

Table of Contents

| | |
|--|------|
| SECTION 1 - INTRODUCTION TO THE CITY OF MERCER ISLAND | |
| THE HISTORY OF THE CITY OF MERCER ISLAND | 1-1 |
| CITY OPERATIONS | 1-1 |
| MISSION VISION VALUES STATEMENT | 1-3 |
| ABOUT THIS HANDBOOK..... | 1-5 |
| SECTION 2 - WORKING FOR THE CITY OF MERCER ISLAND | |
| JOB CATEGORIES..... | 2-1 |
| OFFICE HOURS..... | 2-2 |
| DRESS GUIDELINES..... | 2-2 |
| JOB DESCRIPTION | 2-3 |
| WORK ASSIGNMENTS | 2-4 |
| ORIENTATION PERIOD | 2-4 |
| WORK BREAKS | 2-4 |
| ATTENDANCE..... | 2-5 |
| NURSING BREAKS | 2-5 |
| MEAL PERIODS..... | 2-6 |
| PAY DAY SCHEDULE | 2-6 |
| SMOKING..... | 2-6 |
| WORKPLACE PRIVACY..... | 2-6 |
| OVERTIME..... | 2-7 |
| PERSONNEL FILE | 2-7 |
| PERFORMANCE EVALUATION | 2-7 |
| SALARY ADJUSTMENTS AND MARKET INCREASES..... | 2-8 |
| EMPLOYEE RECOGNITION PROGRAM..... | 2-9 |
| PAY-FOR-PERFORMANCE PROGRAM..... | 2-10 |
| SERVICE AWARD PROGRAM..... | 2-10 |
| CITY ETHICS CODE | 2-11 |
| REPORTING TO WORK DURING INCLEMENT WEATHER (REGULAR HOURS) | 2-16 |
| REPORTING TO WORK DURING AN EMERGENCY (AFTER HOURS)..... | 2-16 |
| SECTION 3 - EMPLOYEE BENEFITS | |
| BENEFITS OVERVIEW..... | 3-1 |
| MEDICAL DENTAL & VISION INSURANCE | 3-1 |
| LIFE ACCIDENTAL DEATH LONG-TERM DISABILITY & LONG-TERM CARE INSURANCE..... | 3-2 |
| INVESTMENT AND SAVING PLANS | 3-2 |
| WIRELESS CELLULAR TELEPHONE..... | 3-3 |
| EMPLOYEE ASSISTANCE PROGRAM (EAP) | 3-3 |
| FITNESS CLUB MEMBERSHIPS | 3-4 |

SECTION 4 - TIME OFF PROGRAMS

HOLIDAYS4-1
NOTIFICATION OF ABSENCE4-2
VACATION LEAVE4-2
SICK LEAVE.....4-4
SHARED LEAVE PROGRAM.....4-5
WELLNESS INCENTIVE4-7
PERSONAL LEAVE4-8
FAMILY & MEDICAL LEAVES.....4-8
MILITARY LEAVE..... 4-13
BENEFITS DURING LEAVE..... 4-14
JURY OR WITNESS DUTY 4-14
ADMINISTRATIVE LEAVE 4-14
BEREAVEMENT LEAVE..... 4-14
DOMESTIC VIOLENCE / SEXUAL ASSAULT LEAVE 4-15

SECTION 5 - EMPLOYMENT INFORMATION & POLICIES

NEPOTISM – EMPLOYMENT OF FAMILY MEMBERS.....5-1
OUTSIDE EMPLOYMENT5-2
NON-DISCRIMINATION5-3
ACCOMMODATION OF DISABILITIES.....5-3
ANTI-HARASSMENT POLICY5-4
CONCERNS ABOUT IMPROPER GOVERNMENT ACTION.....5-7
REDUCTION IN FORCE 5-10
SEVERANCE PAY..... 5-10
DEMOTION..... 5-11
TERMINATION OF EMPLOYMENT 5-11
PRE-DISCIPLINARY HEARING 5-12
EXIT INTERVIEW 5-12

SECTION 6 - OTHER POLICIES AND PROGRAMS

FLEXIBLE WORK SCHEDULE PROGRAM6-1
TELECOMMUTING PROGRAM6-4
COMMUTE TRIP REDUCTION PROGRAM6-5
TRAINING6-6
TUITION ASSISTANCE PROGRAM6-7
TECHNOLOGY USE POLICY6-8
TECHNOLOGY PROCUREMENT POLICY 6-13
WIRELESS PHONE DEVICE POLICY 6-14
WORKPLACE VIOLENCE POLICY 6-16
DRUG FREE WORKPLACE POLICY..... 6-17
CITY VEHICLES..... 6-18
EMERGENCY OPERATIONS PROGRAM..... 6-21
WORKERS’ RIGHT TO KNOW – CHEMICAL HAZARD COMMUNICATION 6-22
BLOOD BORNE PATHOGEN EXPOSURE CONTROL..... 6-22
WORK-RELATED INJURIES POLICY 6-22
EMPLOYEE CORRECTIVE ACTION/DISCIPLINE POLICY 6-23
GRIEVANCE PROCEDURE POLICY 6-27

Introduction to the City of Mercer Island

The History of the City of Mercer Island

The City of Mercer Island is a 6.2 square mile island situated in Lake Washington, east of the City of Seattle and west of the City of Bellevue. Early settlements on Mercer Island began in the late 1870's. The island was named after one of the three pioneering Mercer brothers from Illinois, all of whom had great influence on the Seattle area. Although none of the brothers lived on Mercer Island, they would often hunt and explore throughout the island's secluded forests. In the early days, island settlers would travel by rowboat to the neighboring community of Seattle in order to pick up any necessities. An occasional tramp steamer would drop off items that were too large to transport by rowboat.

Because of the inconveniences of island living, settlement was slow until C.C. Calkins platted the town of East Seattle and built a luxurious resort on the western side of the island in 1891. Soon a ferry dock was built and small steamers began to make regular stops. With transportation available, the area began to attract more residents. Public water travel continued until July 2, 1940, when the floating bridge from Mercer Island to Seattle was opened.

Today, Interstate 90, which connects Mercer Island with Seattle and Bellevue, is an eight-lane freeway system that includes two separate side-by-side floating bridges across Lake Washington. Mercer Island is primarily a single-family, high-quality residential community with a commercial business district and multi-family dwellings concentrated at the northern end of the Island. Mercer Island's close proximity to both Bellevue and Seattle via Interstate 90, combined with the Island's lakefront and view property, has made Mercer Island a desirable residential community.

Mercer Island has a population of about 23,025. Mercer Island has 24 parks totaling 475 acres. There are three elementary schools, one middle school and one high school.

City Operations

Mercer Island was incorporated on July 18, 1960, and operates with a Council/Manager form of government. Seven City Council Members are chosen during at-large, non-partisan elections to serve four-year terms. From among themselves, they elect a Mayor to serve a two-year term.

The City Council is supported by advisory boards and commissions. The Mayor and City Council select a professional City Manager who oversees the administration of the City.

The City employs approximately 180 full-time employees who work in the following departments:

1. **City Manager's Office** – Appointed by the City Council, the City Manager serves as chief executive officer of the City. The City Manager is responsible for the preparation of the City's annual budget, and the enforcement and implementation of all laws, policies and services of the City. Directing the allocation and organization of the City's resources, the City Manager's office oversees the development and implementation of all policy and program initiatives, including the City Council's top legislative priorities. The City Manager's office includes the City Clerk and internal and external communications. Additionally, the City Manager's office is responsible for managing information technology, mapping, and the telecommunication needs of the city through the Information and Geographical Services (IGS) Division.
2. **Police Department** - The Police Department is divided into the Police Operations unit and the Administrative Services unit. Police Operations includes the Marine Patrol and the Patrol Section. Administrative Services includes the Criminal Investigations Section (Detectives), the Services Section (Records and Evidence Room), and a Training and Personnel Sergeant.
3. **Fire Department** – The Fire Department provides fire prevention and public education services, emergency and non-emergency fire suppression, emergency medical and rescue services.
4. **Maintenance** – The Maintenance Department is organized into four teams: Utilities, Right-of-Way, Engineering and Support Services. The Utilities Team provides service for the water, storm water and sanitary sewer systems. The Right-of-Way Team maintains the City's infrastructure, asphalt patching, street trees, snow removal, street sweeping, and traffic signs and lighting. The Engineering Team provides the management of capital improvement projects for the City. The Support Services Team supports the field-related teams with essential information, fleet maintenance, building maintenance, department training and recordkeeping, inventory and customer response functions.
5. **Parks & Recreation** – The Parks and Recreation Department is organized into two divisions: Recreation and Parks. The Recreation division assumes a major role in the development of a sense of community by providing basic benefits that meet the social and human needs for all age groups. Community benefits are enhanced through recreation, athletic, social, art and special event programs designed to meet the changing needs of the residents of Mercer Island. The Parks division provides maintenance and oversight on 425 acres of publicly owned land in 46 sites around the Island.
6. **Development Services** – The Development Services Group is responsible for all planning and building development activities on Mercer Island. This department is

responsible for all private permits for development within the City. The functions of the department include planning, building, engineering and the permitting process.

7. **Human Resources Department** – The Human Resources Department is responsible for all human resources related functions; including recruitment, succession planning, training, performance management, compensation and benefits management, employee recognition, employee/labor relations, and payroll processing.
8. **Finance** – The Finance department provides the City with a full range of financial and accounting services, including accounts payable, accounts receivable, and utility billing. The department develops and monitors the City's biennial budget.
9. **Youth and Family Services** – The Youth and Family Services department provides a wide range of family services, school-based services and community education and planning. The department also manages a limited number of contracts with specialized agencies to provide social services for Mercer Island residents.
10. **City Attorney's Office** – The City Attorney's office is responsible for providing legal advice and counsel to the City Manager, City Council and all departments as well as various boards and commissions. The office represents the City in civil litigation and administrative hearings in the areas of tort defense, land use, personnel and labor, and municipal law. The City Attorney's office prosecutes criminal misdemeanors in municipal court and handles forfeiture hearings.
11. **Municipal Court** - Mercer Island Municipal Court hears all criminal misdemeanor cases and processes all non-criminal traffic citations and parking citations for violations occurring within the city limits of Mercer Island and Newcastle.

Mission Statement

Our Mission

We provide outstanding municipal services that enhance and protect the environment, the quality of life, and the community health, safety, and welfare on Mercer Island.

Our Vision

To provide valued and effective municipal services in ways that are efficient, flexible, innovative, and creative, with an emphasis on sustainability. We strive to be among the best in all we do.

Our Values

We value high ethical standards, outstanding customer service, teamwork, and leadership development.

High Ethical Standards:

- We conduct ourselves with honesty and integrity.
- We strive to do what is best in the public's interest.
- We strive to conduct ourselves in all matters in a manner that precludes even the perception of impropriety.
- We do not take advantage of our job for personal gain.
- We do not accept gifts of more than a diminimus value.
- We immediately disclose any potential ethics violation and comply with the City's Ethic's policy (Section 2).

Outstanding Customer Service:

- We strive to treat everyone with dignity, respect, and in an equitable manner.
- We strive to communicate in ways that are friendly, honest, open, and candid.
- We are professional in appearance and expertise.
- We strive to listen and find ways to help.
- We strive to anticipate and respond to the needs of our community.
- We look for ways to improve processes and create efficiencies.

Teamwork:

- We collaborate in teams, with the goal of offering support for each other.
- We don't allow department lines to become barriers (no silos).
- We encourage all employees, regardless of title, to contribute to ideas leading us to our vision/goals.
- We look for non-traditional ways to create new and better services.
- We encourage experimentation.
- We strive to address needs when we see that something needs to be done – regardless of our job description.

Leadership Development:

- We encourage each other to become the best we can be.

- We actively engage in practices that encourage everyone to build on their leadership skills.
- We strive to motivate and inspire through mentoring and coaching.
- We strive to lead by example.
- We strive to demonstrate leadership by being flexible, open and empathetic.
- We strive to provide both praise and constructive feedback in a timely and regular manner.

About this Handbook

This Handbook is intended to be a source of general information and guidelines concerning the City of Mercer Island's policies and procedures. It is not intended to be construed as a contract or covenant of employment and nothing in it can or should be considered a promise regarding specific treatment in any given situation. This Handbook in no way alters or modifies an employee's at-will status. This Handbook and any of its policies do not constitute a guarantee of employment for any specific period of time. Unless governed by a collective bargaining agreement, an employment contract signed by the City Manager or the City Attorney, or unless otherwise prohibited by law, your employment with the City is at-will, which means that either you or the City may end your employment at any time, for any reason or no reason at all, with or without notice and with or without cause.

Information contained in this Handbook is subject to modification by the City Manager's Office. The City may, in its sole discretion, change, delete, suspend, discontinue, alter, interpret, or deviate from any part of portions in this Handbook at any time without prior notice or reason. Any changes made by the City will immediately supersede the current contents of this Handbook. This Handbook revokes and supersedes any prior handbooks you may have received.

Employees who are subject to a collective bargaining agreement should refer to their bargaining agreement for any specific terms and conditions of their employment. Employees of the Departments of Police and Fire are also subject to Civil Service rules and provisions. To the extent any provision in this Handbook conflicts with a collective bargaining agreement, the terms of the collective bargaining agreement will apply.

After reviewing this Handbook, please sign both copies of the Acknowledgment of Receipt included at the end of this Handbook confirming that you have received and had an opportunity to review the contents of the Handbook.

Working for the City of Mercer Island

J ob Categories

Your position at the City is categorized in several ways:

Regular full-time employee: Any person hired for an indefinite period of time who works 37.5 or more hours a week on a regular schedule. This is a budgeted full-time equivalent (FTE) position.

Regular part-time employee: Any person hired for an indefinite period of time who works 20 to 37.4 hours per week on a regular schedule. Compensation and eligible benefits accrue according to the number of hours worked per month.

In order to accrue prorated insurance, vacation, sick leave and holiday benefits as described elsewhere in this Handbook, regular part-time employees must work a minimum of 20 hours per week. In order to receive retirement benefits through the State Retirement System, regular part-time employees must work in an eligible position for a minimum of 70 hours per month for more than 5 months in any 12-month period. Regular part-time employees must work a minimum of 90 hours per month in order to be eligible for full retirement benefits. Regular part-time employees who are hired to fill an authorized position generally become eligible to receive prorated benefits the first of the month following their date of hire.

