accrue sick leave.

3.6 EDUCATION, TRAINING AND TRAVEL

3.6.1 Education Policy

It is the District's Policy to encourage continued education and training for employees to enhance job performance and assist in potential career advancement within the District, as well as maintain compliance with state regulations related to training and certification.

3.6.2 State Certification Requirements

The District's training policy is consistent with WAC 246-292-001, which requires Certified Operators to pass a State Certification Exam and meet minimum, on-going, continuing education requirements. Examples of positions subject to these requirements include (but are not necessarily limited to) the Water Distribution Manager, Water Treatment Manager, and Cross-Connection personnel.

3.6.3 Reimbursement Policy

Actual expenses must be reasonable and appropriate considering the particular purpose and circumstances of each trip and in no case should include personal expenses unrelated to the business of the District. All employees of the District are expected to use good judgment regarding the expenditure of the funds for training and travel expenses. Only through teamwork can the costs of travel on District business be minimized.

3.6.3.1 Certification Courses

- a. The District will pay for the employee's annual certification renewal fee.
- b. The District will pay for the initial examination review course and the first test, (for each certification level).
- c. The Employee will pay to repeat any examination review course or to repeat any tests.
- d. The District will reimburse the employee for examination fees upon receipt of proof of a passing grade for repeat tests.
- e. The District will not reimburse fees if the employee does not pass the applicable examination(s) or otherwise satisfy the associated requirements.

3.6.4 Travel Authorization

All travel requests and associated expenses, such as accommodation and registrations, must be pre-approved by the District Manager or the Board. Typically, this approval is through the

Board's acceptance of the annual Operating Budget. Unexpected or unplanned travel must be approved by the District Manager and reported to the Board of Commissioners.

3.6.5 Documentation

Employees shall be reimbursed for actual expenses incurred during approved travel assignments. All claims for reimbursement must be accompanied by a corresponding legible original receipt. Any expense determined to be unreasonable by the District Manager or the Board will not be reimbursed or if already paid by the District, will be subject to recovery through deduction from wages. Appropriate documentation for travel reimbursement must be submitted for approval within 30 days after return.

3.6.5.1 Conferences

- a. The District will reimburse employees for reasonable hotel charges if the conference is more than 50 miles away from an employees home or work (whichever is closer).
- b. All efforts to obtain the conference discounted hotel rate must be made.
- c. The District will reimburse employees for meal expenses on their paycheck, no later than 30 days after receiving an expense reimbursement form.
- d. Meal expenses must be deemed reasonable for one person. The District will not reimburse employees for guest and/or spouse expenses.
- e. Detailed itemized receipts must be provided to accounting on the District's Expense Reimbursement Form.
- f. Employees are expected to take advantage of meals provided by the conference or training. Meals that will be reimbursed include breakfast, lunch or dinner while away from home and not otherwise provided.
- g. Alcohol is not a reimbursable expense.

3.6.3.3 Mileage and Travel Time

- a. Employees shall use District transportation for District business travel whenever possible and carpooling is recommended and encouraged where appropriate.
- b. Employees directed to use their personal vehicles for District business will be reimbursed for their mileage at the current IRS allowable rate per mile in effect at the time of travel.
- c. Employees will be paid for travel time to and from events requiring travel. Travel Time is considered "time worked" and will be paid at the regular rate or overtime rate as applicable.
- d. Whenever possible, employees are asked to travel during regular business hours, and not at times requiring overtime pay unless unavoidable, and approved in advance by a member of the management team.
- e. Mileage includes miles driven from the District, or the employee's home, (whichever is closer) to the conference or training, and from the conference to the District or the employee's home.
- f. Mileage also includes reasonable driving in the conference city – for example, from the hotel to the conference location, or to local restaurants.
- g. Travel time is limited to the actual time spent traveling to/from the destination. Once an employee arrives at the destination, the time is no longer considered compensable travel time.
- h. Comp Time hours can be earned for travel time outside of regular hours, at the employee's election.

- i. Parking expenses, tolls and ferry expenses incurred while conducting District business shall be reimbursed.

3.6.4 In-House Training

The District shall provide such in-service training as deemed necessary and beneficial to the delivery of services, performance of duties, and to meet applicable laws and regulations.

3.6.5 College-Level Coursework

Reimbursement for technical or college-level coursework will only be made if preapproved by the District manager and the employee provides proof of a passing grade.

3.7 LEAVES OF ABSENCE

3.7.1 Paid Family & Medical Leave Act

The Washington State Employment Security Department (ESD) administers an insurance program under the Paid Family Medical Leave Act (PFMLA), pursuant to which eligible employees will qualify for partial wage replacement and leave benefits for covered family and medical reasons. This policy summarizes the PFMLA program, but employees may obtain additional information at www.paidleave.wa.gov. To the extent an issue is not addressed in this policy, the District will administer this benefit program in a manner consistent with applicable statutes and regulations.

3.7.1.1 Employee Premiums

In administering the PFMLA program, the ESD assesses a premium rate for each District employee, which rate is established by law. The employee is responsible for 63% of the total premium rate, up to the Social Security cap, as defined by law (the "Employee's Share"). The District deducts the Employee's Share from the employee's paycheck (up to the Social Security cap, as defined by law), following its standard payroll practices. The District then reports and remits the applicable Paid Family and Medical Leave (PFML) premiums to the ESD. Should the State modify the PFML premium rate or the percentage of premiums subject to collection through payroll deduction in the future, the District will modify payroll practices to reflect those statutory changes.

3.7.1.2 Eligibility

To be eligible for monetary leave benefits under the PFMLA, an employee must have worked 820 hours in Washington State (for any employer or combination of employers) during the year preceding a PFML claim. Employees are not eligible for job protection under the PFMLA because the District does not employ at least 50 employees.

Paid Family and Medical Leave (PFML) benefits, as applicable, may be granted for any of the following reasons:

a. Medical Leave

The employee's own serious health condition (defined as an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider, as those terms are defined under the federal Family & Medical Leave Act) which causes the employee to be unable to work; provided, that an employee is ineligible for PFML if also receiving workers' compensation time loss benefits due to a workplace injury.

b. Family Leave

To care for the employee's family member with a serious health condition.

To care for the employee's child after birth or placement (by adoption or foster care) within 12 months of such birth/placement (in cases of adoption or foster care, the child must be under the age of 18 years).

For a family member's qualifying military exigency as defined under the Federal Family & Medical Leave Act, 29 U.S.C. § 2612(a)(1)(E) and 29 C.F.R. § 825.126(b)(1) – (9).

For purposes of this policy, "family member" means the employee's child (biological, adoptive, foster, stepchild, or child for whom the employee stands in loco parentis, is a legal guardian for, or is a de facto parent); parent (including the same relationships as set forth for "child" above); spouse or registered domestic partner; spouse's or domestic partner's parent; grandparent; or sibling. "Registered domestic partner" shall have the same meaning as set forth in RCW 26.60.020.

3.7.1.3 Application for Benefits

Applications for PFML benefits are made directly to the ESD. Employees should contact the ESD to commence the application process and/or may refer to the ESD website (www.paidleave.wa.gov) for further guidance. The ESD will require the employee to complete a certification form relating to the employee's eligibility and qualification for PMFL benefits. The ESD will make eligibility determinations. The employee must file weekly benefit claims with ESD to continue receiving benefits if approved.

3.7.1.4 Notice

a. Employee Notice

An employee must provide written notice to the District of the intent to take PFML. When the need for PFML is foreseeable (such as for planned medical procedures or the birth of a child), an employee must notify the District of the need for such leave at least 30 days before such leave. If the need for PFML is unforeseeable, the employee must provide notice as soon as possible. The employee's notice must be in writing, identify the family or medical nature of the leave, and contain the anticipated timing and duration of such leave. If an employee fails to provide this required notice, the ESD may deny benefits for the period during which the notice was insufficient.

If leave is being taken for the employee's or family member's planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to disrupt District operations unduly.

If taking leave intermittently, an employee must notify the District each time PFML is taken so that the District may properly track leave use.

Employees apply directly to the ESD for PFML monetary benefits. Within five (5) business days of receiving the benefits, an employee must notify the District of the ESD's determination concerning such application for benefits, including the amount of any awarded monetary benefits. This assists the District in recordkeeping, administrative functions, and related paid leave calculations.

b. District Notice

The ESD prepared a workplace poster outlining an employee's rights under the PFMLA, which has been posted in the District's lunchroom.

Additionally, when an employee is absent for more than seven (7) consecutive days for a reason known to be covered under the PFMLA, the District will provide the employee with a notice of rights, on such form prepared by the ESD. Such notice shall be provided the later of (i) five (5) business days after the seventh day of absence or (ii) five (5) business days after the District receives notice that the employee is absent for a covered reason.

3.7.1.5 Length of Leave

Employees who qualify for PFMLA may take up to 12 weeks of family or medical leave or 16 weeks of combined family and medical leave per claim year. An additional two weeks of leave may be available if a female employee's leave involves incapacity due to pregnancy. The claim year begins when the employee files a claim for PFML benefits or upon the birth/placement of the employee's child.

PMFL is tracked during the claim year, which is the 52-week period commencing on the Sunday of the week in which the employee meets the minimum claim requirement or first takes leave.

3.7.1.6 Waiting Period

Monetary PFML benefits, except for leave taken for the birth or placement of a child, are subject to a seven-day waiting period. This means that for the first seven (7) consecutive days of a PFML claim, the employee may take PFML but shall not receive any PFML monetary benefits. The waiting period for PFML monetary benefits commences on the Sunday of the week when an employee claims a minimum of 8 consecutive hours of PFML. While no monetary PMFL benefits are paid during the waiting period, the waiting period is credited against the duration of the employee's PFML.

3.7.1.7 Leave Benefits

If approved by ESD, employees on PFML are entitled to monetary benefits through the state program. PFML monetary benefits are calculated based upon a percentage of the employee's average weekly wage. The benefit is generally up to 90% of an employee's average weekly wage, with a minimum weekly benefit of \$100 (or the employee's actual average weekly wage, if less) and a maximum weekly benefit of \$1000 (adjusted annually). Employees may refer to the ESD's website at www.esd.wa.gov for a benefits calculator, which may provide an approximate estimate of benefits. The ESD is responsible for calculating and paying the PFML monetary benefits.

District-paid time off, including but not limited to sick leave, vacation leave, floating holidays, and/or compensatory time, is non-supplemental to PFML. This means that if an employee uses District paid leave in connection with PFML, the employee must report such leave use to the ESD, and such use will reduce the Employee's PMFL monetary benefits.

When an employee is on leave and only receiving PFML benefits, the employee is deemed to be in unpaid status for purposes of District policies and benefit programs. Insurance coverage will be handled in the same manner as other unpaid leaves of absence, pursuant to District policy unless otherwise required by law.

3.7.1.8 Return to Work Certification

The District may require a return-to-work certification from a health care provider before restoring the employee to work following PFML, where the employee has taken leave for the employee's serious health condition and has been on leave for more than three (3) consecutive days.

Under certain circumstances (such as when it would be unduly burdensome to do so or where the circumstances surrounding District operations and/or the employee's position have changed), the District may deny job reinstatement to an employee returning from PFML.

If an employee taking PFML chooses not to return to work for any reason, the employee should notify the District as soon as possible.

3.7.1.9 Questions

Questions regarding this PFMLA policy should be directed to the District Manager.

3.7.2 Pregnancy Disability Leave

Disability or illness caused by pregnancy or childbirth will be treated the same as any other temporary medical condition requiring time off from work. A pregnant employee is entitled to an unpaid pregnancy disability leave of absence for the period of their actual disability due to pregnancy, childbirth, or related medical conditions. Employees seeking leave under this policy should provide written notice of the intended leave dates at least 30 days before the leave or as soon as possible in the case of an emergency. Pregnancy disability leave runs concurrently with PFML, as applicable. Employees returning from such leave are entitled to the same or similar job unless the District's circumstances have changed to make it impossible or unreasonable to do so.

3.7.3 Washington Family Care Act (WFCA)

Employees may use their vacation, comp, or sick time to care for a sick family member. Employees are eligible for this leave when they have vacation, comp, or sick time available. Family includes a child, parent, spouse, domestic partner, parent-in-law, or grandparent. WFCA does not apply to an employee's own medical condition.

3.7.4 Military Leave

Employees who are members of the National Guard or Federal Reserve Military Units are entitled to paid leave for a period of up to twenty-one (21) calendar days per year, or any greater period required by law, for performing ordered active-duty training. If the active duty exceeds twenty-one (21) calendar days (beginning Oct 1st and ending September 30th of each year), the employee shall take accrued vacation leave and then leave without pay.

Regular employees who are called to or volunteer for active-duty military service will be placed on an indefinite unpaid leave of absence when the employee is in active-duty status with any branch of the United States Armed Forces. The employee may, at his or her option, use any or all accrued vacation leave before moving to the unpaid status. Any unused leave accruals remaining when the unpaid leave begins will be held until the employee returns to active employment with the district. The employee will not earn additional vacation or sick leave during the time of the unpaid leave, nor will the employee be entitled to health insurance benefits, except as may be provided for under COBRA. Reinstatement following active duty shall follow state and federal laws at the time of the return to work.

3.7.5 Military Deployment Leave (aka Military Family Leave Act (MFLA))

An employee whose average work week consists of at least twenty (20) hours shall be entitled to up to fifteen (15) days of unpaid military leave per deployment after the employee's spouse has been notified of an impending call or order to active duty and before the military spouse is

deployed, or when the military spouse is on leave from deployment. Employees intending to take this leave must notify the District within five (5) days after receiving official notice of a call or order to active duty or a leave from deployment. Employees may use accrued paid time off in conjunction with this military leave.

3.7.6 Leave for Domestic Violence Victims and Their Family Members

Employees who are victims of domestic violence, sexual assault or stalking may take reasonable unpaid leave from work to take care of legal or law enforcement needs or to get medical treatment, social services assistance or mental health counseling, or to participate in safety/relocation planning. Employees who are qualifying family members of a domestic violence victim are also eligible for leave under this policy. For purposes of this policy, the term "qualifying family member" means child, spouse, parent, parent-in-law, grandparent, or person the employee is dating. Employees may use accrued paid leave (vacation, comp, and/or sick leave) for this leave.

Employees wishing to take leave under this policy must give as much advance notice of the need for the leave as possible. Leave requests must be supported with one or more of the following:

- a. A police report indicating that the employee or the employee's qualifying family member was a victim;
- b. A court order providing protection to the victim;
- c. Documentation from a healthcare provider, advocate, clergy or attorney;
- d. The employee's written statement that the employee or employee's qualifying family member is a victim and needs assistance.

Upon return from this leave, employees will be reinstated to their same position or another position with substantially equivalent benefits and terms and conditions of employment.

3.7.7 Bereavement Leave

A regular full-time employee shall receive up to three (3) days of bereavement leave with pay in the event of the death of the employee's child, parent, spouse, domestic partner, sibling, grandparent, in-law, stepparent, stepchild, or stepsiblings. If additional time is needed, the employee shall use accrued vacation, comp time, sick leave, or unpaid leave, as appropriate.

3.7.8 Jury Duty Leave

District employees called upon for jury service in any municipal, county, state, or federal court shall advise the District upon receipt of such call. If required to be absent from work for such service, the employee shall be reimbursed for any loss of wages for up to ten (10) days while performing such service, provided that the employee shall provide the District a copy of the properly endorsed check or voucher that the employee received for such service. In the General Manager's sole discretion, the General Manager may extend jury duty pay if the employee's jury duty service extends beyond fifteen (15) days. The amount the employee shall be reimbursed is the amount the employee would have otherwise earned at the employee's straight-time hourly rate of pay during regular working hours while performing such service. Employees excused from jury duty for one-half (½) day or longer shall return to work immediately and work the remainder of the day.

3.7.9 Personal Leave of Absence

Employees who have been continuously employed with the District for at least one (1) year may request a personal leave of absence without pay for a reasonable period of up to thirty (30) days. Requests for leaves of absence will be considered based on the employee's length of service, performance, responsibility level, the reason for the request, whether other individuals are already on leave, and the expected impact of the leave on the District.

3.7.10 Leave Requests

Unless otherwise provided by law, leave requests must be submitted in writing and approved by the District Manager before the leave begins. Requests for leave extensions must be submitted and approved by the District Manager and Board of Commissioners before the extended leave period begins.

Employees are responsible for reporting to work at the end of their approved leave. Employees who fail to report to work the day after their leave expires will be considered to have voluntarily resigned.

3.7.11 Status of Employee Benefits during Unpaid Leaves

The District will pay for group health, dental, or other (life, long-term disability, etc.) employer-paid insurance premiums or paid benefits during any portion of an unpaid leave of absence up to 12 weeks (16 weeks for pregnancy). After this time, the employee may be entitled to continue such medical coverage at their own expense, pursuant to COBRA requirements. Vacation time and sick leave will not accrue during unpaid leave of absence. Holiday pay will not be paid during unpaid leave of absence.

3.8 ACCOMMODATION

3.8.1 Disability Accommodation

The District is committed to ensuring equal employment opportunities for qualified persons with disabilities in accordance with the Americans with Disabilities Act and other applicable federal, state, and local laws. As provided by those laws, the District will make reasonable accommodation for an individual who has a disability that substantially limits their ability to perform the essential functions of their job or if working without accommodation would aggravate a disability such that it would create a substantially limiting effect in the future, unless doing so would create an undue hardship for the District. What constitutes reasonable accommodation is decided on a case-by-case basis, depending on the circumstances.

If an employee has a disability that requires reasonable accommodation, the employee should notify the General Manager. The District will treat such information as confidential and will share it only on a "need-to-know basis" to evaluate an accommodation request. Employees are not required to disclose a disability unless they are seeking accommodation.

To evaluate potential accommodations, the District may request a medical certification from the employee to verify the nature of the disability and related limitations or restrictions, to identify potential reasonable accommodations, and/or to determine whether continued work would pose a direct threat to the health or safety of the employee or others that cannot be eliminated by reasonable accommodation.

3.8.2 Pregnancy and Breastfeeding Accommodations

The District will provide reasonable accommodation to pregnant and nursing mothers for pregnancy and pregnancy-related health conditions, including health conditions during pregnancy and after the baby's birth, such as the need to express milk.

For pregnant employees, such accommodations may include the following:

- a. Providing frequent, longer, or flexible restroom breaks;
- b. Providing seating or allowing the employee to sit more frequently; and
- c. Restrictions on lifting more than 17 pounds.

A pregnant employee, upon a medical certification from the employee's health care provider, confirming the need for the same, may also be eligible for the following additional accommodation if it does not represent a significant difficulty or expense to the District, which shall be determined by the District on a case-by-case basis, based upon the operational circumstances and position involved:

- a. Job restructuring, including modifying a work schedule, job reassignment, changing a workstation, or providing equipment;
- b. Providing a temporary transfer to a less strenuous or hazardous position;
- c. Scheduling flexibility for prenatal visits; and
- d. Providing any further accommodation the employee may need.

The District will, for a period of two years following the birth of their child, provide nursing mothers with reasonable break time to express milk. These break times should, when possible, be taken concurrently with any other break time already provided. Employees should discuss the length and frequency of these breaks with their direct supervisor. The employee will also be provided a space to express breast milk, other than a restroom, that is shielded from view and free from intrusion from co-workers and the public, provided such a location exists at the place of business or worksite. If the District does not have such a location, the District will work with the employee to identify a convenient location.