If a regular part-time employee works a variable schedule, vacation, sick leave, holiday, medical, dental and vision benefits may be prorated based on the average number of hours worked in a 6-month period. This may include employees who share a full-time regular position.

Temporary employee: Any unrepresented employee, hired for a limited period of time with set starting and ending dates, whose compensation is hourly. This employee may or may not be eligible for benefits.

Seasonal/Hourly employee: Any unrepresented employee hired for a limited period of time who works a flexible schedule consistent with Fair Labor Standards Act provisions, and is compensated by an hourly wage. These employees are not eligible for benefits.

Working under an Employment or Professional Service Agreement: Any person hired for a defined period of time under the terms of a written contract regarding scope of work and length of service. This person receives those benefits set forth in the written agreement.

Exempt employee: Any employee who meets the criteria outlined under the Fair Labor Standards Act (FLSA). Exempt employees are paid on a salary basis and are not paid overtime for working more than 40 hours in one week.

Non-Exempt employee: Any employee who does not meet the criteria outlined under the Fair Labor Standards Act (FLSA) for exempt status. Non-Exempt employees are paid on an hourly basis and are paid overtime wages or sometimes may request compensatory time, which they may take at a rate of 1-1/2 times their regular hourly rate for any hours worked over 40 in one week.

Represented employee: Any employee who is employed in a position subject to a collective bargaining agreement.

Unrepresented employee: Any employee who is employed in a position which is not subject to a collective bargaining agreement.

Office Hours

City Hall offices are open from 8:00 a.m. to 5:00 p.m. Monday through Friday. The Departments of Police and Fire provide service 24-hours a day, seven days a week. The Departments of Parks & Recreation and Youth & Family Services are open during regular office hours as well as during the evenings and on weekends. The office hours of the Maintenance Department are from 7:30 am to 5:00 p.m. Monday through Friday.

Dress Guidelines

All City employees are expected to present a professional image to other employees and to visitors and citizens visiting City Hall and other City premises. A professional image means dressing and conducting yourself in a manner intended to promote an overall image of professionalism for you and the City. Given the varied nature of work performed by City employees, there are considerable differences in the standards of dress. If you have a question about how to dress appropriately for your position, please talk to your Department Director or the Human Resources Department. Employees working within City offices are expected to

present themselves professionally and appropriately in professional or business-casual attire Monday through Thursday. On Friday, the dress code is relaxed to the extent that non-uniformed employees may wear denim or other non-athletic casual clothes (that is not torn, ripped, ill-fitting, or disheveled).

The following items are considered unacceptable for the workplace (this list is not all inclusive):

- Casual and sports clothing (unless otherwise approved by a Department Director); e.g., shorts, jogging suits, sweat pants, spandex, lycra, t-shirts, and sweatshirts (except for City logo wear).
- Revealing or provocative clothing for either men or women; e.g., low cut tops with plunging necklines, halter tops, see-through tops, tops with open backs, miniskirts, pants that allow undergarments or bare skin to show such as low cut hip-huggers and loose fitting pants that expose under garments.
- Facial piercings (lip, tongue, eyebrow, nose rings, stretched ear lobe piercings, etc). Employees may wear regular earrings and small, discreet diamonds in a nose piercing.
- Any torn, ripped, ill-fitting or disheveled clothing.
- City office employees are not permitted to wear denim pants Monday through Thursday unless otherwise approved by a Department Director. Denim collared shirts and denim skirts are permitted as long as the clothing is in good condition.
- To the extent possible, large tattoos should be covered.

Employees who do not regularly meet the public should follow basic requirements of safety and comfort, but should still be as neat as working conditions permit. Certain employees may be required to meet special dress, grooming, and hygiene standards, such as wearing uniforms or City-logo clothing, depending on the nature of the job.

The departments of Parks & Recreation, Youth & Family Services, Maintenance, Police and Fire have dress codes specific to their respective departments.

An employee who does not meet the standards of this policy may receive corrective action, including, but is not limited, to a requirement to leave the premises, or any other corrective action or discipline, up to and including termination of employment. Non-exempt employees will not be compensated for any work time missed because of failure to comply with this policy.

Job Description

All jobs in the City have a job description that outlines the primary duties and responsibilities for each position. Job descriptions are considered a summary of each position and serve as the basis for setting the salary range for each job. Your immediate supervisor may provide you with a more specific description of your duties and responsibilities.

Work Assignments

Every employee of the City is subject to the direction of the City Manager and their Department Director. The City Manager (or his designee) has the right to assign work to every employee, even if the work may be of a different nature or performed in a different department or division of the City from that in which the employee normally works. The City Manager retains the right to assign existing staff to work on different projects or to work for a different department without a formal recruitment process at his sole discretion, in order to best accomplish the goals of the City.

Orientation Period

All newly hired employees, former employees, returning to work employees, and newly promoted employees will serve a 12-month orientation period unless otherwise provided in a collective bargaining agreement. The orientation period is considered an extension of the hiring process designed to give the City an opportunity to decide whether the employee performs in a manner which conforms to the City Mission, Vision and Values policy (Section 1) and has the ability to perform the work duties and responsibilities in a satisfactory manner. In some cases the orientation period may be extended before its expiration date as determined by the Department Director and the Human Resources Department and approved by the City Manager.

An employee may be discharged at any time during the orientation period, with or without notice or reason, and without recourse to the grievance process. Successful completion of the orientation period does not confer additional rights unless otherwise specified in a collective bargaining agreement or a written employment agreement or contract, and the City retains complete and sole discretion to terminate any at-will employee during his or her orientation period, or at any time thereafter, unless otherwise specified in a collective bargaining agreement or a written employment agreement or contract signed by the City Manager or the City Attorney.

The City retains the right to require a probationary period as part of a disciplinary action, without regard to length of employment.

Work Periods and Breaks

The City's standard work period for regular full-time non-exempt employees is thirty-seven and 1/2 (37.5) hours within a five (5) day period. The standard workday for non-exempt employees is seven and 1/2 (7.5) hours each day, although as set out below in the Flexible Work Schedule Program policy (Section 6), some employees may have flexible work schedules, at the sole discretion of City management. Work day lengths for exempt employees are

determined primarily by their current workloads and by management, although general working hours at the City are from 8:30 to 5:00 p.m. daily.

For overtime purposes, the standard workweek for non-exempt employees is defined as the period beginning Sunday at 12:00 a.m. and ending the following Saturday at 11:59 p.m., unless otherwise specified in the Flexible Work Schedule Program policy (Section 6) for certain employees. Unless prohibited by a collective bargaining agreement, City management reserves the right to establish schedules for individual employees according to City business needs.

Employees are entitled to one paid 10-minute break in the morning and one paid 10-minute break in the afternoon. Employees working at least four hours of overtime are entitled to an additional 10 minute paid rest break. Breaks should be taken so that they do not interfere with ongoing City business. Employees are prohibited from stacking breaks back-to-back, skipping breaks to leave work early, or skipping breaks to increase the break at meal time period.

Attendance

Regular and timely attendance is essential for the City to function productively. Absences and tardiness (or leaving early) are disruptive to the efforts of your colleagues and the City. Unexplained absences and excessive tardiness, or leaving early, will not be tolerated and may lead to disciplinary action, up to and including termination of employment. The City may require employees to provide medical certification from a health care provider for absences due to illness or injury. Please follow the Notification of Absence policy set out in Section 4 if you are going to be absent.

Employees who are absent from work for three consecutive days without giving proper notice to the City may be considered to have voluntarily quit.

Nursing Breaks

For one year after the birth of a child, employees who are nursing are entitled to breaks of reasonable duration each time the employee has a need to express milk. If the employee expresses milk during a standard 10-minute rest break as described above she will be paid for the time. If a non-exempt employee is taking an additional break for the purpose of expressing milk, the time will be unpaid. The City will provide a location, free from intrusion from coworkers or members of the public, which may be used for this purpose. Employees will not be retaliated against for exercising their rights under this policy.

Meal Periods

Employees are entitled to one unpaid meal period during an 8-hour shift. The meal period should not exceed one hour. The Department Director will schedule meal periods so that City business is not interrupted. Non-exempt employees must take their meal period no later than five hours after the beginning of their shift. Employees working at least three (3) hours of overtime are entitled to an additional 30 minute unpaid meal period. Meal periods and breaks cannot be combined.

Pay Day Schedule

City employees are paid every two weeks. There are 26 pay periods per year and paychecks are issued every other Friday morning. Questions concerning pay should be directed to the employee's Department Director or the Human Resources Department.

Occasionally, an employee may have a need to request early payment of earned salary. After receiving written approval of the Department Director, requests should be directed to the Payroll Specialist. The Department Director is responsible for assuring the request is appropriate and the privilege of early payment is not abused. Each employee is limited to no more than three (3) early paycheck requests per year.

Smoking

Smoking and chewing tobacco is not permitted in City buildings, facilities, vehicles, or within 25 feet of any City building entrance, exit, windows that open, or ventilation intakes. The City retains the right to recruit and hire non-smoking individuals for certain positions. Violation of this smoking policy may result in disciplinary action, up to and including termination.

Workplace Privacy

The City does not assume responsibility for any theft or damage to the personal belongings of City employees. Therefore, the City requests that employees avoid bringing valuable personal articles or property to work. Employees are solely responsible for insuring that their personal belongings are secure while at work in the City. Employees are also advised that work-related searches of an employee's work area, computer, workspace, and/or locker on the City's property may be conducted without advance notice. Employees who do not consent to inspections may be subject to discipline, up to and including termination of employment.

Overtime

Occasionally a non-exempt employee may be asked to work overtime. Overtime is defined as any hours worked in excess of 40 hours per work week. All overtime must have prior authorization from the employee's supervisor, team leader, Department Director or the City Manager. A non-exempt employee has the option of receiving compensatory (comp) time in the amount of 1.5 times the hours of overtime, or 1.5 times the regular rate of pay for time worked in excess of 40 hours for that week. There is a cap on how much comp time an employee may accumulate before the employee will be required to use the comp time. If you have questions regarding the City's cap, please see the Human Resources Department. Unauthorized overtime worked by an employee may subject the employee to disciplinary action, up to and including termination of employment.

An exempt employee will not receive overtime pay for hours worked over 40 in one week, but may be given additional paid time off at the discretion of the Department Director. Exempt employees are expected to put in the time necessary to do the work of their position and any other duties as assigned.

Personnel File

Personnel files are considered confidential and the only persons authorized to access these files are the employee, the Human Resources Department, City Manager, City Attorney, and the employee's Department Director and direct supervisor. External requests for information regarding earnings and other personal data will be provided only with the employee's written permission or if required by state or federal law. The Public Disclosure Act currently requires certain disclosures of disciplinary records where disciplinary action has been imposed.

If an employee wishes to view their personnel file, it is recommended that they contact Human Resources Department and provide at least one hour's notice. An employee may request a copy of everything in his/her personnel file.

It is important that an employee notify the Human Resources Department of any change of address, telephone number, emergency contact, or change in dependents within one week of a change.

Performance Evaluation

As an organization, the City recognizes that one of the major points of job satisfaction for an employee is to know the work they do is considered worthwhile, essential and appreciated, and to learn areas where changes or improvements are needed. Ideally, a supervisor or manager gives this information in an informal, verbal way when the occasion presents itself. A formal performance evaluation is a written document that recognizes these basic points and lets the

employee know how they are doing on the job. The purposes of a performance evaluation are to:

1. Establish standards by which the employee and supervisor can measure performance and gauge growth.
2. Increase productivity both by providing praise for a job well done, providing constructive feedback when needed, and by focusing employee efforts on new objectives.
3. Strengthen relationships between an employee and a supervisor by opening communication and increasing employee confidence.
4. Give valuable feedback to the supervisor about ways in which he or she may be able to improve their managerial skills.
5. Provide important documentation of an employee's performance history, including both positive performance and areas where performance needs attention.

A performance evaluation is generally scheduled at the mid-point and near the conclusion of the orientation period for each employee. Evaluations may occur earlier and more frequently at the discretion of the Department Director. After the orientation period, the goal of the City is that employees receive a performance evaluation every year, preferably within one month of the anniversary date of employment in the current position. A Department Director may elect to conduct more frequent performance evaluations at their discretion.

An employee's job performance will be documented on performance evaluation and objective development forms provided by the Human Resources Department. Each form or document should be signed by both the employee and his or her supervisor or team leader, and submitted to the Human Resources Department for placement in the employee's personnel file.

If there are questions about a performance evaluation, or any other aspect of the expectations of work, employees should feel free to seek out additional information from their supervisor or Department Director. When Department Directors, managers, supervisors or team leaders are faced with one or more employee performance issues, they are encouraged to submit a draft performance evaluation document to the Human Resources Department for review before delivering the final performance evaluation to their respective employee.

Salary Adjustments and Market Increases

Unrepresented employees may be eligible for performance-based awards each year as determined by their supervisor at performance review time. Represented employees should review their Union's Collective Bargaining Agreement for salary adjustment schedules. It is the

goal of the Human Resources Department to conduct a market study on unrepresented positions every three years and represented positions are reviewed during collective bargaining.

When conducting a market study, the Human Resources Department will compare the job duties and salaries with matching positions from benchmark organizations in the public sector and the private sector, when appropriate. A list of the comparable cities used for conducting market studies is included in the City's Compensation Plan Document. Salaries of internal positions will be taken under consideration as well. The City Council's policy is to pay positions at the midpoint of the current job market. The Human Resources Department will determine whether a salary adjustment is warranted based on the formula of 100% of the average salaries from comparable positions in benchmark organizations. All market adjustment awards will depend upon the approval from the Department Director, the Human Resources Director, the Finance Director and the City Manager. This policy is subject to change at any time.

Pay adjustments will become effective no earlier than the most current upcoming pay period unless authorized retroactively. Retroactive pay may only be authorized under the following conditions with approval from the City Manager.