3.8.3 Religious Accommodation

The District recognizes the diversity of religious beliefs and will reasonably accommodate them. An employee may request accommodation when their bona fide religious belief requires a deviation from the District's dress code or the individual's work schedule, basic job duties, or other aspects of employment. The District will consider the request but reserves the right to offer alternative accommodation or to deny accommodation when such accommodation would create an undue hardship for the District. Some, but not all, factors to be considered in determining whether a religious accommodation may be reasonably extended to an employee include cost, the effect that an accommodation will have on current-established policies, and the burden on District operations.

4.0 District Expectations of Employees

The District strives to create and maintain a working environment where people are treated with dignity, decency, and respect. Employees are expected to maintain a working environment that encourages mutual respect, promotes civil and congenial relationships among employees, and is free from all forms of harassment, discrimination, vulgar, vile, or offensive language and

behavior, intimidation or bullying, violence, and threats of violence. Employees are expected to conduct themselves in an appropriate manner as judged by a reasonable person. Employees have the right to conduct their work without disorderly or undue interference from other employees. Employees should contact the District Manager if they feel subjected to these behaviors.

Any employee(s) who violates this Policy will be subject to appropriate disciplinary action. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension, or termination of employment. No person will be adversely affected in employment for bringing good faith complaints of discrimination, violence, and/or harassment.

4.1 PERSONAL AND PROFESSIONAL CONDUCT

A positive attitude, proper courtesy, and conduct on and off the job are essential to the employee and the District. All employees are engaged in public relations. Some deal directly with the public; others, while not in direct personal contact, perform work under the public eye's scrutiny. Employees of the District, regardless of whether contacts are direct or indirect, are expected to be courteous, efficient, and helpful in all their work assignments. Favorable impressions created by employees' public behavior help develop goodwill and support for District services.

Employees are expected to meet acceptable standards of conduct and job performance. Satisfaction of these standards promotes productivity and efficiency and helps ensure that all employees will enjoy a pleasant and cooperative work environment. The District views a professional level of conduct as an essential responsibility of every employee. Consequently, failure to abide by acceptable standards of conduct or to meet acceptable performance levels may result in disciplinary action up to and including discharge.

4.2 CODE OF ETHICS FOR DISTRICT EMPLOYEES

The District is a Special Purpose District, and all its employees will abide by Title 42 RCW, Public Officers and Agencies, including Chapter 42.23 RCW, Code of Ethics for Municipal Officers-Contract Interest. District employees are expected to conduct business with the District's best interests in mind. Every employee should keep in mind that each is a part of a team of public employees, and public satisfaction with the District depends upon both the perceived and actual performance of its employees.

Employees have the right to engage in activities outside of District business that are of a private nature, unrelated to District business, and do not conflict with the District's best interests. No activity that conflicts with or appears to conflict with the performance of the employee duties to the District should be undertaken. A conflict of interest or the appearance of a conflict of interest exists whenever a reasonable and prudent person believes that the activity in question creates such a conflict.

District employees may not use District time, equipment, or services for personal interest or benefit. Employees may not use their position with the District to obtain special considerations. Other than advertising or small items of de minimus value (pens, hats, etc.), Employees shall not accept any special favors, gifts, or gratuities (things or money) resulting from or related to employment with the District. In this regard, the appearance of impropriety can be as damaging as actual impropriety and should be avoided.

If an employee is given anything of value that could be reasonably construed to create a conflict of interest, the employee must immediately report such activity to the District Manager or the Board of Commissioners. Failure to report a potential conflict of interest shall be grounds for disciplinary action up to and including termination. Contact your supervisor or the District Manager if you have questions regarding a possible conflict of interest, including outside work.

4.3 PERSONAL APPEARANCE

Each employee is responsible for presenting themselves in a professional appearance that meets the requirements of the tasks being performed. All employees represent the District, and their appearance is important. Good taste and sound judgment in personal attire is expected. Dress and appearance should not be offensive to customers or other employees. Some employees are provided with uniforms to make them easily identifiable to the public. Where uniforms are provided, employees are always required to wear them when performing their duties for the District, including after-hours, holidays, and weekend callouts.

Hair should be clean, combed, and neatly trimmed or arranged. This also pertains to sideburns, mustaches, and beards. The District utilizes a breathing apparatus as part of its normal operation, which may result in restrictions on facial hair for those required to use it. This restriction is based on requirements imposed by state and federal guidelines for the proper and safe use of such equipment.

Employees are required to maintain good personal hygiene standards.

4.3.1 Clothing Allowance

Represented employees shall receive uniforms and clothing allowances in accordance with the current collective bargaining agreement. Non-represented employees are entitled to an annual clothing allowance as set in the annual Operating Budget.

4.3.2 Clothing Related Definitions

- a. Foul Weather includes rain gear, rubber boots, insulated bibs, summer and winter coats. This gear remains the property of the District. These items are replaced as needed with Manager approval.
- b. PPE Gear includes Gloves, respirator, safety glasses/goggles, hard hats, safety vests, etc. One orange/green safety sweatshirt will be supplied in January each year.
- c. Clothing Includes pants, shirts (blue or safety orange), sweatshirts, socks, shoelaces, hats, thermal underwear, and shoe protectant. Items not specifically included here require preapproval by a manager. Designer-name brands are not acceptable clothing for uniforms.
- d. Other gear provided gloves, rubber boots, and safety glasses
- e. Colors uniforms must be Blue or Denim or Safety colors (Orange / Green)

4.3.3 Clothing Policy

New Hires have a prorated allowance available on their hire date. Allowance includes all purchase costs, including tax and shipping.

New Clothing purchases should be embroidered by the supplier at the time of purchase. Employees purchasing other items requiring embroidery services should take their purchases to a supplier that provides such services. Coats and shirts must be embroidered. Pants must be labeled inside.

Purchases are allowed at Washington Workwear (or equivalent) on the District's account. Purchases at any other store will be reimbursed on your next paycheck.

Uniform purchases may only be worn when conducting District business. Clothing can be retired once there are holes, tears or loss of reflectivity. In other words, when you "don't look professional" anymore. Once clothes are retired, they can be used for personal use.

Employees must make a diligent effort to care for and maintain District provided equipment and safety gear, including PPE and clothing. The District retains the right to discipline employees who mistreat the District provided equipment, safety gear, PPE, and clothing in a careless or negligent manner.

4.4 ATTENDANCE AND PUNCTUALITY

Each employee and the employee's performance on the job are important to the overall success of operations. Maintaining an acceptable level of job attendance is part of good work performance and is one of the standards by which an employee's overall contribution to the District may be measured. When an employee is absent, someone else must do that employee's job. Everyone is expected to keep regular and predictable attendance, be on time, and work as scheduled.

When the leave is due to an unforeseen illness or injury, employees must notify their supervisor at least one hour prior to their shift start time, unless the circumstances make such notice impracticable, in which case notice must be given as soon as practicable. Failure to notify your supervisor could be considered "abandonment of position" and could lead to dismissal.

Continued employment carries with it the personal responsibility of each employee to be on the job on time every scheduled workday. Recurring and excessive absences and/or tardiness are disruptive to work schedules, costly to the District and its residents, and detrimental to the morale and efforts of employees who maintain good work records.

Failure to meet these requirements subjects an employee to disciplinary action, which includes termination. The ability to attend work regularly is a job requirement.

4.5 STANDBY DUTY

A Field employee will be assigned to be on night, holiday and weekend Standby Duty to respond to emergencies and otherwise maintain the District's operations after regularly scheduled hours. Standby Duty pay for represented employees is described in the Union contract.

4.5.1 Procedures

Represented employees in the Standby Duty rotation will use a District laptop computer or tablet, for use during their Standby Duty rotation and must have their cell phone on and with them at all times.

- a. All calls will be responded to within 15 minutes by telephone.
- b. A call to the customer will determine if an on-site resolution is needed.
- c. The estimated time of arrival on a call-out is not to exceed forty-five minutes.

d. A Call Out / Standby Log will be turned in with the timecard.

4.5.2 Standby Log

The “Log” will substantiate all Standby work, including overtime hours, on the timecard. The District accepts the “Log” as a true and accurate representation of an employee’s Standby work; employees will only be paid for those calls included on the “Log.”

Standby call-outs and overtime are documented on the work order system and specifically the timecard module.

4.5.3 Standby Rotation

Standby Duty rotations will be from Tuesday 6:00 a.m. to Tuesday 6:00 a.m., or as otherwise specified to reflect District operations.

Standby Duty rotations may be substituted with co-workers in the rotation, either by week or by day. Pre-authorization from the Field Foreman is needed. Only the Field Foreman or Management personnel are authorized to make changes to the Standby Duty Calendar.

4.6 WORK FROM HOME

Approval to work from home is dependent upon the specific position (for example, remote work is more conducive to office work than field work) and upon the individual’s employee’s performance, including the demonstrated ability to work productively under limited supervision. Employees must have approval from their Manager or Supervisor to work from home. Working from home is neither required nor encouraged by the District and is strictly voluntary and for the employee’s own benefit. All business correspondence, invoices, and general office mail will continue to be addressed directly to the District office.

4.6.1 Equipment

Office equipment needed to participate in telecommuting may vary by employee and task. The District will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (including hardware, software, modems, phones, software, photocopiers, etc.) for each telecommuting arrangement on a case-by-case basis. Employees should not use their own equipment to work from home. The District’s IT Consultant will set up a secured VPN connection that allows employees to securely access the District’s network. The District will not pay for any increases in the employees’ home operating costs as a result of telecommuting. The District will not be responsible for the costs associated with any initial set up of the employee’s off-site workspace, such as remodeling, furniture or lighting, nor for repairs or modifications to the off-site workspace.

4.6.2 Employee Use and Damage

Any equipment purchased or furnished by the District is to be used for District business only and the employee’s use of such equipment is subject to applicable District policy, including but not limited to the District’s Cyber policies.

An employee using District equipment shall be responsible for loss of or damage to any District-owned equipment (excluding normal wear and tear) which the District in its discretion determines to have been caused by the employee’s negligence and/or intentional misconduct; in the event of such loss or damage, the employee shall reimburse the District the replacement or repair cost of any such lost or damaged equipment. Employees must promptly notify the District of any

such damage or loss. By accepting and using the District equipment pursuant to this policy, the employee agrees that the District may deduct from the employee's paycheck(s) (including the employee's final paycheck) the cost to repair or replace the District equipment damaged or lost due to employee's negligence or misconduct and the employee expressly consents to such deduction(s).

Any equipment purchased or furnished by the District shall be the sole property of the District and shall be returned to the District upon request. In any event, all the District-owned equipment must be immediately returned upon termination of employment for any reason.

4.6.3 Public Records at Home

Employees working from home must strictly follow District policy and procedure relating to the creation and retention of public records. All data and documents created, received, worked on or disseminated while telecommuting on behalf of the District must be treated as public records and must be stored on the District's servers. Employees working from home are not allowed to store the District documents on their own personal devices or hard drives. Telecommuting employees are subject to the same standards and expectations regarding the safeguarding of sensitive personally identifying information (PII).

4.6.4 Work from Home Schedule

The District expects all employees working from home to perform a full day's workload, and to be generally available to the District, just as if they were in the office/on the job site. The schedules for work-from-home arrangements must be established and approved by the Manager or Supervisor and District Manager. Unless otherwise specifically agreed, the amount of time and schedule the employee is expected to work per day (including designated rest periods, as applicable) or pay period will not change due to working from home.

Employees working from home must be available by telephone and email during scheduled hours, with the exception of the lunch period allowed under the District personnel policies.

4.6.5 Time Keeping

Non-exempt employees must record all hours worked while working from home, using the same method and documentation required for reporting normal work hours. Any hours worked from home that fall outside of a non-exempt employee's normal work schedule or that would otherwise cause the employee to work overtime (more than 40 hours in a work week) must be approved in advance by the employee's supervisor.

Employees working from home are expected to accurately and honestly report their time and will be held to a strict standard in this regard, given the nature of the telecommuting arrangement. Employees determined to have falsified or otherwise intentionally misrepresented their telecommuting hours shall be subject to advanced discipline, including termination of employment.

Employees must report time not worked and/or paid leave taken (including but not limited to sick leave) while working from home.

4.6.6 Off-Site Safety and Environment

The employees' off-site workspace will be considered an extension of the District workspace. The employee's off-site workspace should provide an adequate and appropriate work area and

environment, including a table or desk, light, telephone service, power, and temperature control. Additional requirements may vary depending on the nature of the work and the equipment needed to perform the work.

The employee agrees to maintain safe conditions in the designated off-site workspace and to practice the same safety habits in it as in his/her workspace within the District premises.

Injuries sustained by an employee while telecommuting off-site during the employee's working hours are normally covered by workers' compensation. Employees working from home are responsible for notifying the District of such injuries following the District's workers' compensation reporting procedure.

Employees working from home are solely responsible and liable for any injuries sustained by visitors to their off-site workspace. Homeowner's insurance and any changes in rates or coverage are the employee's responsibility.

4.6.7 Termination of Work at Home

Any work-from-home arrangement may be adjusted or terminated by the District at any time and for any reason, including the District operational and business needs and/or employee performance, or to ensure that adequate staffing is maintained, and operational needs are met. The District retains the right to require an employee working from home to return to the District's office or job site, should the work warrant such an action or in the case of scheduled business meetings.

4.7 PROHIBITED CONDUCT

To ensure orderly operations and provide the best possible work environment, the District expects employees to follow rules of conduct that will protect the interests and safety of personnel. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. Still, the following are examples of infractions of rules of conduct that may result in disciplinary action, including suspension, demotion, and/or termination of employment. For this policy, the "District workplace" means the District's administrative and maintenance facilities, District vehicles, District parking lots and District job sites

4.7.1 Prohibited Conduct; (Not an all-inclusive list)

- a. Falsification of employment records, employment information, or other records.
- b. Theft or misappropriation of District funds, property, resources, damaging or destroying District property due to careless or willful acts.
- c. Unauthorized use of District equipment, time, materials, or facilities.
- d. Attempting to provoke a fight or fighting during work hours or on District-owned or occupied property.
- e. Carrying or possessing firearms*, explosives, and/or any other dangerous weapons at any time, in the District workplace, or while otherwise conducting District business. Employees are expected to keep any firearms and/or weapons securely stored in their locked vehicles.
- f. Threats to display or use a weapon or other threats of physical violence.
- g. Insubordination or refusal to comply with instructions of any supervisor or member of management.
- h. Engaging in horseplay, practical jokes, or other disorderly conduct.
- i. Engaging in acts of dishonesty, fraud, or sabotage.

- j. Threatening, intimidating, coercing, using abusive or vulgar language or interfering with the performance of other employees
- k. Violation of safety rules or failure to follow safety procedures.
- l. Violation of any District rule, policy, resolution, or guideline; any deliberate action detrimental to the District's efforts to operate lawfully and cost-effectively.
- m. Negligence or any careless action that endangers another person's life or safety or District property.
- n. Conducting a lottery or gambling on District premises.
- o. Speeding or careless driving of District vehicles; failure to lock District vehicles in public places.
- p. Failure to immediately report damage to or an accident involving District equipment.
- q. Soliciting during working hours and/or in working areas; selling merchandise or collecting funds of any kind or charities or others without authorization during business hours or at a time or place that interferes with another employee's work on District premises.
- r. Failure to maintain a neat and clean appearance in terms of the standards established by the District; any departure from accepted conventional modes of dress or personal grooming, wearing improper or unsafe clothing.

4.7.2 Private Property; No unreasonable search

This policy does not apply to employees' personal vehicles parked on District property. The District shall not inspect personal vehicles for weapons unless: the employee's vehicle is used for work-related activities and the District needs to inspect the vehicle to ensure the vehicle is suited to conduct such activities; there is a reasonable belief that accessing the vehicle is necessary to prevent an immediate threat to human health, life or safety; law enforcement officers lawfully conduct the inspection; or the employee consents to an inspection of their vehicle based on probable cause that the employee unlawfully possesses District property or a controlled substance in violation of federal law and the District's Drug and Alcohol Policy (where such consent is granted, the employee has the right to select a witness to be present for the inspection).

4.8 ANTI-HARRASSMENT & NON-DISCRIMINATION POLICY

Mutual trust and the absence of intimidation, violence, oppression, and exploitation should characterize the environment of the District. Employees should be able to work, learn, and thrive in a safe yet stimulating atmosphere. The District is committed in all areas to providing a work environment free from discrimination and harassment. The accomplishment of this goal is essential to the mission of the District. Therefore, The District will not tolerate unlawful discrimination, violence, or harassment. The District will seek to prevent and correct behavior(s) that violate this Policy.

4.8.1 Discrimination and Harassment will not be tolerated.

The District is committed to providing a workplace free of verbal, physical, and visual forms of discrimination and harassment so that everyone can work in a productive, respectful, and professional environment. Harassment in employment that is based on gender, gender identity or expression, sexual orientation, race, color, national origin, religion, age, disability, or any other basis prohibited by federal, state, or local law is strictly prohibited. This policy extends to District employees' treatment of each other and their treatment of District customers, vendors, contractors, and other contacts. The District does not tolerate harassment by anyone in the workplace, whether by supervisors, co-workers, or non-employees.

4.8.2 What is Harassment?

Examples of harassment based on gender, gender identity or expression, race, sexual orientation, color, national origin, religion, age or disability include, but are not limited to:

- a. Memos, e-mails, cartoons or other visual displays of objects, pictures or posters that depict such groups or individuals in a derogatory way; or
- b. Verbal conduct, including making or using derogatory comments, epithets, slurs, and jokes towards individuals or groups;
- c. The conduct interferes with an employee's work or creates an intimidating, hostile or offensive work environment.

Sexual harassment includes harassment based on another person's gender or harassment based upon pregnancy, childbirth or other related medical conditions. It also includes harassment of another employee of the same gender as the harasser.

Examples of sexual harassment include, but are not limited to, the following types of behavior:

- a. Sexual harassment is generally defined as unwelcome sexual advances, requests for sexual favors, or other visual, verbal or physical conduct of a sexual nature;
- b. Unwelcome sexual advances, like requests for dates or propositions for sexual favors;
- c. Excessive one-sided, romantic attention in the form of love letters, telephone calls, e-mails, or gifts;
- d. Offering or conditioning an employment benefit, such as a raise, a promotion, or a special job assignment, in exchange for sexual favors;
- e. When submission to such conduct is made either explicitly or implicitly a term or condition of employment;
- f. When submission to or rejection of such conduct affects employment opportunities;
- g. Making or threatening reprisals or changing performance expectations after an employee has turned down a sexual advance;
- h. Visual or physical conduct, like leering, making sexual gestures, or displaying sexually suggestive objects, pictures, cartoons, calendars or posters in the workplace;
- i. Verbal conduct or written material (including emails or other electronic documents), like making or using derogatory comments, epithets, slurs, teasing, and jokes of a sexual nature;
- j. Graphic verbal or written comments (including emails or other electronic documents) about an individual's sex life or body;
- k. Suggestive or obscene letters, emails, notes or invitations; and
- l. Unwelcome physical conduct, including pats, hugs, brushes, touches, shoulder rubs, assaults, or impeding or blocking movements.

This policy is also violated if an employee is fired, denied a job, or denied some other employment benefit because the employee refused to grant sexual favors, complained about harassment, or assisted in an investigation of harassment.

4.8.3 What to do if harassment occurs.

The District is committed to taking reasonable steps to prevent harassment from occurring and will take immediate and appropriate action when unlawful harassment is reported. To do this, however, the District needs the cooperation of all employees at all levels.