1. When an employee has been promoted, a market study is normally completed to determine the appropriate rate of pay. Retroactive pay may be authorized from the date of the promotion.
2. When a position has been reclassified due to the addition of significant duties and/or responsibilities. Retroactive pay may be authorized from the date that the reclassification analysis request was submitted from the Department Director to the Human Resources Department.
3. When a market analysis has been requested for a position due to changing market conditions. Retroactive pay may be authorized from the date that the market analysis request was submitted from the Department Director to the Human Resources Department.
4. When a salary increase based on a contractual agreement has been missed, the employee is eligible for retroactive pay back to the date specified within the contractual agreement.
5. Non-represented employees may be eligible for pay-for-performance awards annually. If an employee receives their performance evaluation later than their anniversary date, their attach-to-base pay-for-performance award may be applied retroactive to that employee's anniversary date (but no longer than six [6] months).

Employee Recognition Program

The Employee Recognition Program is designed to reward unrepresented employees, and in some instances, represented employees, for conduct and performance outlined in the City of

Mercer Island's Mission, Vision and Values Statement. This conduct may include, but is not limited to customer service, teamwork skills, leadership, productivity, problem-solving, efficiency, versatility and flexibility.

The awards available may be either monetary or non-monetary, as the situation warrants, and in the City's sole discretion. Each Department Director and the Human Resources Department maintain a supply of non-monetary awards intended for instant employee recognition. Non-monetary awards and monetary awards of \$250 or less must be approved by the Department Director and the Human Resources Director. Monetary awards of more than \$250 must be approved by the Department Director, the Human Resources Director, the Finance Director and the City Manager.

More comprehensive descriptions of the City's Employee Recognition Program are included in the City's Compensation Plan Document.

Pay-for-Performance Program

Non-represented employees may be eligible to receive annual awards based on the City's Pay-for-Performance Program. A detailed description of the City's Pay-for-Performance Program is included in the City's Compensation Plan Document.

Service Award Program

Years of Service Awards

Service awards are provided to all regular full-time and part-time City employees at 5, 10, 20, and 30 years of service. At the beginning of the year in which an employee reaches a milestone anniversary, he/she is notified that he/she will receive a service award on his/her anniversary date. The employee selects the award of his/her choice from a variety of available awards. At each milestone anniversary, the employee's choice of awards is expanded. To find out more about award choices, contact the Human Resources Department.

Retirement/Departure Awards

The City provides Retirement/Departure Awards to employees in good standing who have worked for the City for at least 5 years. Whether an employee is considered to be in good standing is determined solely at the discretion of City management. This policy provides a consistent, routine and quality program to suitably award an employee's service to the City. When an employee announces his/her departure, the employee, or the Department Director on behalf of the employee, chooses a departure award from a catalog, or other award approved by the City Manager, that is designated for the employee's years of service. The cost of the award comes out of the departing employee's department budget.

City Ethics Code

Purpose

City employees will demonstrate the values of integrity in the performance of the City's business, accountability to the law and to the people we serve, stewardship of the City's resources, and independence in the performance of our jobs. City employees should strive to live up to the highest ethical standards.

This policy establishes ethical standards of conduct for all City employees. Violations of this policy may subject employees to discipline up to and including termination of employment.

The provisions of this Code shall be considered as minimum standards for City employees. If any provision of this Code conflicts with any applicable state or federal statute or law, the statute or law shall control if it contains stricter requirements than this Code.

Definitions

“City action” means (i) a decision, determination, finding, ruling, order, grant, payment, award, license, contract, transaction, sanction, approval or denial, or other similar action, or (ii) any proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other such matter that the City employee believes, or has reason to believe, is or will be the subject of City action; or is one to which the City is, or will be a party; or is one in which the City has a direct and substantial interest.

“City employee” means all elected and appointed officers of the City, together with all deputies and assistants of such an officer, and all persons exercising or undertaking to exercise any of the powers or functions of an officer of the City.

“State registered domestic partners” means two adults who have been issued a certificate of state registered domestic partnership by the secretary of state's office and who (1) share a common residence; (2) are at least eighteen years of age; (3) are not married to someone other than the party to the domestic partnership and are not in a state registered domestic partnership with another person; (4) are capable of consenting to the domestic partnership; (5) are not nearer of kin to each other than second cousins and are not a sibling, child, grandchild, aunt, uncle, niece, or nephew of each other; and (6) are members of the same sex, or at least one of the persons is sixty-two years of age or older.

“Family member” means spouse or state registered domestic partner, child, step-child, parent, step-parent, parent-in-law, grandparent, grandchild, sibling, aunt, uncle, niece, nephew, son- or daughter-in law, brother- or sister-in law or first cousin.

“Compensation, gift, reward, or gratuity” means anything of monetary value, but does not include the following items:

- Anything of value that is received as City property and used for City purposes;

- Payment for enrollment and course/conference fees and reasonable travel expenses related to seminars and educational programs sponsored by a bona fide nonprofit professional, educational, or trade association, or charitable institution;
- Discounts available to an individual as a member of an employee group, occupation or similar broad-based group;
- A plaque, trophy, desk item, wall memento, or similar item given in recognition of performance, merit, or accomplishment;
- Awards, prizes, scholarships, or other items provided in recognition of academic or scientific achievement;
- Reimbursement to the City for enrollment and course/conference fees and reasonable travel expenses incurred by the City in connection with an employee's speech, presentation, or appearance made in an official capacity; provided that the reimbursement is memorialized in a public record;
- Campaign contributions to finance the campaign, including outstanding debts, of candidates for public office who comply with all provisions of applicable local, state, and federal public disclosure and ethics laws.

“Participate” means to personally and substantially consider, investigate, advise, recommend, approve, disapprove, decide, or take other similar action.

“Person” means any individual, partnership, corporation, association, firm, institution, or other entity, whether or not operated for profit.

“Reasonable travel expenses” are those expenses that either (i) do not exceed the City-established per diem for travel, or (ii) could be paid for with reasonable public funds.

Conflicts of Interest

All City employees must disqualify themselves from participating in City actions in which they have a conflict of interest, and disclose when it could appear that they have a conflict of interest.

A City employee may not:

- Participate in a City action in which any of the following has a financial interest:
 - the City employee;
 - a family member of the City employee;
 - an individual residing with the City employee;

- a person the City employee serves as an officer, director, trustee, partner or employee;
- a person with which the City employee is seeking or has an arrangement concerning future employment.
- Participate in a City action in which a person that employed the City employee in the preceding 12 months, or retained the City employee or his or her firm or partnership in the preceding 12 months, has a financial interest; provided, however, that the City Manager may waive this section when there is a compelling need for the City employee to participate in a City action involving a prior employer or client, and is satisfied that the City's interests will be safeguarded.
- Participate in a City action when it could appear to a reasonable person, having knowledge of the relevant circumstances, that the City employee's judgment is impaired because of either (i) a personal or business relationship not covered under subsection a or b above, or (ii) a transaction or activity engaged in by the City employee. This section c shall not apply if the employee has, before participating, fully disclosed in writing the circumstances to the City Manager. The City Manager, upon receiving a written disclosure from a City employee, may disqualify the employee from participating in the action.

This section shall not apply if the financial interest is shared with more than ten percent of the City's population or workforce, or if the financial interest exists solely because of the City employee's ownership of less than one percent of the outstanding shares of a publicly traded corporation.

A City employee who recuses himself or herself from participating in a City action in accordance with this section should notify the City Manager in writing of his or her decision to do so as soon as possible.

Misuse of Position

To promote public confidence, City employees may not misuse their positions or City property for private gain.

A City employee may not:

- Use or attempt to use his or her official position for a purpose that is, or would to a reasonable person appear to be, primarily for the private benefit of the City employee or any other person, rather than primarily for the benefit of the City.
- In the absence of a written policy or procedure approved by the City Manager, City Attorney, or their designee, use or attempt to use, or permit the use of any City funds, property, equipment, or personnel, for a purpose which is, or to a reasonable person would appear to be, for other than a City purpose, except that City employees may make limited use of City telephones, computers, email programs,

and copiers for personal purposes if there is no direct or immediate cost to the City and if the use does not interfere with the employee's performance of his or her official duties or with another employee's performance of official duties.

- Except in the course of official duties, assist any person in any City action in which that person has a financial interest. This subsection shall not apply to any City employee appearing on his or her own behalf in any City action, or on behalf of any business entity solely owned by the City employee, if not otherwise prohibited by this or any other City policy.
- Influence or attempt to influence a City decision to contract with or otherwise conduct City business with a person in which any of the following has a financial interest:
 - the City employee;
 - a family member of the City employee;
 - an individual residing with the City employee;
 - a person the City employee serves as an officer, director, trustee, partner or employee;
 - a person with which the City employee is seeking or has an arrangement concerning future employment.
- Receive compensation from any person seeking to or providing goods or services to the City, without the written consent of the City Manager or his or her designee, if the City employee participates in the acquisition of such goods and services by the City.

Compensation, Gifts, Rewards, and Gratuities

To promote public confidence, City employees generally must not accept compensation, gifts, rewards, or gratuities from people who may have an interest in City actions. One time gifts of diminimus value will not constitute a violation of this policy. Employees should contact their supervisor, the Human Resources Department, or the City Attorney if offered any gift.

A City employee may not, directly or indirectly, solicit or receive any compensation, gift, reward, or gratuity from any person if the intent is, or would to a reasonable person appear to be, to seek or obtain special consideration or influence in any City action in which the employee participates.

It shall not be a violation of this section for a City employee who participates in the City's acquisition of goods or services to accept from a person or firm seeking to or providing such goods or services the following:

- Advertising or promotional items of nominal value.

- Informational material, publications, or subscriptions related to the recipient's performance of official duties.
- Food and beverages consumed at hosted receptions or hosted meals where attendance is related to the recipient's performance of official duties.

It shall not be a violation of this section for a City employee to accept compensation, gifts, rewards, and gratuities from the City.

Employees should seek guidance from their Department Director, the Human Resources Department, or the City Attorney if they have questions about this or any section of the policy.

Disclosure of Confidential Information

City employees may not use confidential information for personal or private gain.

A City employee may not disclose or use any confidential information gained by reason of his or her official position, including but not limited to personal employee information, property appraisals, and business information the disclosure of which would put the City at a competitive disadvantage, for other than a City purpose.

“Confidential Information” means (i) specific information, rather than generalized knowledge, that is not available to a person who files a public records request, or (ii) information made confidential by law or policy or practice.

Interest in Contracts

City employees may not have a financial interest in contracts made by those in their chain of command, and must disclose a financial interest in any City contracts.

A City employee shall disclose any financial interest, direct or indirect, held personally or through a family member, in any contract to which the City may be a party, to the City Manager or his or her designee prior to the formation of the contract.

In addition to the requirements of the foregoing paragraph, a City employee may not hold or acquire a financial or beneficial interest, direct or indirect, personally or through a family member, in any contract which, in whole or in part, is made by, through, or under the supervision of the City employee, or which is made by or through a person supervised, directly or indirectly, by the City employee; or accept, directly or indirectly, any compensation, gift, gratuity, or reward in connection with such contract from any other person or entity beneficially interested in the contract.

Failure to comply with the Code of Ethics may warrant disciplinary action, up to and including termination of employment.

Reporting to Work During Inclement Weather (Regular Hours)

City employees are expected to use reasonable measures to ensure they will be able to report to work during snowy or stormy weather on regular workdays if they can do so safely. Employees who report to work will receive their regular pay for that day. This will apply even if the employees are late to work or are released early by the City Manager or Department Director. Employees who do not report to work must use accrued vacation, personal leave, comp time or unpaid leave. Alternative work arrangements, such as telecommuting, may be authorized by the Department Director on a case-by-case basis during inclement weather situations as outlined in this policy.

Reporting to Work During an Emergency (After Hours)

If the City Manager or a member of the Emergency Operations Center (EOC) determines that an emergency may develop after regular business hours (such as a storm, water main break, landslide, etc.), employees may be notified that they are on “stand-by” for emergency duty. When this occurs, employees may be asked to stay at work after regular hours, or employees may be directed to check their voicemail or email on a regular basis throughout the evening or weekend to listen for a message advising them of whether they need to report for duty. In most circumstances, checking your email or voicemail messages every 1-2 hours should be sufficient depending on the situation. If you are asked to report for duty at any time during a “stand-by” situation, non-exempt employees will be paid at their overtime rate, and exempt employees may receive time-off in lieu of pay at the discretion of the Human Resources Department or City Manager.

If an emergency event or disaster occurs during non-working hours, all City employees are considered to be on “stand-by” for emergency duty. First, take care of your personal and family emergency responsibilities, and then check your email or voicemail to see if there is a message requiring you to report for duty. If the phone lines are down and you are able to provide essential services (such as Police, Fire, Maintenance, YFS and DSG employees) then report to work if you are able, after checking to make sure the transportation routes are reported to be intact.

If you are required to report for duty, you may be allowed to bring your family members to the workplace on a case-by-case basis depending on the emergency or disaster itself and when no other safe alternative exists. Please obtain approval from your Department Director or a member of the EOC before bringing in family members.

If you cannot get to Mercer Island but you are able to provide essential services, such as Police and Fire employees, Maintenance employees or those trained in damage assessment, report to the nearest Police Station, Fire Station or local City government to get a local job assignment. The City of Mercer Island has established a mutual aid agreement with other eastside cities and we have an obligation to help other cities following an emergency, event or disaster.

Please keep in mind that during an emergency or disaster your normal reporting relationships and actual job assignment will probably be different from the one you do every day. Those with emergency services assignments should report to their department for a job assignment. All others should report to the City's EOC check-in station at City Hall or at another location as designated during the emergency.

While the City has limited emergency food and supplies on hand, it is best to bring extra clothing, blankets, food and water with you when reporting for duty in the event you are needed for an extended period of time (one day or more). If you are bringing family members to the workplace, bring enough supplies for them as well.

Employee Benefits

Benefits Overview

Your medical, dental, vision, life, and long-term disability insurance coverage is administered through the Association of Washington Cities (AWC) Employee Benefits Trust (The Fire Union's medical plan is administered through the LEOFF Health and Welfare Trust). AWC administers insurance benefits for many cities in Washington, which makes the number of employees subscribing to the AWC insurance plans quite large. The City of Mercer Island's insurance premium rates are considerably lower than those premiums that would be offered to the City of Mercer Island if we were to subscribe to similar plans on our own.

Complete plan summaries and plan documents are available from the Human Resources Department. To the extent any information found in this Employee Benefits section may conflict with or provide greater rights or benefits than is provided in any plan summary or plan document, the actual plan documents for each benefit will govern.

Medical, Dental and Vision Insurance

Currently, the City offers medical, dental and vision insurance to eligible employees. In addition, the City currently pays the premiums for eligible employees and a percentage of the premiums for family members of eligible employees, although you may be required to pay a monthly premium share payment, which will be divided in half each month and taken out of your paycheck twice each month.

Employees may waive medical insurance for themselves and eligible dependents. In order to exercise this option, employees must provide proof of insurance through another source (i.e., Spouse's employer). Employees who waive insurance shall receive a monthly HRA-VEBA contribution that is currently set at \$470.00, through the HRA-VEBA Medical Expense Plan. This money is generally available for employees to receive reimbursement for eligible uncovered medical expenses.

Some of these benefits for represented employees may be governed by respective collective bargaining agreements.

Eligible employees may also participate in the City's Flexible Spending Account plan, which can be used for medical costs that are not covered by other medical insurance plans. This plan

allows you have a designated amount of money deducted from your paycheck equally over the calendar year on a pre-tax basis.

Please see the Human Resources Department for information about these benefits.

Life, Accidental Death, Long-Term Disability and Long-term Care Insurance

Life, accidental death, and long-term disability insurance, are currently provided to eligible employees at the City. Some of these benefits for represented employees may be governed by respective collective bargaining agreements. Furthermore, supplemental insurance options for life and long-term care insurance are currently available for eligible employees at their own expense. Please see the Human Resources Department for information about these benefits.

Investment and Saving Plans

The City of Mercer Island currently offers retirement investment options for eligible employees. Your participation in these plans is completely voluntary and you make all decisions regarding your investment choices. The City is not responsible for any investment decisions made by employees.

ICMA-RC Retirement Corporation Section 457 Plan Tax Deferred Mutual Funds

All employees are eligible to participate in the ICMA RC Section 457 Plan. The dollars that are contributed reduce your tax liability since they are exempt from Federal Income Tax until you withdraw your money. You may change the amount of your contribution or reallocate your fund balances at anytime. A complete summary of plan features is available from the Human Resources Department.

ICMA-RC Roth-IRA Purchasing Option

In addition to your pension plan and 457 Deferred Compensation Plan, an Individual Retirement Account (IRA) is one of the best ways for you to save for retirement. The City currently offers eligible employees an ICMA-RC Roth IRA purchasing option that allows you to save more for retirement.

Guaranteed Education Tuition (GET) Program

All employees are currently eligible to purchase GET units to prepay future college tuition at today's lower unit price through a convenient payroll deduction.

US Savings Bonds

All employees are currently eligible to purchase US Savings Bonds through payroll deduction. You can contribute any dollar amount to be directly deposited to your Treasury Direct account. See example: if your payroll allotment/direct deposit is \$10 each pay period, and you have chosen a purchase amount of \$25, after your third allotment/direct deposit is received, a \$25 savings bond will be purchased and the remaining balance will be \$5 until the next allotment/direct deposit is received.

You can purchase either Series EE or Series I Savings Bonds and the purchase amount can be any amount from \$25 to \$10,000. Electronic savings bonds are always purchased at full face value. For more information about savings bonds visit: <http://treasurydirect.gov/tdhome.htm>

Verizon or AT&T Wireless Cellular Phones

All employees are currently eligible to participate in the City's Verizon or AT&T Wireless Cellular Government Account Plans. Discounted rate sheets are available in the Human Resources Department.

Employee Assistance Program (EAP)

The Employee Assistance Program is a free, confidential service designed to assist employees of the City and their families who are experiencing personal or job-related problems. The program is currently available to you and your family at no cost. The program addresses any problems associated with marital, family, emotional, drug, alcohol, financial, job, legal, and stress issues. Through the EAP you are currently eligible to receive counseling or professional problem assessment up to 11 sessions per issue (except for legal and financial) per year. In addition, the EAP offers referral to community resources, supervisor training and consultation, and follow-up.

The program is available at all times and any contact of the EAP is treated in the strictest confidence and will not become part of your personnel record. The City is not notified with the names of the employees who visit the EAP. Confidentiality is subject to state and federal laws.

Contact the EAP at 1(800)570-9315. You may call any time, day or night, seven days a week, for confidential and voluntary counseling and referral.

The City's Employee Assistance Program also currently provides free 24 hour Adult and Elder Referral and Consulting Services to all regular employees of the City. This service provides answers to your questions regarding caring for an elderly adult such as: medical issues, caregiver support, homes for older adults, insurance for older adults, transportation and safety issues,

legal and financial help, medication questions, mental health issues, death, dying and grieving, etc. To access these services, dial 1(800)570-9315.

Fitness Club Memberships

Stroum Jewish Community Center

All employees are currently eligible to join the Stroum Jewish Community Center (JCC), which is located southwest of City Hall's parking lot. The JCC facility includes state-of-the-art fitness facilities and equipment.

If you choose to become a member of the JCC, your monthly dues will come out of your paycheck twice per month over the year. You may become a member any time during the year at a pro-rated cost. There is no opportunity for a refund of your annual dues if you decide not to use the facility. If you are a new member you have the choice of adding your one-time initiation fee to your monthly payments or paying it all at one time.

City Hall Conditioning Facility & Mercer Island Events and Community Center (MICEC) Workout Facility

The City's conditioning facility is located downstairs at City Hall and is open to regular City employees 24 hours per day, and 12 hours per day for seasonal employees. The City currently provides this facility to employees at no cost. The facility and its equipment are maintained and managed by the City's Wellness Committee. Guests may accompany an employee in the facility under the condition that this does not interfere with other City employees' exercise time. Additionally, employees may use (at no cost) the workout facility located at the MICEC during regular business hours. Employees may contact the MICEC or the Human Resources Department for specific rules for accessing the MICEC workout facility.

Time Off Programs

Holidays

The following holidays are granted to all full-time employees except as otherwise specified in the provisions of an applicable collective bargaining agreement.

| | |
|-------------------------------|--------------------------|
| New Year's Day | January 1 |
| Martin Luther King's Birthday | 3rd Monday in January |
| Presidents Day | 3rd Monday in February |
| Memorial Day | Last Monday in May |
| Independence Day | July 4 |
| Labor Day | 1st Monday in September |
| Veterans Day | November 11 |
| Thanksgiving Day | 4th Thursday in November |
| Day after Thanksgiving | 4th Friday in November |
| Christmas Day | December 25 |
| Floating Holiday | Employee's Choice |

| HOLIDAY | 2012 | 2013 | 2014 | 2015 |
|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| New Year's Day | Jan 2 (M) | Jan 1 (T) | Jan 1(W) | Jan 1(Th) |
| M. L. King Day | Jan 16 (M) | Jan 21 (M) | Jan 20 (M) | Jan 19 (M) |
| President's Day | Feb 20 (M) | Feb 18 (M) | Feb 17 (M) | Feb 16 (M) |
| Memorial Day | May 28 (M) | May 27 (M) | May 26 (M) | May 25 (M) |
| Independence Day | Jul 4 (W) | Jul 4 (Th) | Jul 4 (F) | Jul 3 (F) |
| Labor Day | Sept 3 (M) | Sept 2 (M) | Sept 1 (M) | Sept 7 (M) |
| Veteran's Day | Nov 12 (M) | Nov 11 (M) | Nov 11 (T) | Nov 11 (W) |
| Thanksgiving | Nov 22 (Th) Nov 23 (F) | Nov 28 (Th) Nov 29 (F) | Nov 27 (Th) Nov 28 (F) | Nov 26 (Th) Nov 27 (F) |
| Christmas | Dec 25 (T) | Dec 25 (W) | Dec 25 (Th) | Dec 25 (F) |

When a holiday falls on a Saturday, the Friday before is observed as a holiday. When a holiday falls on a Sunday, the following Monday is observed as a holiday.

The work and holiday schedule of school-based City employees match that of the Mercer Island School District employees' schedule.

Floating Holiday

Except as otherwise specified in the provisions of any applicable collective bargaining agreement, employees may choose one day a year as a Floating Holiday. To be eligible to take a floating holiday, the employee must have been continuously employed by the City for more than four (4) months. The request for a floating holiday must be given to the employee's supervisor or team leader at least one week in advance, unless otherwise specified in a collective bargaining agreement, so that the number of employees requesting a particular day off does not prevent the City from providing continued services to the public. The floating holiday must be used during the calendar year or it will be forfeited. All requests for a floating holiday must be approved by the Department Director.

Employees hired after August 1st will not be given credit for a floating holiday until the following January 1st.

School-based City employees do not earn a Floating Holiday.

Notification of Absence

If you are going to be absent or late to work it is your responsibility to contact your supervisor, team leader or Department Director promptly so arrangements may be made to provide uninterrupted services during your period of absence. You should make every effort to notify your supervisor within 30 minutes after the start of your work shift. If your supervisor, team leader or Department Director is not available, you should leave a voicemail or email message. Irregular attendance or repeated tardiness may result in disciplinary action, up to and including termination.

Absences for reasons other than leave under the City's Personal Leave Policy, Sick Leave Policy, and Bereavement Leave Policy must be approved by a supervisor before the initial day of planned leave. Failure to obtain such approval may result in disciplinary action, up to and including termination of employment.

Vacation Leave

The purpose of vacation leave is to provide employees with a period of time away from the routine and pressures of work. In addition, employees may elect to take accrued vacation to care for: (1) A child of the employee with a health condition that requires treatment or supervision; (2) An adult child of the employee incapable of self care because of mental or

physical disability; or (3) A spouse, registered domestic partner, parent, parent-in-law or grandparent of the employee with a serious health condition or an emergency condition. In the event you require leave for one of these three reasons, you will need to have first utilized all of your accrued sick leave. Employees are encouraged to take vacation leave at least one full week at a time.

Vacations will be approved by supervisors in advance to ensure that essential City functions are maintained. Vacation accruals and procedures for requests for vacation time vary by collective bargaining unit. An employee's current collective bargaining agreement governs vacation requests, and all requests are subject to the Department Director's approval. Unrepresented full-time employees earn vacation as follows:

Full-time, Unrepresented Employees

| YEARS OF SERVICE | MONTHLY HOURS EARNED | ANNUAL ACCRUAL | MAXIMUM ACCRUAL |
|-------------------------|-----------------------------|-----------------------|------------------------|
| 0-4 years | 8.0 hours | 12 days (96 hrs) | 240 hours |
| 5-9 years | 10.0 hours | 15 days (120 hrs) | 240 hours |
| 10-14 years | 12.0 hours | 18 days (144 hrs) | 240 hours |
| Over 15 years | 14.0 hours | 21 days (168 hrs) | 240 hours |

Vacation leave accrues to a maximum of 240 hours, which equates to 30 days for a full-time employee. Vacation leave is earned but may not be used during the first six months of the probationary period unless approved by the Department Director.

Upon initial employment an employee will earn prorated vacation leave as follows:

Date of hire between the:

- 1st and 10th = 1 day (8 hours)
- 11th and 20th = 1/2 day (4 hours)
- after the 20th = no vacation leave

The following month, vacation leave is accrued at the regular rate of eight (8) hours for each full month of service.

Employees who work under the terms of a collective bargaining agreement should refer to their contract for vacation leave provisions.

Regular part-time employees who work at least twenty (20) hours per week earn vacation leave on a pro-rated basis. Temporary and seasonal employees do not earn vacation leave. No vacation leave is earned by any employee while on leave without pay unless specifically earned under an employee's collective bargaining agreement.

Those City employees who are school-based do not earn vacation leave. Their work and holiday schedule matches that of the Mercer Island School District employees' schedule.

Vacation Leave Conversion

Unrepresented employees with five (5) or more years of employment are eligible to convert accrued vacation leave to cash that will be paid through the regular payroll. Vacation leave may be converted as follows:

- 5 or more years employment = up to 3 vacation days may be converted to an employee's wage equivalent for 3 days of pay
- 10 or more years employment = up to 5 vacation days may be converted to an employee's wage equivalent for 5 days of pay

The amount of converted vacation leave may be increased due to exceptional circumstances at the sole discretion of the City Manager.

Represented employees should refer to their union contract for vacation conversion provisions.

Vacation allowance paid at termination is subject to the approval of the City Manager, and in no case will the employee be paid for more than 30 days (240 hours) of accrued vacation, unless otherwise required under a collective bargaining agreement.

Sick Leave

The purpose of sick leave is to give employees financial protection for time lost from work due to an illness or an accident. Unless otherwise specified in a collective bargaining agreement, sick leave accrues at the rate of one day (8 hours) for each full month of City service. Upon initial employment an employee will earn prorated sick leave as follows:

Date of hire between the:

- 1st and 10th = 1 day (8 hours)
- 11th and 20th = 1/2 day (4 hours)
- after the 20th = no sick leave

The following month, sick leave is accrued at the regular rate of eight (8) hours for each full month of service.

Sick leave may be accrued to a maximum of 90 days (720 hours) unless otherwise provided in a collective bargaining agreement. Employees on a paid leave of absence will continue to accrue sick leave. Employees who are on unpaid leave will not accrue sick leave.

Regular part-time employees who work at least twenty (20) hours per week earn sick leave on a prorated basis. Temporary and seasonal employees do not earn sick leave.

It is each employee's responsibility to promptly notify his or her supervisor, team leader, or Department Director when an illness prevents work attendance. Failure to notify your supervisor in a timely fashion may result in denial of sick leave pay. The City Manager or Department Director may require a doctor's statement to support the use of any amount of sick leave from any employee.

In addition, employees may elect to take accrued sick leave to care for: (1) A child of the employee with a health condition that requires treatment or supervision; (2) An adult child of the employee incapable of self care because of mental or physical disability; or (3) A spouse, registered domestic partner, parent, parent-in-law or grandparent of the employee with a serious health condition or an emergency condition.

No payment for accrued sick leave will be made upon termination of employment.