Each employee is responsible for reporting and adhering to this policy. Employees should never tolerate inappropriate behavior. They should make their feelings known to the offending employee. In many cases, if an employee makes their feelings known to the offending person(s), tells them that the conduct is not appropriate, and asks them to stop, this may take care of the situation.

However, if any employee is not comfortable doing this, then the employee must promptly report any offending behavior, whether such behavior is directed towards the employee personally or towards other employees of the District, to the immediate supervisor or the General Manager. Employees are required to report concerns about discrimination or harassment before behaviors become severe or pervasive, as the District prefers to stop discrimination or harassment before it arises to the level of a violation of the anti-discrimination laws.

Supervisors and managers who know or receive reports of offending behavior shall promptly notify the General Manager to take appropriate action. The District will promptly and appropriately investigate all claims of harassment. Complaints of discrimination or harassment will be handled with sensitivity, discretion, and confidentiality to the extent allowed by the circumstances and the law. Generally, this means that the allegations of discrimination or harassment are shared with those who need to know so that the District can conduct an effective investigation and take appropriate action to prevent any further violation of this policy.

The complaining employee will usually be requested to provide as many details as possible, such as the date(s), location(s), name(s) of witnesses, or information about the alleged harasser(s). People with relevant information will be interviewed. During the investigation, when appropriate, steps may be taken to minimize contact between the complaining employee and the alleged harasser. After the investigation is completed, the District will share its findings with the complaining employee, the alleged harasser, and, if appropriate, other employees directly concerned with the incident. If the District concludes that unlawful harassment has occurred, prompt and effective remedial action will be taken. This may include disciplining the harasser and taking other actions to remedy the effects of the harassment and to prevent further harassment.

No action will be taken against any employee who, in good faith, files a complaint of harassment or who assists in the investigation of such a complaint by providing information. Employees who believe they have been retaliated against for reporting harassment or participating in an investigation of a harassment complaint are urged to promptly notify the General Manager so their concerns may be investigated. Appropriate corrective measures will be taken if allegations of retaliation are substantiated.

4.9 ANTI-VIOLENCE

KCWD90's Policy is to promote a safe environment for our employees and the visiting public and to work with our employees to maintain a work environment free from violence, harassment, intimidation, and other disruptive behavior. The District's position in this area is that violence or threats of violence, in any form (whether physical or verbal), is unacceptable behavior. Violence in any form will not be tolerated and will be appropriately addressed.

Employees at all levels are encouraged to report threatening or intimidating behavior to the appropriate authorities in, and outside of KCWD90.

4.10 EMPLOYEE USE OF DISTRICT PROPERTY AND VEHICLES POLICY

All District property, equipment, tools, vehicles, and services shall be used exclusively for District purposes. Employees shall not use the premises, equipment, tools, vehicles, or services for personal purposes, or side-business, at any time.

4.10.1 Use of District Vehicles

District vehicles are provided for District business when available. Employees should not use their own personal vehicles in the course and scope of their employment, other than their normal commute to and from the workplace, unless approved or directed in advance by the District Manager.

4.10.2 Standby Vehicles

Standby personnel are allowed to take home a District vehicle and drive it to and from work during the period they are on Standby. Employees can pick up or drop off kids and/or spouses on a “de-minus” basis and with prior approval from the District Manager. Trucks and toolboxes must be secured when parked at an employee’s home to discourage theft of public property.

4.11 COST CONSCIOUSNESS

Every employee of the District is a citizen and taxpayer and is expected to practice economy in all duties. Failure to do so is not in the best interests of the District and may lead to discipline, and/or discharge, as appropriate.

4.12 OUTSIDE EMPLOYMENT

Employees shall not engage in outside employment that conflicts in any way with District employment, detracts from the efficiency of work performance, or conflicts with the interests of the District. The District will hold all employees to the same standards of performance and scheduling demands, including employees who hold outside jobs. Employees shall notify the District Manager in writing, in advance, of all employment outside their employment with the District.

The District Manager will notify the employee any time outside employment is believed to be in conflict with the interests of the District or is likely to bring discredit upon the District. It shall be up to the employee to choose which employment option is most desired.

4.13 SMOKING

For health and safety considerations, the District discourages employees from smoking. The District prohibits smoking in any building or structure or in any District vehicles. The District will abide by the State provision regarding smoking as described in Chapter 70.160 RCW and any subsequent changes and modifications.

Employees or Employee’s spouses that smoke may be required to pay an additional fee as required by the District’s health insurance provider.

5.0 DRUG AND ALCOHOL POLICY

5.1 Policy Goal

The District is committed to protecting the safety, health and well-being of its employees, the public it serves, and all people who come into contact with the District and the services it provides. Drug and alcohol abuse pose a direct and significant threat to this goal, and to the

goal of providing a productive and efficient work environment in which all employees have an opportunity to reach their full potential. Accordingly, the District is committed to assuring a drug-free work environment for all its employees.

5.2 Illegal Drugs and Alcohol Limit

The District strictly prohibits the use, purchase, possession, sale, conveyance, distribution or manufacture of illegal (whether under federal and/or state law) drugs, intoxicants, controlled substances, and/or drug paraphernalia associated with illegal drug use while on the job, while on District property, while operating District vehicles, or while otherwise representing the District. The District further prohibits employees from being under the influence of alcohol (defined as having an alcohol concentration level of 0.04 or greater) or controlled substances (any detectable trace in the body system) while on duty. This policy applies to all District employees.

5.3 Prescription and Over-the-Counter Medications

Prescription medications or nonprescription medications are not prohibited when taken in accordance with a lawful prescription, as applicable, and consistent with standard dosage recommendations. Prescription medication means a drug or medication lawfully prescribed under both federal and state law by a physician or other health care provider licensed to prescribe medication for an individual and taken in accordance with the prescription; but specifically excludes, without limitation, medical marijuana, which remains a controlled substance prohibited by federal law. Employees who are taking a prescription or over-the-counter medication that may impair their ability to perform their duties safely and effectively must notify their supervisor and should provide written notice from their physician or health care provider with respect to the effects of such medication. The District may, at its discretion, send an employee home if the employee appears impaired by the use of prescription and/or over-the-counter medications and such impairment impacts the employee's ability to safely and/or effectively perform his or her duties.

5.4 Employees On-Call

District employees who are assigned primary on-call duty are expected to immediately respond to a District on-call request and perform District business. Assigned primary on-call personnel may not report for duty and conduct District business when their performance may be impaired due to alcohol or drug use. Accordingly, assigned primary on-call personnel must refrain from using alcohol or drugs while on-call.

5.5 Drug Testing

All District employees shall be subject to pre-employment, reasonable suspicion, post-accident, return to duty and follow-up drug testing, as follows:

5.5.1 Pre-employment

Employees hired into a safety-sensitive position or a position requiring the operation of commercial vehicles must pass a drug and alcohol test as a post-offer condition of employment with the District.

5.5.2 Reasonable Suspicion

Where the District has reason to suspect that an employee has violated or is presently violating or is otherwise under the influence of alcohol or drugs, such employee may be required to immediately submit to an alcohol or drug analysis test. A referral for testing will be made on specific and objective facts and reasonable inferences drawn from these facts by supervisory

personnel. Among other things, such facts and inferences may be based upon: (i) an employee showing signs of impairment, such as (but not limited to) difficulty in maintaining balance, slurred speech, inability to visually focus or otherwise appearing unable to perform assigned work in a safe and satisfactory manner; (ii) the smell of alcohol or illicit drugs on the employee's breath or person; (iii) abnormal conduct or appearance or erratic behavior while at work or a significant deterioration of work performance; and/or (iv) a report of alcohol or other drug use provided by a reliable and credible source. Failure to comply with reasonable suspicion testing requirements will be grounds for disciplinary action, up to and including termination.

5.5.3 Post-Accident

Following an accident involving a District vehicle or District equipment, the driver/operator of such vehicle or equipment is required to submit to an alcohol and drug test when (1) the driver receives a citation under state or local law for a moving traffic violation; (2) an injury or fatality occurs as a result of the accident; (3) the accident results in damage to one or more vehicles or equipment which requires the removal of the vehicle/equipment by towing or otherwise is estimated to exceed \$2,000; or (4) management deems it appropriate under the particular circumstances. Testing shall occur as soon as possible and must occur within eight (8) hours after the accident for alcohol testing and 32 hours after the accident for drug testing. An employee required to take a post-accident alcohol test may not use alcohol for eight (8) hours following the accident, or drugs for thirty-two (32) hours following the accident, or until a post-accident test is given, whichever comes first. An employee who is subject to post-accident testing must remain readily available for such testing and may not take any action to interfere with testing or results of testing. Failure to comply with post-accident testing requirements will be grounds for disciplinary action, up to and including termination.

5.5.4 Return to Duty

Employees who have violated this policy, including those who have tested positive on a drug or alcohol test, and who under the District's disciplinary policy can return to work, must test negative prior to being released for duty.

5.5.5 Follow-up:

An employee who is referred for assistance that is related to alcohol misuse and/or use of drugs is subject to unannounced follow-up testing for a period not to exceed 60 months as directed by a substance abuse professional and the District. The number and frequency of follow-up testing will be determined by the substance abuse professional and the District but will not be less than six tests in the first 12 months following the employee's return to duty.

5.5.6 Reporting for Testing

Employees who are directed to submit to a drug and/or alcohol test must promptly report to the testing agency—under most circumstances, this will mean that the employee must report for testing no later than one hour after having received notice of the testing. In reporting for testing, the employee must report to the nearest testing facility and may not make any detours or stops enroute to the testing facility. A District representative may accompany the employee to the testing facility, where the management deems it appropriate. The District retains a qualified third-party administrator as its service agent to provide and coordinate the drug and alcohol testing services referenced in this policy. Employees are expected to cooperate with the administrator and to comply with the directives issued by the administrator in administering and coordinating the tests required pursuant to this policy.