Shared Leave Program

The City currently provides a shared leave program. The purpose of shared leave is to permit employees of the City to assist a fellow employee. A Department Director and Human Resources Department, with the City Manager's approval, may permit an employee to receive donated vacation leave under this policy if all of the following conditions are met:

1. The employee suffers, or has an immediate family member suffering from an illness, injury, impairment, or physical or mental condition which is of an extraordinary or severe nature and which has caused, or is likely to cause, the employee to go on leave without pay status.
2. The employee has depleted or will shortly deplete his or her total of accrued vacation, sick leave, compensatory time, holiday time, and/or other paid leave.
3. Prior to the use of shared leave, the employee has abided by the City's sick leave policy or, in the case of represented employees, the sick leave policy as specified in the appropriate collective bargaining agreement.
4. The employee is ineligible for State Industrial Insurance or other disability benefits. This program will not be used if it in any way jeopardizes the employee's eligibility for long-term disability, Workers' Compensation or any other benefits. An employee receiving long-term disability or Workers' Compensation is not eligible to receive shared leave.
5. The use of shared leave will not significantly increase the City's costs, except for those costs which would be incurred in the administration of this program or which would otherwise be incurred by the employee's department.

The Department Director and Human Resources Director, with the concurrence of the City Manager, will determine the amount of shared leave, if any, which an employee may receive.

The employee will be required to provide appropriate medical documentation both of the necessity for the leave and the estimated time in which the employee is likely to be absent. The amount of time an employee is eligible to be out on shared leave will not exceed six weeks unless there are extenuating circumstances. The City retains the right to recruit for and hire a replacement after twelve weeks of leave. An employee will not receive more than the equivalent of six weeks of shared leave. To the extent possible, shared leave should be used on a consecutive basis and it will run concurrently with any leave under the Family Medical Leave Act or Washington's Family Leave Act. Employees receiving shared leave may not use the donated leave for any purpose other than that as defined in their request for shared leave. If a balance of donated leave remains at the end of the defined condition or situation, the amount will be redistributed to leave donors by the Human Resources Department.

In order to be eligible to donate vacation leave, an employee must have a total of more than ten (10) days of accrued vacation leave, have taken at least ten (10) days of vacation leave within the calendar year or have a total of accrued and used vacation leave of greater than ten (10) days for the calendar year. (Because of their work schedule, Fire Division employees who wish to retain less than ten (10) days of vacation leave may apply to the Fire Chief for an exception to this rule).

Transfers of vacation leave will be allowed in increments of no fewer than four (4) hours of leave. In no event will a transfer of leave be approved which would result in an employee reducing his or her total vacation leave in a calendar year to less than ten (10) days. When reviewing Police and Fire employees, the Police Chief or Fire Chief may also consider whether additional time off will be provided through compensatory and/or holiday leave unique to the Police and Fire Departments. The Department Director will not transfer vacation leave in excess of the amount specified in the request. All donations of leave will be voluntary. The Department Director will determine that no significant increase in City costs will occur as a result of a donation of leave.

Leave may be transferred from employee(s) from one department to an employee of the same department, or, with the concurrence of both Department Directors, to an employee of another department.

While an employee is on shared leave, he or she will continue to be classified as a City employee and will receive the same treatment, in respect to salary and benefits, as the employee would otherwise receive if using accrued leave.

The employee's salary rate will not change as a result of being on shared leave nor, under any circumstances, will the total of the employee's salary and other benefits, including but not limited to State Industrial Insurance or any other benefit received as a result of payments by the City to an insurer, health care provider, or pension system, exceed the total of salary and benefits which the employee would have received had he or she been in a regular pay status.

Vacation leave will be transferred on a dollar-for-dollar basis. The value of the leave will be determined at the current hourly wage of the transferor and the leave available to the receiving employee will be calculated at the receiving employee's wage.

The Human Resources Department will compute the values of donated leave and shared leave, and will also be responsible for adjusting the accrued leave balances to show the transferred leave. Records of all leave time transferred will be maintained in the event any unused time is returned at a later date.

The value of any leave transferred which remains unused will be returned at its original value to the employee or employees who donated the leave. The Department Director will determine when shared leave is no longer needed. When there have been multiple donors, and to the extent administratively feasible, the unused leave will be returned on a prorated basis.

Employees are prohibited from soliciting shared leave donations, particularly in exchange for any type of promise, and to the extent that an employee engages in solicitation for shared leave, or inappropriate use of the shared leave policy, he or she may be subject to discipline, up to and including termination of employment and may also result in the cancellation of the donated leave or the use of shared leave for the employees involved.

Wellness Incentive

Regular full-time unrepresented employees and AFSCME employees are currently entitled to receive the following Wellness Incentive:

- Employees using less than 20% of their sick leave balance (and not more than 100 hours) as of the end of the year, receive 4 hours added to their vacation balance on January 1st (If an employee uses less than 20% but more than 100 hours, no award will be given.).
- Employees using less than 15% of their sick leave balance (and not more than 75 hours) as of the end of the year, receive 8 hours added to their vacation balance on January 1st (If the percentage is less than 15% but more than 75 hours, bump up to the next award level.).
- Employees using less than 10% of their sick leave balance (and not more than 50 hours) as of the end of the year, receive 12 hours added to their vacation balance on January 1st (If the percentage is less than 10% but more than 50 hours, bump up to the next award level.).
- Employees using less than 5% of their sick leave balance (and not more than 25 hours) as of the end of the year, receive 14 hours added to their vacation balance on January 1st (If the percentage is less than 5% but more than 25 hours, bump up to the next award level.).
- Employees using no sick leave during the calendar year receive 18 hours added to their vacation balance on January 1st.

Part-time employees receive the same wellness incentive on a pro-rated basis.

Employees who work under the terms of a collective bargaining agreement should refer to their contract for wellness incentive provisions.

School-based City employees are eligible to earn a Wellness Incentive effective September 1st of each year. The amount of Wellness Incentive earned by these employees will be added to their Personal Leave balance and must be used by the following September 1st.

Personal Leave

Each unrepresented regular full-time employee is currently given credit for three (3) days (24 hours) of personal leave at the beginning of each calendar year. Personal leave for non-exempt employees is intended to be used in segments of no fewer than one (1) hour increments. The request for personal leave needs no reason or explanation, but should be approved in advance by the employee's supervisor when possible to ensure that essential City functions are maintained.

Regular unrepresented part-time employees will be granted personal leave on a pro-rated basis. New employees hired between January 1st and March 31st will be given credit with three (3) days (24 hours) which may be used only after successful completion of the first two months of the probationary period. Employees hired between April 1st and June 30th will be given credit with 2 days (16 hours) which may be used only after successful completion of the first two months of the probationary period. Employees hired between July 1st and September 30th will be given credit with one (1) day (8 hours) which may be used only after successful completion of the first two (2) months of the probationary period. Employees hired after September 30th will not be given credit for personal leave until the following January 1st. Department Directors, temporary, and seasonal employees are not eligible for personal leave. Employees covered by a collective bargaining agreement should refer to their union contract for leave provisions.

No credit for personal leave will be given during the period in which an employee is on leave without pay. Employees who work under a collective bargaining agreement must refer to their contract regarding leave provisions related to personal leave.

Employees with more than three (3) years of employment are eligible to convert up to three (3) personal leave days to cash equivalent to their regular wage rate, paid through the regular payroll, instead of taking those personal leave days as time off.

Family and Medical Leaves

Recognizing the importance of family and out of concern for the well being of its employees, the City of Mercer Island's family and medical leave program enables employees to take time off, under certain conditions, for health reasons or to care for family members. This policy will be administered in accordance with the federal Family and Medical Leave Act (FMLA) and the Washington Family Leave Act (FLA). A notice entitled "Employee Rights and Responsibilities under the Family and Medical Leave Act" is posted on the employee notification billboards

located at each City worksite. Nothing in this policy affects or supersedes any federal or state law or collective bargaining agreement that may provide greater entitlements to medical or family leave than those set forth in this policy.

Eligibility

To be eligible for leave under this family and medical leave policy, an employee must have been employed by the City for at least 12 months, must have worked at least 1,250 hours in the preceding 12 months, and must not have used your allocation of FMLA for the current FLMA period.

Leave Entitlement

An eligible employee may request up to 12 workweeks of FMLA/FLA leave per “leave year” for one or more of the following reasons:

- To care for the employee’s child upon birth, or to care for a child upon the child’s placement with the employee for adoption or foster care;
- To care for a spouse, registered domestic partner, son, daughter or parent who has a serious health condition;
- To care for self, if the employee has a serious health condition that makes the employee unable to perform the essential functions of the position (including incapacity due to pregnancy, prenatal medical care or childbirth); or
- For a “qualifying exigency” arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered military member who is on active duty, or has been notified of an impending call to active duty in support of a contingency operation. Covered military members are members of the National Guard or Reserves, and certain retired military service personnel, who have been called to active duty or notified of an impending call to active duty. Qualifying exigencies are generally activities related to the active duty or call to duty, including attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions and attending post-deployment reintegration briefings.

The City defines leave year as the rolling twelve-month period measured backward from the date an employee uses any FMLA/FLA leave. FMLA/FLA leave for birth or placement for adoption or foster care must conclude within 12 months of the birth or placement. In addition, spouses employed by the City are jointly entitled to a combined leave of 12 workweeks of family leave for the birth or placement of a child for adoption or foster care, or to care for a parent with a serious health condition. Each spouse is, however, eligible for the full 12 weeks of leave in the 12-month leave period to care for a child or spouse with a serious health condition, or for either employee’s own serious health condition.

An eligible employee may also take up to 26 weeks of leave during a single 12-month period to care for an injured service member who is the employee's spouse, parent, child or next of kin. A covered service member is a current member of the Armed Forces, including National Guard or Reserves members, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation or therapy; or is in outpatient status; or is on the temporary disability retired list. For purposes of this kind of leave, the 12-month period begins with the first day the employee takes leave. The combined total of leave for all purposes described in this policy may not exceed 26 weeks in the applicable leave year.

Serious Health Condition

A serious health condition is an illness, injury, impairment or physical or mental condition that generally involves:

- Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice or residential medical care facility;
- A period of incapacity of more than three consecutive, full calendar days from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider;
- A period of incapacity due to pregnancy or for prenatal care;
- A period of incapacity or treatment due to a chronic serious health condition, for a permanent or long-term condition for which treatment may not be effective, or to receive multiple treatments for restorative surgery after an accident or injury or for a condition that would likely result in an incapacity of more than three full, consecutive calendar days in the absence of medical treatment (e.g., chemotherapy for cancer or dialysis for kidney disease).

Intermittent or Reduced Work Schedule Leave

In certain circumstances, eligible employees may take FMLA/FLA intermittently (for example, in smaller blocks of time) or by reducing their work schedule. If the FMLA/FLA leave is because of the employee's own serious health condition or to care for a sick or injured family member, the employee may take the leave intermittently or on a reduced work schedule if it is medically necessary. Eligible employees may also take FMLA leave on an intermittent or reduced schedule basis when necessary because of a qualifying exigency arising from a family member's military service. If FMLA/FLA leave is to care for a child after the birth or placement for adoption or foster care, employees may take their FMLA leave intermittently or on a reduced work schedule only if, in the City's sole discretion, such leave does not adversely impact the department or other interests of the City as determined by the Department Director, the Human Resources Department, and the City Manager. Where intermittent leave or reduced-schedule leave is needed for planned medical treatment, an employee must make a reasonable effort to schedule the treatment so as not to disrupt unduly the City's operations.

Where an employee needs intermittent or reduced-schedule leave based on planned medical treatment, the City may transfer the employee to an alternative position with equivalent pay and benefits for which the employee is qualified that can better accommodate such recurring leave.

Notice and Certification

Employees who want to take FMLA/FLA ordinarily must provide the City with at least 30 days' advance notice of the need for leave, if the need for leave is foreseeable. If 30 days' advance notice is not possible, notice must be provided as soon as practicable (which is generally the same day or next business day after the need for leave becomes known). Absent unusual circumstances, employees are required to follow the City's regular procedural requirements when requesting FMLA/FLA leave. When requesting leave, employees must provide sufficient information to determine whether the leave may be FMLA/FLA-qualifying, and the anticipated timing and duration of requested leave. Employees must also inform the Human Resources Department if the requested leave is for a reason for which FMLA/FLA leave was previously taken or certified.

When leave is requested in connection with planned medical treatment, the employee must make a reasonable effort to schedule treatment in order to prevent disruptions the City operations.

In addition, employees who need leave for their own or a family member's serious health condition must provide medical certification from a health care provider of the serious health condition. The City may require a second or third opinion (at the City's expense), periodic recertifications of the serious health condition and, when the leave is for an employee's own serious health condition, a certification that the employee is fit to return to work.

Employees who need leave for a qualifying exigency arising from a family member's military leave must provide a certification confirming the need for leave.

The City may delay leave to employees who do not provide proper advance notice of the foreseeable need for leave. The City also may delay or deny approval of leave for lack of proper certification establishing the need for leave. In addition, failure to return to work as scheduled may result in termination of an employee's employment.

Please contact the Human Resources Department to obtain further information and forms relating to FMLA/FLA leave requests.

Continuation of Pay and Benefits

FMLA/FLA leave is unpaid leave. However, employees are required to use accrued paid leave available to them as part or all of their 12 weeks of FMLA/FLA leave.

During all leave under this policy, the City will continue to pay the employer's portion of health insurance premiums, provided that the employee continues to pay his/her share of insurance premiums, if any. Failure of the employee to pay his/her portion of the premium may result in

cancellation of health insurance. Under certain circumstances, if an employee fails to return to work at the end of the leave, the employee may be responsible to pay back the City for the employer portion of the health insurance premiums. Leaves such as vacation and sick leave will continue to accrue during paid leave, but not during unpaid leave.

Job Restoration Upon Return from Leave

Under most circumstances, upon return from leave under this policy, an employee will be entitled to return to the employee's former position or a position with equivalent pay, benefits and conditions of employment for which the employee is qualified. However, upon return from leave, an employee has no greater right to reinstatement than if the employee had been continuously employed during the leave period. For example, if while an employee was on a leave there was a department reorganization and the employee's position had been eliminated regardless of that employee's leave status, then that employee would not be entitled to reinstatement. If the employee chooses not to return to work for any reason, the employee should notify the Human Resources Department as soon as possible.

Leave for Pregnancy Disability and to Care for Newborn

In addition to leave under the federal FMLA/FLA described above, state law provides certain additional leave rights in connection with pregnancy-related disability and to care for a newborn. Regardless of whether an employee is eligible for FMLA/FLA leave, she may be entitled to Pregnancy Disability leave for the period of time that she is temporarily disabled because of pregnancy or childbirth. Medical certification may be required to confirm the need for leave. If the employee is eligible for FMLA leave, the Pregnancy Disability leave will run concurrently with FMLA leave. Pregnancy Disability leave is unpaid and health benefits are not automatically continued (unless the employee is also eligible for FMLA leave); however, accrued leave may be used and the employee may continue insurance coverage's at her expense.