5.5.7 Retesting

Employees who test positive for drugs may request a second test of the remaining portion of the split sample within 72 hours of notification of a positive test result by the medical review officer responsible for receiving and interpreting the drug test.

5.5.8 Refusal of Drug Test

A refusal to take a drug and/or alcohol test as required by the District, an undue delay in reporting for testing as instructed by the District and/or utilizing any means designed to “cheat” adulterate or substitute the sample or otherwise render a false negative report shall be deemed the equivalent of a positive result and an employee engaging or assisting in such measures shall be subject to disciplinary action, up to and including termination.

5.5.9 Violation of Drug Policy

Employees violating this policy will be subject to discipline, up to and including discharge. At a minimum, employees who test positive for alcohol or drugs shall be immediately removed from safety sensitive functions and may be suspended without pay, pending further evaluation and recommendation from a substance abuse professional (SAP).

Employees who are found to have violated this policy but who are allowed to return to work under the District’s disciplinary process shall be required to first submit to an Employee Assistance Program (EAP) evaluation and shall receive a one-time opportunity to enter a treatment program, if so recommended by an SAP. Upon return to work, the employee will be required to accept, and comply with, the terms of a “last chance agreement” and will be subject to the follow-up testing requirements as set forth above.

5.5.10 District’s Employee Assistance Program (EAP)

The District considers drug addiction and alcoholism to be treatable diseases. Employees are encouraged to seek treatment voluntarily and to utilize the District-provided EAP before an alcohol or drug abuse problem affects their job performance or employment status and before they are asked to submit to a drug and alcohol test. All alcohol or drug inpatient and outpatient treatment programs paid through the District’s health care plan should be accessed through the EAP.

5.5.11 Voluntary Treatment

The District will accommodate employees who voluntarily seek treatment for a drug or alcohol addiction before they are requested to submit to a drug and alcohol test and/or are otherwise the subject of an investigation and/or disciplinary action for a potential violation of this or any other policy or other performance issue(s). Assistance will be provided on a confidential basis. Employees are encouraged to “self-report,” and their job status with the District will not be jeopardized as a result of such report; provided, that the report is made prior to the District requesting a drug and alcohol test from the employee or otherwise initiating an investigation and/or disciplinary action into suspected policy violations or related performance issues. Any employee who self-reports under these guidelines will be given a sufficient opportunity to seek evaluation, education and/or treatment to establish control over the employee’s substance abuse problem. However, self-reporting employees will not be permitted to perform safety-sensitive functions until the District is satisfied that the employee has been evaluated and has successfully completed education or treatment requirements recommended by an SAP or other drug and alcohol abuse evaluation expert. Prior to allowing an employee to return to safety-sensitive functions, the District shall require a return-to-duty test.

***Employees are specifically notified that the passage of Initiative 502, which amends Washington state law effective December 6, 2012, to decriminalize the possession and private use of a limited amount of marijuana by persons over the age of 21, shall have no effect or impact upon this policy. Pursuant to the Controlled Substances Act of 1970, 21 U.S.C. § 801 et seq., “marijuana” remains a “Schedule I” controlled substance, and its possession and/or use is illegal under federal law. Employees should recognize and understand that the “legalization” of marijuana under state law (for both medical and recreational purposes) will not excuse or otherwise constitute a “defense” to a positive drug test administered by the District in accordance with this policy. A positive test for marijuana may- constitute a violation of this policy and shall be grounds for disciplinary action, up to and including termination.

5.5.12 CDL Drivers

Those employees who are required to operate commercial vehicles, and therefore are required to hold a commercial driver’s license (CDL), are subject to additional policies, restrictions, and requirements regarding their employment. Additional information on CDL requirements can be found in Section 3.1.7 “Hiring Requirements/Qualifications for CDL Holders.”

In addition to the drug and alcohol policy set forth above, those employees who are required to have and maintain a CDL in order to perform their duties are further subject to the drug and alcohol testing requirements and regulations established by the United States Department of Transportation (USDOT) and its designated agencies. District employees holding a CDL or otherwise occupying a safety-sensitive position will be subject to USDOT Drug and Alcohol Testing Regulations, 49 CFR Part 40. To the extent that the USDOT policy conflicts with the general policy set forth above, the USDOT policy shall govern employees holding a CDL or otherwise occupying a safety-sensitive position. Employees may request a summary of the USDOT policy from Human Resources.

Additionally, the District is registered with the Federal Motor Carrier Safety Administration (FMCSA) Clearinghouse and shall comply with the Controlled Substances and Alcohol Use and Testing regulations set forth in 49 CFR Part 382. As part of these requirements, the District shall automatically report to the Clearinghouse, any of the following events or occurrences:

- a. A verified positive, adulterated or substituted drug test result.
- b. An alcohol confirmation test with a concentration of 0.04 or higher
- c. An employee’s refusal to submit to a drug or alcohol test
- d. The District’s actual knowledge (as defined by 49 CFR § 382.107) of an employee’s:
- e. An employee’s pre-duty, on-duty or post-accident use of alcohol as prohibited by 49 CFR §§ 382.207, .205 and .209.
- f. An employee’s controlled substance use as prohibited by 49 CRFR § 382.213.
- g. Verification from a SAP that an employee has successfully completed the return-to-duty process
- h. The employee’s negative return-to-duty test; and
- i. The District’s report of completion of any required follow-up testing.

All employees are expected to read and understand the contents of this policy. Any questions regarding the policy should be directed to the General Manager.

6.0 EMPLOYEE PROBLEM SOLVING PROCEDURES

6.1 DISTRICT POLICY

While the District strives for fair treatment of all employees, misunderstandings, and problems may occur in any organization. The District intends for such matters to be resolved quickly and fairly. Disagreements relating to work assignments, pay, promotion opportunities, or any aspect of the work relationship should be openly discussed with the immediate supervisor. Supervisors and employees should make honest attempts to understand each other's perspectives and make every effort to resolve differences. This procedure does not apply to discrimination, harassment, or violence in the workplace.

6.2 STEPS TO SOLUTION

If an employee believes they are not being treated fairly at any time, they may report the problem to their supervisor. Several steps are suggested to ensure a prompt and fair resolution.

6.2.1 Step One

Talk with your supervisor as soon as possible. Your supervisor is the person responsible for what goes on in your work area. They will review your problem and keep you informed of its progress.

6.2.2 Step Two

If you believe the problem is not properly resolved, you can file a written statement concerning the problem with your supervisor. A copy should be sent to the District Manager. You will normally be given a written reply by your supervisor or the District Manager within ten (10) working days after receiving the written statement.

6.2.3 Step Three

The District Manager will review any decision and upon request, investigate further, if appropriate, and issue a decision. The employee's request for consideration by the District Manager should be made within ten (10) working days from receipt of the supervisor's decision. The employee may present further facts, documents, or arguments at that time.

The District cannot guarantee that an employee's point of view will be accepted, but supervisors and the District Manager will listen and make every effort to ensure that problems are resolved fairly.

6.3 RECORD KEEPING

For record-keeping purposes, all stages of each complaint requiring these problem-solving procedures will be factually documented and included in the employee's personnel file.

6.4 GRIEVANCE/ARBITRATION PROCEDURES

Refer to Union Contract for Grievance/Arbitration Procedures.

7.0 PROGRESSIVE DISCIPLINE PROCEDURE

7.1 DISCIPLINE GENERALLY

On-the-job conduct of District employees affects the ability of the District to serve its customers and affects the public's impression of the District's ability to function well. Employee safety, productivity and morale are dependent upon employee conduct.

Occasionally it is necessary for supervisors to resort to corrective action when an employee's actions are inappropriate, or where a particular employee fails to respond to informal guidance.

In order to provide a fair method of correcting, and when necessary, disciplining an employee the District will use progressive discipline procedures. This section concerning discipline does not apply to the District's General Manager who serves at the pleasure of the Board of Commissioners.

7.2 DISCIPLINE— GENERAL GUIDELINES

Discipline may be initiated for many proper reasons, including, but not limited to, violations of the work rules, insubordination or poor job performance. The severity of the action generally depends on the nature of the offense, the employee's work and conduct records, and may range from verbal counseling to discharge.

7.2.1 Progressive discipline for infractions includes:

- a. Verbal counseling;
- b. Written counseling or warning;
- c. Personal Improvement Plan (PIP);
- d. Temporary reduction in pay in lieu of suspension;
- e. Suspension;
- f. Demotion, and;
- g. Discharge.

Any or all of these steps may be utilized, depending upon individual circumstances and the nature of the infraction. Exceptions or deviations from the normal procedure may occur whenever the District deems it appropriate, case-by-case.

7.3 APPLICATION OF PROGRESSIVE DISCIPLINE

7.3.1 Represented Employees

Represented Employees have the right to have a union representative present during any discipline discussions, per the current Union Contract.

7.3.2 Verbal Discipline

For performance deficiencies, employees will normally be verbally counseled once before receiving a written warning. A supervisor may or may not choose to make the imposition of a verbal warning part of the employee's personnel file. If record of the verbal warning it to be put in the employee's file, the District Manager will be notified.

7.3.3 Written Discipline

In the event of two or more performance problems or more serious violation of a District policy or rule, a written warning may be issued.

A written warning is to be signed and dated by the employee. An employee who disagrees with the facts in the warning may submit a written response. It will be placed in the personnel file with the warning. The written warning to an employee who refuses to sign and date such warnings shall be placed in the employee's personnel file with a note that such employee refused to sign and date the warning.

A written warning need not pertain to the same or similar issue, and may be reflective of an employee's overall pattern of behavior.