The Washington Family Leave Act (FLA) provides certain additional leave benefits to care for a newborn. The FLA largely mirrors the FMLA, with the same eligibility standards and entitlement to 12 weeks of leave for family and medical reasons. In most situations, leave under the FLA runs concurrently with FMLA leave. However, the FLA leave does not run concurrently with any leave taken for Pregnancy Disability leave.

For Guidance

This policy merely outlines your benefits (if applicable) under the FMLA/FLA. Other than as outlined in this handbook or policy, where allowed by state or federal law, all leaves will run concurrently. Where the law allows, all approved leave, whether paid or unpaid, will be counted against an employee's family and medical leave entitlement under this policy and the law. This means that workers' compensation leave, leave for a nonindustrial injury or illness, leave as a reasonable accommodation for a qualified individual with a disability, FMLA leave and/or FLA leave may all run concurrently where allowed by law and be counted against the employee's family leave entitlement. For more information on any of these leave policies or if you believe that you may need to avail yourself of this policy, please contact the Human

Resources Department. The leave laws, particularly those applicable to pregnancy and childbirth, can be confusing. Employees are encouraged to contact the Human Resources Department with any questions about how the various laws are coordinated in a particular situation.

Military Leave

Every employee who is a member of the Washington National Guard or of the U.S. Army, Navy, Air Force, Coast Guard or Marine Corps, or of any organized reserve of the United States, will be granted military leave in accordance with state and federal law. Employees who take military leave will have whatever rights to reinstatement, seniority, vacation, layoffs, and compensation as are provided by applicable law.

Paid Leave of 21 Days Per Year. Under Washington law, a public employee is entitled to a paid military leave of absence for a period not to exceed 21 working days during each year beginning October 1st and ending the following September 30th. According to guidance from the Attorney General's office, a day is calculated according to the number of days the employee would have worked, but for the military leave. Military leave beyond the 21 days of paid time off will be unpaid, provided that employees may elect to use accrued vacation, compensatory time or other available paid time off during the period of military leave.

Employees should notify their supervisor as soon as they receive notice of the need to report for military duty, and provide the supervisor with a copy of the military orders.

Leave for Spouses of Military Personnel (non-FMLA)

During a period of military conflict declared by the President or Congress, an employee who is the spouse of a member of the Armed Forces, National Guard or Reserves is entitled to up to 15 days of unpaid leave while his/her spouse is on leave from deployment, or before and up to deployment. (This reason for leave may also be covered under FMLA leave for a qualifying exigency, although an employee need not meet the more stringent FMLA eligibility requirements in order to take this spousal military leave.) The purpose of this leave is to support the families of military personnel serving in military conflicts by permitting them to spend time together before a family member is deployed or while the family member is on leave from a deployment. An employee must work an average of 20 hours per week to be eligible for this family military leave.

An employee who seeks to take family military leave must provide the City with notice of his/her intent to take leave within five business days of receiving official notice that the employee's spouse will be on leave or of an impending call to active duty. The employee may substitute an available accrued leave for any part of this family military leave.

Benefits During Leave

Employees who are on a paid leave of absence shall continue to receive benefits they were entitled to prior to the start of their leave, including the accrual of vacation, sick leave, holidays, retirement and health insurance benefits, provided the employee has a balance of accrued leave. Employees who are on an unpaid leave of absence are not entitled to accrue any type of leave while absent. Employees who run out of accrued leave while on a leave of absence will discontinue accruing any type of leave once their leave bank is exhausted.

Jury or Witness Duty

Employees who are required by law to render jury service will be granted paid time off during the period of jury duty. Employees should notify their supervisor as soon as possible after receipt of a juror summons so that operational adjustments can be made as needed during the employee's absence. A copy of the juror summons must be provided upon request. Employees should contact their supervisors for instruction if there is a break greater than four hours during jury duty where the employee is not required to report to the court; depending on the circumstances, an employee may be required to return to work during such a period.

An employee subpoenaed to testify in court will be granted time off for the period he/she serves as a witness. In general, and subject to pay requirements for exempt salaried employees, leave for witness duty is unpaid unless the employee has been called as a witness by the City.

Upon completion of jury/court witness service, the employee must forward any money received from the court or party issuing the subpoena to the Payroll office immediately upon receipt. The employee may retain expense money for meals, mileage and/or lodging.

Administrative Leave

On a case-by-case basis, the City may place an employee on administrative leave with or without pay for an indefinite period of time. Administrative leave may be used when it is in the City's best interest and in its sole discretion, such as during the pendency of an investigation.

Bereavement Leave

In the event of a death in an employee's immediate family (spouse, domestic partner, parent, sibling, step-parent, parent-in-law, child, step-child, child-in-law, grandparent, or grandchild), three (3) days (24 hours) off with pay may be granted per occurrence. Upon approval of the Department Director, an additional two (2) days (16 hours) may be taken per occurrence and applied to accrued sick leave. The Department Director may authorize an employee to take

paid bereavement leave to attend the funeral of someone who is not in the employee's immediate family depending on the individual circumstances. If an employee needs additional time off, he or she may use accrued leave (vacation or comp. time) or leave without pay subject to the approval of the employee's Department Director. Under extraordinary circumstances (for example, the death of a child or a spouse), the Department Director may authorize additional use of sick leave for an employee. Employees requesting additional use of sick leave may be required to provide a physician certification to support such leave.

When requesting bereavement leave, employees should inform their immediate supervisor as to who died and the date of death. Proof of death and/or relationship may be required.

Domestic Violence/Sexual Assault Leave

This leave is available to employees who are victims of domestic violence, sexual assault, or stalking. It is also available to employees with a family member (child, spouse, registered domestic partner, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship) who is a victim of domestic violence, sexual assault, or stalking. The leave may be taken in blocks, intermittently, or on a reduced leave schedule. The amount of leave that an employee may take is limited to a "reasonable" amount. Domestic violence/sexual assault leave is unpaid, although an employee may elect to use accrued paid leave (e.g., vacation, sick leave, compensatory time) in connection with such leave.

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

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

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

maintain confidentiality of all information provided by the employee in conjunction with Domestic Violence/Sexual Assault Leave.

Employment Information

Nepotism – Employment of Family Members

The City permits the employment of family members of City employees (parents, children, spouse, domestic partner, or siblings) in regular or temporary positions unless:

1. The result would be one family member hiring, firing, supervising or auditing the work of another.
2. The family members would report to the same supervisor (except in the case of temporary and/or seasonal employees).
3. One family member would have access to confidential materials or records of the other family member.
4. In any other situation where the City, in its sole discretion, believes a conflict of interest would arise.
5. If two employees in such positions described above become related to one another, one must be transferred to another department or position where the reporting, auditing, or supervisory relationship does not exist or where the employees are not reporting to the same supervisor. If a transfer cannot be accomplished due to the unavailability of a vacant position or budget considerations, one of the employees must resign. The City Manager will decide which employee must resign based on the best interests of the City.

Exceptions: The City does not allow the hiring of family members of Department Directors, the Assistant City Manager, the Deputy City Manager, or the City Manager, even if the family member would work in a different department. A City employee may not be promoted to Department Director, Assistant City Manager, Deputy City Manager, City Attorney, or City Manager if he or she has a family member working for the City. The intent of these exceptions is to avoid impropriety, conflict of interest or improper influence, or the perception thereof.

Family members of all City employees are allowed to offer their services as volunteers. Family members must apply for open positions and participate in the interview, testing and selection process just as any other candidate, and will be treated on the same basis as all other applicants.

Employees have a duty to disclose situations which involve employment of family members which may violate the City's nepotism provisions.

Any employee who inappropriately uses his or her position to influence the hiring, promotion, or any conditions of employment of a family member will be subjected to discipline up to and including termination of employment. (This provision does not apply to a bona fide employment reference as long as the personal relationship is disclosed as part of the reference.)

The City prohibits romantic relationships between anyone in a supervisory capacity with an employee in their chain of supervision. This applies to all employees who have the authority or practical power to supervise, hire, terminate or discipline another employee, or who are responsible for auditing, evaluating or reviewing the work of another employee. Managers who have practical power and whose authority extends over all City employees city-wide are similarly prohibited from romantic relationships. Should a romantic relationship develop, the Human Resources Director, the City Attorney, and/or the City Manager are to be advised immediately and a course of action will be determined in the best interest of the City. Failure to immediately disclose such relationships will result in discipline, up to and including termination of employment.

Outside Employment

The City of Mercer Island prohibits regular full time employees from accepting outside employment when it interferes with or conflicts with their regular duties and responsibilities with the City. Employees will not engage in, accept private employment from, or render services for private interest when such activity may:

1. Occur during working hours.
2. Detract from the efficiency of the employee while performing City duties.
3. Constitute a conflict of interest or create an appearance of impropriety as determined by the City Manager.
4. Stem from information or contacts made during City employment.
5. Take preference over extra duty required by City employment.
6. Interfere with emergency call-out duty.

7. The judgment or performance of official duties is impaired.
8. Involve the use of any City resources such as copiers, telephones, office supplies, materials, other equipment, or City work time.

Only in those circumstances where none of these conditions occur may the employee accept outside employment.

Engaging in outside employment that interferes with or reduces the efficiency of City employment may be grounds for disciplinary action up to and including termination of employment.

City employees are not eligible to be appointed to a City advisory board or commission.

Non-Discrimination

The City of Mercer Island is an equal opportunity employer. This means that the City does not discriminate in employment decisions or policies in violation of law on the basis of race, color, national origin, creed, religion, sex, age, marital status, physical or mental disability, sexual orientation, or status as a veteran. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, reduction in force, recall, transfer, leaves of absence, compensation, and training.

Accommodation of Disabilities

The City of Mercer Island complies fully with the duty to provide a reasonable accommodation to allow an employee with physical, mental, or sensory disabilities to perform the essential functions of his/her job, unless undue hardship would result. If you have a disability that limits your ability to perform your job, please inform the Human Resources Director so that any needed accommodations may be considered.

In order to provide a reasonable accommodation, the City of Mercer Island may request appropriate documentation from your medical provider(s) to gain a better understanding of any limitations you possess, and given those limitations, the means by which an accommodation would allow you to perform the essential functions of the position. The City may take other action regarding requests for accommodation(s), as appropriate, in accordance with state, federal or local laws.

Employees Seeking Accommodation For Religious Beliefs Or Practices

The City of Mercer Island complies fully with the duty to provide reasonable accommodation of any employee's sincerely held religious beliefs, practices or observances, unless undue

hardship would result. Please inform the Human Resources Director of your request for accommodation.

Anti-Harassment Policy

The City expressly prohibits all forms of unlawful harassment of employees or job applicants, whether due to gender, marital status, race, color, national origin, citizenship status, religion, sexual orientation, age, pregnancy, mental or physical disability or other characteristic protected by federal, state or local law. Employees are expected to maintain a productive work environment that is free from inappropriate or unlawful conduct. Any employee who is found to have violated this anti-harassment policy will be subject to appropriate disciplinary action, up to and including termination of employment.

Prohibited Conduct

Examples of conduct that are prohibited by the City that could constitute unlawful harassment include, without limitation, the following:

1. Epithets, slurs, negative stereotyping or threatening, intimidating, derogatory or hostile comments or acts that are related to sex, marital status, race, color, national origin, citizenship status, religion, age, pregnancy, actual or perceived disability, or other characteristics protected by law.
2. Written or graphic material displayed or circulated in the City workplace (including vehicles and on email) that denigrates or shows hostility or aversion toward an individual or group because of their sex, marital status, race, color, national origin, sexual orientation, creed, age, pregnancy, mental or physical disability or other characteristic protected by law.

Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and all other verbal or physical conduct of a sexual nature where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
3. Such conduct has the effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that is prohibited by the City's policy and which could constitute sexual harassment include without limitation, the following:

1. Vulgar or sexual comments, jokes and stories.
2. Graphic or suggestive comments about someone's body or manner of dress.
3. Gossip, questions, or comments about someone's sexual conduct.
4. Vulgarity, leering, inappropriate touching and obscene or suggestive gestures.
5. Display or circulation in the workplace (including vehicles) of suggestive photographs, cartoons, graffiti, e-mails, drawings or transmitting or downloading those types of inappropriate or offensive messages from the Internet.
6. Solicitation or coercion of sexual activity, dates or similar contact with the implied or express promise of rewards or preferential treatment to any employee or with the implied or express threat of punishment to any employee.
7. Sexual assault.
8. Intimidating, hostile or derogatory conduct or remarks that are directed at a person because of that person's sex, whether or not the remarks themselves are sexual in nature.
9. Retaliation against an employee for refusing sexual overtures, for complaining about sexual harassment or for cooperating with the investigation of a complaint.

Management and Supervisory Responsibilities:

Management and supervisory personnel of the City are responsible for being mindful of the potential for unlawful harassment within a work group and for ensuring a work environment free from all types of unlawful harassment, including sexual harassment. Because of the potential for miscommunication, the affect on morale, abuses of authority, and conflicts of interests, the City prohibits romantic relationships between anyone in a supervisory capacity with an employee in their chain of command. This applies to all employees who have the authority or practical power to supervise, hire, terminate or discipline another employee, or who are responsible for auditing, evaluating, or reviewing the work of another employee. Managers who have practical power and whose authority extends over all City employees city-wide are similarly prohibited from romantic relationships. Should a romantic relationship develop, the Human Resources Director, the City Attorney, or the City Manager are to be advised immediately, and a course of action will be determined in the best interest of the City. Failure to immediately disclose such relationship will result in discipline, up to and including termination of employment.

Complaints or Concerns about Discrimination, Unlawful Harassment, or Retaliation

Any employee who believes that he or she has been subjected to objectionable conduct prohibited by this policy is encouraged (but not required) to let the offending person know immediately and firmly that the behavior is offensive.

Any employee who believes he or she may have been subjected to objectionable conduct prohibited by this policy, or who observes another employee being subjected to conduct prohibited by this policy, must report it immediately to the Human Resources Director, the City Attorney or the City Manager.

Directors, managers or supervisors who receive any complaint or concern that an employee is being subjected to objectionable conduct prohibited by this policy or who observe objectionable conduct prohibited by this policy must report it immediately to the Human Resources Director, the City Attorney or the City Manager.