7.3.4 Personal Improvement Plan (PIP)

At any point during the progressive discipline process, the employee may be required to enter a Personal Improvement Plan (PIP) for the purpose of correcting performance problems or a poor overall pattern of behavior. PIPs will include goals, timelines, and expectations necessary for the employee to show improvement. Successful PIPs will be maintained in the employee's file and can be removed in a manner consistent with the guidelines outlined in the Union Contract. Employees who fail to improve may be demoted or discharged on a case-by-case basis.

7.3.5 Suspension

The District Manager may also suspend an employee without pay for a period of up to thirty (30) working days, or take other advanced disciplinary action deemed appropriate. Prior to suspending an employee without pay, the District Manager will meet with and afford the employee an opportunity to respond.

7.3.6 Demotion

The District Manager may demote or reduce an employee's pay for cause. A written statement of the reasons for such action shall be furnished to the employee, and a copy shall be made a part of the personnel file. The employee will sign the statement acknowledging he or she has received a copy of it and may file a rebuttal statement. Such a written statement shall be placed in the Employee's personnel file with a note of refusal if the employee refuses to sign and date the warning. The District Manager will inform the Board of any demotions or suspensions.

7.3.7 Discharge

Discharge may result if the employee violates District policy, commits serious misconduct, or fails to improve performance or conduct.

7.4 Suspension, Demotion or Discharge Process

Prior to dismissing an employee, the District will engage with an employment legal counsel as required by its membership in the Water and Sewer Risk Management Pool (the Pool). The Pool will review the cause for dismissal, ensure all contract and policy commitments have been completed, and recommend a course of action.

7.4.1 Pre-Determination Conference

If the District Manager determines there is cause for the suspension, demotion or discharge of an employee, the District Manager shall notify the employee of the specific reasons and that a suspension without pay, demotion, and/or discharge is being considered. The employee shall be provided with the facts upon which the actions are based. The Manager shall afford the employee a formal opportunity to refute the charges and explain the circumstances.

If the employee elects to participate in a pre-determination conference, it will be generally scheduled and held within three (3) workdays after notice of potential discipline has been given. The employee will be given reasonable time to develop a response and to seek necessary outside assistance as the employee feels necessary. The District may vary the time limits upon appropriate written request by the employee to meet individual employee needs.

The District Manager, with the employee's manager or supervisor, will conduct the conference and decide whether to impose discharge or a lesser degree of discipline.

7.5 APPEAL OF DISCIPLINARY ACTION

7.5.1 Right to Appeal from Discipline

Any regular employee who has been suspended, reduced in pay, demoted or dismissed, shall have the right to appeal the decision to the Board of Commissioners. Notice of the appeal must be filed not later than ten (10) days after the effective date of the action. Such notice shall be in writing and must set forth the reasons why the disciplinary action is thought to be improper. The appeal shall be heard by the Board of Commissioners within twenty (20) days after receipt of the request. The Board of Commissioners shall furnish the District Manager with a copy of the notice of appeal in advance of the hearing.

7.5.2 Who May Appeal

Only regular full-time employees have a right to appeal disciplinary actions. The Board of Commissioners may, in any manner it deems proper, give consideration to all suggestions and complaints that concern the proper administration of the personnel policies.

7.5.3 Investigations

In connection with an appeal, complaint, protest, or any other purpose authorized by the personnel policies, the Board of Commissioners may conduct such investigation as the Board deems necessary. The Board may prepare a written report on all matters investigated under the personnel policies.

7.5.4 Hearings

7.5.4.1 Procedure

The Board of Commissioners shall set a hearing upon timely requests made under this policy. The employee and the District Manager shall be given written notification of the time and place of the hearing.

7.5.4.2. Conduct of Hearings

A hearing before the Board of Commissioners is intended solely for the purpose of receiving evidence either to refute or substantiate specific charges brought to the Board of Commissioners and an adequate hearing shall be conducted.

7.5.4.3. Representative.

When appealing a disciplinary action to the Board of Commissioners, an employee may, upon written request for good reason and with the Board's consent, include a supporting representative. The employee shall make appropriate statements and summarize testimony to best present the employee's case, subject to such rules of conduct the Board may establish. In all instances, the Board's decision concerning procedural matters shall govern.

7.5.5 Board of Commissioners Findings.

If, after receiving evidence presented in a hearing on disciplinary action, the Board of Commissioners finds that the complained-of action taken by the District Manager was reasonable and consistent with District policy, the Board of Commissioners may affirm the action; or if the Board of Commissioners finds that the complained-of action taken by the District Manager was not sustained or that alternative disciplinary measures are appropriate, the Board may amend or overturn the District Manager's decision. When filing the appeal request with the Board of Commissioners, the Commissioners shall supply the employee with an outline of the

procedures used by the Board of Commissioners, including the statement that a finding shall be made, which will be final and binding.

8.0 POLITICAL ACTIVITIES

Employees may not use their official authority or position within the District to further the cause of any political party or candidate for nomination or election to any political office or any ballot measure. Employees are prohibited from using any District property or resources, including electronic systems, office supplies, workspace, etc., to further any political campaign or cause.

8.1 On-Duty Activity

Washington law forbids any District employee, while on the job, from soliciting money, influence, service, or other articles of value or otherwise aiding and/or promoting any political cause or the nomination or election to any political office.

8.2 Off Duty Activity

During the term of their employment, a District employee may not hold any elective office, which creates a conflict of interest between the duties of that employee and the prospective duties of the elective office holder. An employee may obtain written approval from the Board before filing as a candidate for an elective office. Failure to obtain prior written approval may be deemed by the District to constitute a voluntary resignation if the employee is elected to that position and the District determines that the election to the position creates a conflict of interest with the employee's position with the District.

Nothing in this policy is intended to restrict the political actions or activities of employees outside of their working hours.

9.0 ELECTRONIC EQUIPMENT

9.1 ELECTRONIC HARDWARE POLICY

The District will provide selected employees with a cellular phone, tablet, and/or laptop for conducting District business. The electronic equipment provided to the Employee by the District is primarily for use by the Employee to conduct District business. This policy is intended to cover the use of District IT Equipment and does not override or supersede any requirement included in the District's Cyber Policy.

9.2 PERSONAL USE

9.2.1 Personal Use - Phones

District phones are to be used for District purposes. Telephone calls of a personal nature (incoming or outgoing) should be kept to a minimum and made during breaks or lunch periods whenever possible. Friends and relatives should be discouraged from calling during working hours except in emergencies. Employees will be charged for any non-work related; international long-distance calls made on their work phone. **See Appendix A for additional information.**

9.2.2 Reimbursement – Phones

Any non-work-related purchases, donations, or international call charges will require employee reimbursement to the District. The reimbursement shall be made by payroll deduction from the next paycheck. In the event that an Employee can conclusively show that charges against the Employee's cellular phone for the billing period were incurred for District business, no reimbursement shall be required from the Employee.

The District will purchase new cell phones no sooner than once every two years. The District will replace an employee's cell phone with a like cell phone one time within that two-year period. Additional replacements of cell phones will be reimbursed by the employee requiring replacement.

9.2.3 Termination of Cell Phone

It is understood and agreed that the Board of Commissioners may immediately terminate the Employee's electronic equipment usage and possession at any time and at the Board's absolute and sole discretion.

9.2.3 Personal Use – Computers/Laptops/Tablets

Occasional personal use of District Computers/Laptops/Tablets will be tolerated, so long as such use occurs during breaks or non-work time, is not excessive, does not interfere with the employee's work duties, and otherwise does not violate any District policy or work rule.

9.3 PRIVACY

The District respects the individual privacy of all employees; **however**, all employees should understand and be aware that they have no right to or expectation of privacy with respect to their use of District provided and/or owned equipment, supplies and programs, including but not limited to: computers, voice mail, email, text mail, cell phones and the Internet (and all hardware and software programs and/or data that may be installed or stored thereon).

9.3.1 Public Records Act

This is particularly true because, as a public entity, the District is governed by the Washington State Public Records Act, Chapter 42.56 RCW, and has a legal obligation to maintain and release upon request electronic documents and data that constitutes a "public record" and is not otherwise exempt from public disclosure. As a public employee, you should assume that anything you create on, or any electronic communications you have via, any District-owned and/or provided equipment, supplies, and programs is subject to public disclosure and, therefore, tailor your usage of the District's equipment, supplies and programs accordingly.

9.4 OWNERSHIP

The District's computer, voice mail, text mail, cell phone, and Internet systems are the exclusive property of the District, and the use thereof should be limited to District business and purposes.

All information stored on and/or transmitted by District-provided and/or owned equipment, supplies, and programs remain at all times the exclusive property of the District, and the District may monitor and review such information at any time, in the District's sole discretion.

9.4.1 Reimbursement – Electronic Equipment

Separating employees must return their District-issued electronic equipment to their manager. Failure to return this equipment will cause the value of this equipment to be deducted from a separating employee's final paycheck regardless of if an Employee leaves the District's employment, either voluntarily or involuntarily. In that case, the Employee shall reimburse the District for any additional amounts owing, including the case where, due to administration error or other reason, an insufficient amount was withheld from the final paycheck.

9.5 PROPER USE OF ELECTRONIC EQUIPMENT

There is a real possibility of infecting our systems with viruses, which could render our system inoperable and/or destroy District data. To protect the District from computer viruses, malware, and other unwanted intrusions into its systems, the following use requirements will apply at all times.

- a. A four-digit pass code or thumb print recognition is required to unlock all phones.
- b. All encryption keys must be available to the District. Passwords for desktops, laptops, and tablets can be re-set by the District's IT Consultant.
- c. A "find my phone" application is required to be installed on all District phones, so that they can be located if lost.
- d. Employees are required to keep work-related texts, for at least one year from receipt. Private texts that are not immediately deleted are subject to the Public Records Act.