All reported incidents of unlawful harassment or discrimination will be investigated under the following guidelines:

1. The City of Mercer Island will appoint or retain an investigator who can be neutral and fair to all parties to the investigation. The City may bring in an outside investigator if there is no one employed by the City who can complete a fair and timely investigation.
2. Although the City cannot guarantee confidentiality, reasonable efforts will be made to only disclose information as necessary to allow the City to investigate and respond to the complaint, and to the extent allowed by law. Any special concerns about confidentiality will be addressed at the time they are raised. Employees have a responsibility to cooperate in any investigation of conduct prohibited by this policy, including but not limited to complying with any instructions related to the maintenance of confidentiality during the investigation process. If it is determined that a complaint is valid, appropriate remedial action will be taken promptly. When appropriate, the complaining employee will be informed that remedial action has been taken but will not be told information that the City deems confidential.
3. Any employee who is found to have violated this policy or the law is subject to disciplinary action, up to and including termination of employment.
4. Individuals reporting complaints or providing information in good faith in connection with an investigation will not be retaliated against for their participation in this procedure. Allegations of retaliation will be investigated separately, and if sustained, will be subject to disciplinary action up to and including termination of employment.

Concerns about Improper Government Action

It is the policy of the City of Mercer Island:

1. To encourage reporting by its employees and volunteers of any improper governmental action(s) taken by City officials, officers, or employees; and
2. To protect City employees and volunteers who make good-faith reports of improper governmental action(s) from retaliation (as defined below) in accordance with the City's policies and procedures.

Definitions

As used in this policy, the following terms shall have the meanings indicated:

Improper governmental action means

- A. Any action by an employee undertaken in the performance of the employee's official duties; and
- B. Is a gross waste of public funds or resources, or is in violation of federal, state, or local law or rule, or is of substantial and specific danger to the public health or safety; or is an abuse of authority.

Improper governmental action does not include personnel actions such as employee grievances, complaints, claims of discrimination or harassment, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining agreements or civil service laws, reprimands, and the like. The City has separate policies, with distinct rights and remedies, for allegations of improper personnel actions.

Good Faith means a reasonable basis in fact for the communication. "Good faith" is lacking when the employee knows or reasonably should know that the report is malicious, false, or frivolous.

Gross waste of public funds means to spend or use funds or to allow funds to be used without valuable result in a manner grossly deviating from the standard of care or competence that a reasonable person would observe in the same situation.

Retaliatory Action means

- A. Any negative change in the employee's employment status, or in the terms and conditions of employment, including denial of adequate staff to perform duties, frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unwarranted and unsubstantiated letters of reprimand or unsatisfactory performance evaluations, demotion, transfer, reassignment, reduction in pay, denial or promotion, suspension, dismissal or any other disciplinary action; or
- B. Hostile actions by another employee towards a local government employee that were encouraged by a supervisor or senior manager or official.

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

How to Report Improper Governmental Action

1. Any employee or volunteer who believes that he or she has knowledge or information of improper governmental action, as defined above, shall report it in writing to the City Manager in the form of a written memo, report, or email. Such report should be made as soon as possible after the information or knowledge is received.
2. If the employee or volunteer believes the City Manager is involved in the improper governmental action, directly or indirectly, the employee or volunteer shall report it in writing to the Mayor in the form of a written memo, report, or email.
3. If the employee or volunteer believes that the Mayor is involved in the improper governmental action, directly or indirectly, the employee or volunteer shall report the improper governmental action to the county prosecuting attorney.
4. Improper governmental action may also be reported to the Washington State Auditor's Office.
5. Except in the case of an emergency, before an employee provides information of an improper governmental action to a person or an entity who is not one of the people identified in paragraphs 2-4 above, the employee shall submit a written report, stating in detail the basis for his or her belief that an improper governmental action has occurred, to the City Manager or the Mayor or the county prosecuting attorney.
6. The identity of any employee or volunteer who reports improper governmental action shall be kept confidential to the extent possible under the law, unless the

employee or volunteer authorizes the disclosure of his or her identity in writing.

6. Employee and volunteers who fail to make a good faith attempt to follow the above described policy are not entitled to the protections afforded whistleblowers under the law.

Protection From Retaliatory Action

1. Employees and volunteers who report improper governmental action in good faith are protected from retaliatory action, as defined above. If an employee or volunteer believes that he or she has suffered retaliatory action because of their reporting activity, the employee or volunteer shall provide a written notice of the charge of retaliatory action to the City Manager. If the City Manager is believed to be involved in the retaliatory action, the employee or volunteer can deliver the written notice of the charge to the Mayor.
2. In the written notice, the employee or volunteer shall specify the alleged retaliatory action, including the identity of any person who committed the retaliatory act, what occurred, and when it occurred. The employee or volunteer should also specify what relief he or she seeks.
3. The written notice must be received by the City Manager* within 30 days of the alleged retaliatory action.
4. The City Manager* will respond to the written notice within 30 days of its receipt. During that time period, the City Manager* may conduct, or retain another to conduct, a fact-finding or other investigation into the issues raised by the employee or volunteer who claims retaliatory action.
5. The employee or volunteer who has not received a timely response from the City Manager,* or who is dissatisfied with the City Manager's* response, may submit a written request for a hearing to the City Manager.*
6. The employee or volunteer must submit a written request for hearing within 15-days of receiving the City Manager's* response or the 30-day deadline for providing a response, whichever is earlier.
7. Within 5 days of receiving a timely request for hearing, the City Manager* will apply to the state office of administrative hearings for a hearing before an administrative law judge. At the hearing, the employee or volunteer will be given an opportunity to prove, through the presentation of testimony and other evidence, that he or she was retaliated against for reporting improper governmental action.
8. The employee will receive a hearing and a final written decision from the administrative law judge within 45 days of the request for a hearing, unless the

administrative law judge extends the deadlines upon request of any party or by his/her own decision.

9. The decision of the administrative law judge may be appealed to state court.

*Or in the alternative the Mayor if it is believed that the City Manager may be involved.

Additional Information

This policy is based on the Local Government Whistleblower Protection Act, located at RCW 42.41.010 et seq.

Any questions regarding the City's whistleblower policy are properly directed to the Human Resources Director.

Reduction in Force

Should a layoff or reduction in force become necessary for certain positions, procedures will be followed as outlined here or in the collective bargaining agreements for represented employees of the City.

Whenever, in the judgment of the City Manager, it becomes necessary, due to the lack of work, lack of funds, other economic reasons, because the business necessity for a position or service no longer exists, or for any other reason the City deems appropriate, in its sole discretion, the City Manager may eliminate any position or employment. Generally, reductions in force will be accomplished through attrition of employees whenever possible. Nothing in this policy alters or modifies an employee's at-will status. Except as prohibited by law, unless your employment is governed by a collective bargaining agreement or a specific written contract signed by the City Manager or City Attorney, your employment with the City is at-will, which means that either you or the City may end your employment at any time, for any reason or no reason at all, with or without notice.

Temporary employees with less than one year of service, or employees working under an employment agreement who are not in a budgeted FTE position will be laid off before regular employees when possible.

Represented employees should refer to their respective collective bargaining agreement for seniority provisions in the event of a reduction in force.

Severance Pay

In the event the City Manager determines that an employee is inappropriately and/or ineffectively placed in the organization and no suitable alternative placement is available, the City Manager may terminate the employment of the employee. At that time, the City may

authorize a lump sum severance payment equal to no more than four months total compensation for that employee. The amount of severance pay is based on the discretion of the City Manager after consideration of the length of service, level of job performance, and comparable termination benefits in past decisions.

Severance pay will not be considered "compensation earnable" for purposes of calculating PERS entitlement in accordance with WAC 415-108-450(3)(d) and WAC 415-108-460-(3)(e). Payment may be in cash or some other form of compensation and is subject to Federal Income Tax and Social Security Tax withholding, but is not subject to retirement deductions. Payment may be treated as deferred compensation, but not salary for PERS, PSERS or LEOFF purposes.

At certain times the City Manager, in his or her sole discretion, may institute an early retirement benefit program. The details of the early retirement benefit will be published to eligible employees during the time it is in effect.

Demotion

Unless governed by a collective bargaining agreement, demotion may be implemented by City management, in its sole discretion, including but not limited to the following reasons:

1. In lieu of layoff.
2. As a disciplinary action.
3. When an employee's performance falls below the standard required for effective job performance.

No employee may be demoted to a position for which he or she does not possess the minimum qualifications. Nothing in this policy alters or modifies an employee's at-will status. Except as prohibited by law, unless your employment is governed by a collective bargaining agreement or a specific written contract signed by the City Manager or City Attorney, your employment with the City is at-will, which means that either you or the City may end your employment at any time, for any reason or no reason at all, with or without notice.

Termination of Employment

The termination of employment may result from voluntary termination or an involuntary termination.

Voluntary Resignation

An employee who plans to voluntarily resign or retire is encouraged to give at least two (2) weeks written notice prior to the effective date of termination.

Involuntary Termination

An involuntary termination may occur as a result of a reduction in force, lack of performance, employee misconduct, disciplinary action, or for any other reason the City deems appropriate or necessary, in its sole discretion, unless prohibited by a collective bargaining agreement, a written employment contract signed by the City Manager or the City Attorney, or if specifically prohibited by law.

Pre-Disciplinary Hearing

Employees who are facing a disciplinary termination may be given a pre-disciplinary hearing at the sole discretion of the City Manager. Represented employees pre-disciplinary hearings are governed by their collective bargaining agreements. During the course of the hearing for any unrepresented employee that is afforded this hearing, the employee is given an opportunity to present any information that he/she wants management to consider before the City makes a final decision regarding the employee's employment status.

Exit Interview

The Human Resources Department will attempt to schedule an exit interview for all terminating regular full-time and part-time employees. During this exit interview, it is the goal of the Human Resources Department to offer terminating employees the opportunity to describe their work experience at the City and any suggestions they may have for the next person who would be filling their position. The employee has the right to decline an exit interview. Information gathered during the feedback component of the exit interview may not be confidential and may be shared with the terminating employee's Department Director, City Manager, or other appropriate City management, if the Human Resources Department deems it is in the best interest of the City to share the information.

Policies and Programs

Flexible Work Schedule Program

Program Overview

The City of Mercer Island has approved the use of flex time and compressed work week schedules when it benefits both the City and its employees. The Flexible Work Schedule Program can help the City meet its goals for sustainability and reducing commute trips within the region, as well as to expand its hours of operation. Employees gain greater flexibility in balancing their work and personal lives, and the extra time off may help to increase morale and productivity.

Each Department Director may administer the Flexible Work Schedule Program on a case-by-case basis to ensure the efficient use of resources to provide effective, quality service to our citizens and other internal work groups. Changes in workload, seasonal work changes, staffing, funding, legal mandates, peak vacation times, or any other reason that the City deems necessary, in its sole discretion, may cause the City or a department to modify, temporarily suspend, or cancel a flexible work schedule. Some positions are not suited for flexible work hours and each Department Director will make that determination for each position.

Employees must complete an application in order to apply for a flexible work schedule. Applications must be submitted to the Department Director for approval and will be kept on file in the Human Resources Department. An approved flexible work schedule will remain in effect until the employee applies for a different flexible work schedule, or the flexible work schedule approval period expires. Occasional work schedule changes due to vacation, illnesses, doctor visits, etc., may be accommodated without completing a new application. The effectiveness of the flexible work schedule will generally be evaluated at least once annually as part of the employee's performance review.

Definitions

Flexible Work Schedule - a work schedule which permits flexible starting and ending times, other than the standard workweek established for that position with a required number of hours that must be worked each pay period.

Compressed Work Week - is a work schedule which permits employees to increase the length of each work day so as to provide one day off every one or two weeks. Possible work schedules include:

a. **4/10's** - Four 10-hour days worked each week. This provides one extra day off each week. The workweek for employees working under this schedule begins at 12:00 a.m. on Sunday and ends at 11:59 p.m. the following Saturday. Below is an example of the type of schedule that an employee may work:

| 4/10's | Monday | Tuesday | Wednesday | Thursday | Friday |
|----------------------|---------------|----------------|------------------|-----------------|---------------|
| 1 st Week | 10 hrs | 10 hrs | 10 hrs | 10 hrs | OFF |
| 2 nd Week | 10 hrs | 10 hrs | 10 hrs | 10 hrs | OFF |

b. **9/80's** - 80 hours worked over nine days. This provides one extra day off every two weeks. The workweek for employees working under this schedule begins at 12:00 p.m. on Friday and ends at 11:59 a.m. the following Friday. Below is an example of the type of schedule that an employee may work:

| 9/80's | Monday | Tuesday | Wednesday | Thursday | Friday |
|----------------------|---------------|----------------|------------------|-----------------|---------------|
| 1 st Week | 9 hrs | 9 hrs | 9 hrs | 9 hrs | 9 hrs |
| 2 nd Week | OFF | 9 hrs | 9 hrs | 9 hrs | 8 hrs |

Eligibility for Flexible Work Schedule

All regular full-time and part-time employees of the City are eligible to apply for a flexible work schedule if they meet all of the conditions listed below:

- The Department Director has determined the position is eligible for flexible work hours.
- The Department Director has determined that both internal and external customer service will remain the same or will be increased by the flexible schedule.
- The employee is performing at or above a satisfactory level.
- The employee has successfully passed their one-year orientation period or the Department Director has approved an employee's request for a flexible schedule as part of a new hire agreement.
- Non-exempt employees (employees who are eligible to be paid overtime for any hours worked over 40 in one week) may only apply for flexible work schedules that do not require the City to pay overtime within the pay period.

The flexible work schedules will not increase the City's operating expenses or create a need for additional staffing.

Employee's Responsibilities

To the extent possible the employee will make personal appointments and doctor visits on their scheduled day off. Employees on a flexible schedule must be willing to occasionally come in fill in on their regularly scheduled day off in case of important meetings and business obligations, emergencies, unplanned absences of other co-workers, or as deemed necessary or requested by City management, in its sole discretion.

Employees are responsible for accurately recording their time on their timesheet.

Department Director's Responsibilities

Department Directors are responsible to make sure that department functions and services are not negatively impacted by the flexible work schedule.