9.6 UNACCEPTABLE USE OF ELECTRONIC EQUIPMENT

Unacceptable and/or inappropriate non-work-related activities, including:

- a. The downloading, viewing or sending of insulting, disruptive, offensive, derogatory, profane or discriminatory messages are strictly prohibited. See section 4.0 Employee Expectations and specifically section 4.5 Anti-Harassment Policy.
- b. Using the District owned and/or provided equipment, supplies and programs to solicit outside business ventures for personal, political or religious uses is strictly prohibited.
- c. All employees are prohibited from creating or sending inappropriate messages or unprofessional communication discussing the District, its employees, customers, or competitors.
- d. Employees are prohibited from using unauthorized encryption keys on their computers. The creation of unauthorized password-protected files will be grounds for disciplinary action, and any files protected by unauthorized password or encryption keys will be subject to review by the District.
- e. Employees are further prohibited from using others authorized passwords or keys encryption to gain access to files to which the employee has not been given access.
- f. No software or files including, but not limited to, shareware, freeware, patches or demos are to be downloaded without prior written permission from the District's IT Consultant. Employees may not use the District IT Systems (including cell phones) and services for non-District-related commercial activities.
- g. Employees are prohibited from allowing family members, friends, and co-workers to access their District Electronic Equipment.

Any abuse of the privilege to access and use the District electronic systems will result in immediate loss of such privilege and may result in disciplinary action, up to and including termination.

10.0 SOCIAL MEDIA GUIDELINES

10.1 Social Media - Includes

"Social media" refers to a wide range of applications and services that are accessed from a computer or mobile device. Social Media such as Facebook, Twitter, LinkedIn, You Tube, Instagram, Snap Chat, tweeting, and blogging have an ever-increasing presence as a way to keep in touch with family and friends. With increased usage, however, comes the increased

potential for the accidental or intentional inclusion of inappropriate information. In recognition of the large role that social media plays in our society, the District is providing these guidelines to assist you in utilizing social media in a safe and responsible manner.

10.2 Public Records in Social Media

The District recognizes that its employees may choose to engage in various forms of social media, and it respects their rights to do so. However, employees must be mindful that statements made through the use of social media are in the public domain and are considered to be public statements. In some cases, information conveyed through social media by District employees may constitute a “public record” that is subject to disclosure under the Public Records Act, Chapter 42.56 RCW.

10.3 District’s Professional Reputation

Statements that our employees make in the public domain about the District, or its employees can have a significant impact on the District’s business and/or professional reputation, regardless of whether the statements are made on a social webpage, an internet chat room or a personal blog. These statements or postings, even if made off premises and while off-duty, could have an adverse effect on the District’s legitimate business and operational interests and image. This policy is intended to protect such legitimate interests and to establish professional guidelines for employees who elect to participate in social media.

10.3.1 Professional Reputation Guidelines

Employees who use social media should exercise discretion, restraint, and common sense. Always be mindful that, once posted, social media content and comments may be impossible to retract or remove.

Employees who use social media must refrain from making in the social media any comments or statements about employees, representatives or customers of the District that would violate the District’s Non-Discrimination/Non-Harassment policies, including statements that are insulting, offensive, derogatory, profane, discriminatory, sexually explicit or disparaging towards any District employee, representative or customer on the basis of their gender, gender expression or identity, race, age, national origin, creed, religion, sexual orientation, marital status, disability or any other class protected by law.

Employees may not defame or otherwise discredit the services or products of the District or its customers, vendors or employees.

Any social media communication by an employee which includes any information related to the District must make clear to the reader that the views expressed by the employee are the employee’s alone, and that they do not reflect the views of the District. For example, “The views expressed in this [blog, posting or article] are my own and have not been reviewed or approved by the District.”

Employees should be mindful that the things they say and do on social media may reflect poorly on them as employees and damage the District’s credibility and reputation in the community. Employees should also keep in mind that they are more likely to resolve complaints about work by speaking directly with their coworkers, supervisors, or managers rather than by speaking publicly or by posting complaints over the Internet.

10.3.2 Confidential Information

District employees may have access to confidential information about the District's operations, customers, and employees that is not subject to public disclosure (such as employee medical conditions, home addresses, customer credit information, and certain preliminary transactional information). Existing District guidelines that restrict the disclosure of such confidential information apply with equal force to social media postings and employees must not divulge such information in social media.

10.4 District Resources

Employees may not engage in personal social media activities while on District time or through the use of the District's resources or equipment (including but not limited to District computers, Internet access, software programs, smart phones, etc.).

Employees may not use the District's logo, trademark or proprietary graphics in connection with their social media usage. In addition to violating this policy and constituting a misuse of District time and resources, such activities may be construed as creating a public record that is subject to the laws governing the retention and disclosure of public records.

A violation of this policy shall be grounds for disciplinary action, up to and including termination of employment.

10.5 Employees Rights

This policy does not prohibit employees from lawfully discussing the terms and conditions of their employment, from exercising their First Amendment rights, or from engaging in any other activity protected by law. Furthermore, nothing in this policy shall prohibit an employee from disclosing or discussing workplace or work-related conduct or conditions that the employee reasonably believes under federal, state, or common law to be illegal discrimination, illegal harassment, illegal retaliation, a wage and hour violation, sexual assault or conduct recognized as against a clear mandate of public policy. The District encourages all employees to report any such conduct to the General Manager, or if the General Manager is the subject of the concerns, to the President of the Board, so that the conduct may be promptly investigated, and all appropriate action can be taken.

11.0 SAFETY AND ACCIDENT PREVENTION

11.1 SAFETY PROGRAM

The District is committed to providing and maintaining a safe and healthy workplace for our employees and customers. We believe that most accidents can be prevented and that every employee is entitled to work under the safest conditions possible. The District's effort to promote safety includes accident prevention, providing a safe working environment, the supply of safety-related equipment, and the training and equipment necessary to provide first aid.

It is the responsibility and a specific job function of every employee and supervisor to maintain a safe workplace and to use safe work practices. We require the full cooperation of each employee to share this commitment and to integrate SAFETY and PREVENTION into everyday operations. Ultimately, safety is everyone's responsibility, it cannot be ignored, nor can it be delegated.

11.1.1 Safety Responsibility Management

Current safety standards require that Management will be responsible for safety procedures, planning, and training. The need for periodic training shall be considered and arranged as determined by the District Manager or designee.

The District Manager or designee shall, as circumstance warrant, review the need for implementing safety practices, policies, or procedures warranted by hazards. Each accident and "near miss" is a cause for review. A copy of such policies shall be delivered to all employees. The District Manager will periodically involve employees in the process.

11.1.2 Safety Responsibility Employees

The District also believes that every employee should realize and accept personal responsibility for their safety as well as the safety of those around them. Every employee is responsible for safety as a specific job assignment.

To achieve the District's goal of providing a safe workplace, everyone must be aware of safety at all times. Employees shall immediately report any unsafe or hazardous condition directly to a supervisor if it cannot be corrected safely and independently. Every effort will be made to remedy safety problems as quickly as possible.

11.2 SAFETY COMMITTEE

In order to ensure a safe and healthy workplace and to promote compliance with mandated standards, a safety committee has been established to develop procedures and training that encourage safe practices on and off the job. The Safety Committee established under WAC 296-800-130 is responsible for reviewing accidents, employee suggestions concerning safety matters and workplace hazards, and the promotion of Safety Programs. The Committee will consist of a joint employee–management group and have the authority to make loss prevention and safety recommendations.

The Committee will meet regularly and have the minutes made available to all employees, including management, and a copy will also be forwarded to the District Board if requested. Members will serve rotating terms so that the Committee will always have at least one experienced member.

11.3 UNSAFE CONDITIONS

It is every employee's responsibility to observe and identify conditions that could pose a hazard to employees or to the general public. After identifying a problem, employees at the scene are expected to:

- a. Safely eliminate the hazard and obtain the necessary assistance.
- b. Safely control the hazard by enclosure or guard.
- c. Employ avoidance procedures.
- d. Use personal protective equipment as appropriate.

11.4 ACCIDENT REPORTING

All accidents involving the District, or a District employee must be reported in detail as soon after the occurrence as possible. All accident reports should be submitted to the District Manager. Accident report forms are provided by the District's insurance company; the Water and Sewer Risk Management Pool (WSRMP).

11.4.1 Vehicular Accidents

Accidents involving District-owned vehicles or personal vehicles being operated on District business, and a second party, must also be reported to a police, when appropriate, for investigation. Any accidents resulting in personal injuries or death must be reported immediately to the District Manager. Single-car accidents (for example backing into a hydrant) must be reported to the employee's supervisor. In all cases, an accident report must be completed.

11.4.2 Other Accidents

All accidents involving damage to equipment or property, or personal injury, must also be reported to the District Manager. The District Manager will determine the need for further investigation.

11.5 EMPLOYEE INJURY REPORT

In case of an accident involving personal injury to an employee, such employee shall obtain appropriate medical assistance as soon as possible. Regardless of how serious, the District Manager should be notified as soon as possible. Failure to report accidents can result in a violation of conditions of insurance coverage and state laws, leading to difficulties in processing insurance and benefit claims. Injured workers must fill out a Workers' Compensation Report form and submit it as soon as possible to the District Manager. All injuries must be reported in a timely manner to avoid the risk of claim denial. The District Manager, or designee, will provide advice and assistance to any person filling out a Workers' Compensation Report.

If an injury results in the death of an employee, the supervisor shall immediately notify the District Manager who, in turn, shall immediately notify the State Workers Compensation Department and the District's insurance carrier by phone. The Finance Manager will then proceed to process a claim report form.

12.0 ADDITIONAL POLICIES

12.1 APPENDIX A - CREDIT CARD / PURCHASE CARD POLICY

12.2 APPENDIX B - SMALL TOOLS, EQUIPMENT and CAPITAL ASSET INVENTORY POLICY.

12.3 APPENDIX C – WHISTLEBLOWER POLICY

12.4 APPENDIX D – KEY CONTROL POLICY

12.5 APPENDIX E – EXTREME HEAT SAFETY PROGRAM