Department Directors or their designees are also responsible for reviewing employee timesheets to ensure they are accurate and making sure that the appropriate number of hours have been worked in each pay period. Problems with timesheets must be resolved before the time cards are sent to Payroll.

Application Process

To apply for a flexible work schedule, the employee must complete a Flexible Work Schedule Application Form and submit it to the Department Director. The Department Director will then determine whether the proposed schedule can be accommodated while maintaining City services and without creating any additional expense or hardship on the department or co-workers. Once the flexible work schedule is approved, the Department Director and the employee will determine a start date for the new schedule (usually the first day of the next new pay period). The Department Director may also approve the schedule for a defined period of time in order to accommodate seasonal changes in workload. The signed, approved application form will be forwarded to the Human Resources Department.

Recording Sick, Vacation and Holiday Time

Sick Leave - When an employee takes a full day of sick leave, the time charged will be equivalent to the full number of hours the employee was scheduled to work that day (example: 8, 9 or 10 hours).

Vacation Leave - When an employee takes a full day of vacation, the time charged will be equivalent to the full number of hours the employee was scheduled to work that day (example: 8, 9 or 10 hours).

Training - When an employee attends a training class, the time charged will be equivalent to the number of hours of the training class. For example, when an employee who normally

works a 4/10 flex schedule attends a full-day, eight (8) hour class, the employee is required to use vacation time or other accrued leave to make up for the additional two (2) hours they are normally required to work. With the Department Director's approval, the employee may work extra hours during the same pay period to make up the missing time. Exempt employees (employees who do not earn overtime pay) are not required to use vacation time.

Holidays - All employees, regardless of whether they are on a flexible schedule, will be credited with eight (8) hours of holiday pay for each approved holiday. For those on a flexible work schedule, the following applies:

Holiday falls on a regularly scheduled work day - If the employee's regularly scheduled work day is greater than eight (8) hours, the employee is required to use vacation time or other accrued leave to make up for the additional time the employee was scheduled to work (example: two (2) hours if working a 4/10 flex schedule and one (1) hour if working a 9/80 flex schedule). With the Department Director's approval, the employee may work additional hours during the same pay period to make up the missing hours.

Holiday falls on a regularly scheduled day off - When a paid holiday falls on an employee's regularly scheduled day off, the employee will be credited with eight (8) hours of holiday time which may be used at a later date, usually within the same pay period, as approved by the Department Director. The employee is required to use vacation time or work additional hours in the same pay period to make up for any additional time the employee was scheduled to work (example: two (2) hours if working a 4/10 flex schedule and one (1) hour if working a 9/80 flex schedule).

Telecommuting Program

When an employee works a portion of their hours at home, it is called telecommuting. Basically, it brings the work to the worker instead of the worker traveling to the job site. There may be times when an employee may work at home in order to accomplish certain projects, as decided and approved by the Department Director. The work schedule for employees who City management determines may telecommute on a regular basis must be approved in advance by the Department Director. In no case should telecommuting take place more than two (2) times per week.

Telecommuting is not for every job or every employee. It works best for employees who can schedule work flow and benefit from quiet or uninterrupted time. Telecommuting employees must be self-motivated, results-oriented, productive, conscientious, and knowledgeable about their jobs. Supervisors of telecommuters must be comfortable managing by deadlines and goal-achievement rather than by actual observation.

To be eligible to apply for telecommuting, you must meet the following conditions:

1. Be a regular employee who has completed the orientation period and have a documented history of job performance that exceeds expectations. (Unless otherwise approved by the Department Director and City Manager.)
2. The work must be of a nature where face-to-face interaction is minimal or may be scheduled to accommodate telecommuting, and a portion of the workload can be performed away from the regular job site without diminishing the quality of customer service. This is determined solely at the discretion of the Department Director and City management.
3. Have the appropriate equipment (as defined by the supervisor) to accomplish the workload away from the job site, such as a computer, telephone, modem, etc.
4. Make arrangements with at least one co-worker to cover all of the on-site workload and customer contact that would otherwise be handled by face-to-face contact by the telecommuter.

Telecommuting arrangements require the approval of the Department Director. The denial of telecommuting is not subject to appeal. If you are interested in obtaining an application packet to apply for a regular telecommuting schedule, contact the Human Resources Department.

Commute Trip Reduction Program

Washington State law requires all employers with 100 or more employees to attempt to reduce the number of single occupancy vehicle trips to and from work. The Commute Trip Reduction Law requires the City to take steps toward encouraging our workforce to come to work some way other than by yourself, in your car, five (5) days a week.

Guaranteed Ride Home

All City employees who carpool, take the bus, bike, or walk to work are eligible to participate in the Guaranteed Ride Home Program. This means if an emergency comes up during work hours the City will pay the expense for you to call a cab so you can get home as soon as possible; or in some cases, take home a pool vehicle.

If you find yourself in these circumstances, the City will reimburse the cost of a taxi ride home, as long as the appropriate documentation is provided.

You can take up to eight (8) trips per year and the cost of each trip is covered for up to 60 miles one way. (You pay the difference if it's over 60 miles.) You are responsible for the cost of tipping the taxi driver.

Subsidies for Vanpools

For each City employee who organizes or joins an existing vanpool, the City will pay each vanpool participant \$15.00 per month towards the cost of running the vanpool. Contact the Human Resources Department to receive information on starting or joining a vanpool.

Bus Riders

For each City employee who rides public transit to and from work on at least 60% of their commute trips, the City will pay \$20 per month toward the cost public transit. Contact the Human Resources Department to receive further information.

Ridematch Service

Those employees who are interested in finding someone to carpool to work with should contact the Human Resources Department. Your name will be compared with other employees from the City in order to match your schedule and location to create a carpool or vanpool.

Unlock Gridlock Incentive Program

Employees who participate in programs that reduce their single occupancy trips to and from work are eligible to participate in the Unlock Gridlock Incentive Program. Each month the employee returns the calendar on Rideshareonline.com that allows them to keep track of their commute trip reducing points. At the end of a six month period, everyone who participates and earns a minimum number of points will receive a \$25, \$50, or \$75 commuter bonus gift certificate. Go to Rideshareonline.com to register. RideshareOnline.com is your resource for commuting options in the Northwest. If you need help in navigating the website or how to form a carpool/vanpool call the Human Resources Department for more information.

Other Commute Trip Reduction Programs

Throughout the year, a variety of promotional programs may take place in order to spark commute trip reduction awareness. During these programs a variety of incentives are awarded to those employees who participate.

Training

The City of Mercer Island recognizes that on-going job training improves an employee's ability to perform his/her job and improves productivity and morale.

There are three types of employee training sponsored by the City of Mercer Island. They are:

1. Mandatory safety training and other job-related training. This category includes courses in first aid and defensive driving as well as instruction on the use of the City's voicemail system, E-mail system and photocopiers, City training regarding employee policies, etc.
2. Employee development. Training of this sort includes specialized accounting and computer skills, effective communication skills, supervisory skills and other courses that enhance an employee's ability to perform his or her job.
3. Post high school or vocational courses leading to a degree that is relevant to the employee's position or promotional opportunities within the City.

Tuition Assistance Program

Tuition Assistance Benefit

During the years where there is an adequate budget, tuition assistance is available to employees who take college, university or other vocational education courses that directly relate to the employee's current position, or are in the direct line of promotion, or lead to a degree. Eligible courses must also provide technical knowledge or skill that will improve the employee's ability to perform on the job.

The tuition assistance program was designed to provide financial assistance to those who are trying to earn a college degree. Courses taken on an individual basis, such as a foreign language, computer classes, or other skill-related courses, should be paid through each department's training budget and not submitted through the tuition assistance program.

All regular full and part-time employees who have passed their one-year probationary period are eligible to receive tuition assistance. The reimbursement amount is up to 50% of tuition costs for approved courses at public colleges and universities, upon obtaining a grade of "B" or above or a "Pass" in a Pass/Fail course. No reimbursement will be made for student fees, books, lab fees, travel expenses or material costs. Employees accepting tuition assistance may be required to repay the City if they do not remain in the City's employ for a period of two (2) years after benefits are received.

Tuition Assistance Application Process

Upon the Department Director's approval of course eligibility, the employee's request for tuition assistance should be submitted to the Human Resources Department. At the end of the quarter, the employee must submit to the Human Resources Department a receipt for tuition expenses and a grade report indicating that the class was passed or a grade of "B" (3.0) or higher was achieved.

At the end of each quarter, the Tuition Assistance Committee will meet to review all the tuition assistance requests. Based on the budget and the number of requests received that quarter, employees may be reimbursed up to 50% of their tuition costs, up to a maximum of the average cost of three (3) courses at various public and private universities in the area. Please note that submitting a request for tuition reimbursement does not guarantee that tuition assistance benefits will be paid.

Receipts and grades submitted for courses must be submitted to the Human Resources Department within six (6) months after the completion of the course. Requests for reimbursement received after that will not be paid (in some cases, extenuating circumstances may apply).

Unless the Department Director has granted prior arrangements and permission, all coursework is to be taken during non-work hours. Flexible working hours may be allowed by the Department Director to accommodate the employee's class schedule, solely at the Department Director's discretion.

Technology Use Policy

Objective

The City is a strong proponent of the use of technology to optimize efforts in conducting City business. Our ability to use these tools will greatly enhance our mission and should make us more efficient when dealing with information gathering and exchange. We encourage all employees to use technology to increase productivity and efficiency. This policy is to ensure that the use of such technologies among City employees is consistent with other City policies, all applicable laws, and the individual user's job responsibilities.

The City also respects the individual privacy of its employees. However, employee privacy does not extend to employees' work-related conduct or to the use of City-provided equipment or supplies. Employees should be aware that it is the policy of the City to provide communication services, computers and other equipment necessary for the City to conduct its business. It is further the policy of the City to reserve the right, unless otherwise prohibited by law, to monitor its employees' use(s) of these communication services, computers and other equipment to ensure that professional and business performance and conduct standards are maintained. In addition, all information stored in the computers, communication devices and other electronic record-keeping devices is the property of the City. Specifically, but without limitation, all documents, data, software, hardware, tapes, taped messages, voice mail, electronic mail, etc. stored in the City's communications and computer systems are the property of the City and may be used and accessed by the City at any time and in any manner it deems appropriate, unless specifically prohibited by law. Further, the City reserves the right to access, alter, save, copy, recreate, print, and/or use this electronic data in any method not prohibited by law. In addition, unless specifically prohibited by law, the City may and can monitor employee activity on its communications systems, its computers, and its electronic record-

keeping and/or storage systems as it deems necessary, without prior notification to the employees who customarily use these systems.

This policy applies to all City employees, vendors, contractors, interns, volunteers, and otherwise defined entities that use City technology assets and equipment. This policy applies to remote use such as virtual private networking (VPN), wireless, and other remote access technologies. City employees have an obligation to use City technology in a professional, responsible and informed manner, which will in no way harm the public's trust just as any other business asset of the City is used. This standard applies whether the information transmitted is intended for public or private purposes.

The following policies have been developed to provide a framework for appropriate use by all City employees.

Password Protection

Username and passwords are one of the most basic and critical lines of defense against unauthorized activity on the City's network and computer equipment. A strong password helps mitigate risk against unauthorized activity and attacks such as dictionary password and brute force password hacks. As a government agency we are also required to abide by policies related to regional, state, and federal networks. This policy's intent is to establish what parameters are required in each authorized user's password.

Passwords: Each password shall follow the listed set of guidelines.

- Passwords must be eight or more characters
- Password cannot be same as previous 20 passwords
- Passwords must be changed every 180 days (twice per year)
- Passwords cannot include or be similar to the username
- Passwords must include characters from three of the following four categories:
 - Uppercase characters
 - Lowercase characters
 - Numbers
 - Non-alphanumeric (Examples: !@#\$\$%^&*)

Examples of allowable passwords:

- Myp@ssw0rd
- Il0veIGS@MI
- Il0veMyJ0b!

Internet Use and Issues

- The Internet is a publicly accessible highly unregulated network that spans international lines and laws and has billions of connected people and resources. This provides an enormously rich and productive tool for City staff to utilize in many different ways. It also has many hazards that must be taken into consideration to protect City and staff liability.
- As a City employee, you and the City are identified as the sender or recipient when the Internet is used for e-mail, research, or just browsing.
- City staff using City-provided technology assets must have no expectation of privacy in the use of these tools. They are provided solely for the purpose of conducting City business and should be used as such. This does not provide that City staff is permitted to view, obtain, use, or otherwise gain access to other employee's information or technology such as emails, storage devices, or communication devices such as a blackberry or PDA without consent by City management. Access of this kind is limited to the IGS Team in doing authorized business at the direction of the City Manager, the City Attorney, or their designees.
- Downloading software programs of any kind may subject the computer and the network to viruses or other malicious software, which can destroy data on the computer and the network. Thus, software shall not be downloaded (nor installed) without the prior approval of the IS Administrator. Connecting non-City provided equipment to the City's network can introduce significant hazards to City technology assets. No City employee, intern, volunteer, vendor, contractor or otherwise defined entity shall connect a non-City owned device of any kind to the City network or technology assets in any fashion without prior consent of the IS Administrator.
- Not all employees have access to City technology assets such as e-mail or Internet access and this policy does not create a right to have such access. City staff shall not provide access to those who have not been given explicit authorization to access City technology such as friends or family members.
- The City implements security measures around its technology to minimize the risk of utilizing network technologies such as the Internet. Examples of security measures include usernames and passwords. City staff shall not share this information or store this information in an unsecure fashion. Should City staff have any knowledge of a security risk such as the loss of a City technology asset or compromised usernames and passwords, the IS Team must be notified immediately.
- Violations of this policy may subject an employee to disciplinary action up to and including termination of employment.

Guidelines on Official Use of the Internet

- The Internet is not a secure means of transmission. Thus, sensitive or confidential files or e-mail should not be sent over the Internet.

- Unless you are specifically authorized to do so, do not claim to represent the views or positions of the City.
- Unacceptable sites or Internet uses include, but are not limited to, the following:
 - Pornographic sites and access to pornographic materials.
 - Internet use to harass anyone - employees, vendors, customers, and others.
 - Sports or games sites.
 - Gambling sites (including sports pools, etc.).
 - Social Networking or Dating sites not specifically related to your job function.
 - Internet use for political purposes.
 - Streaming Media including Internet Radio sites.
 - Unauthorized transfer of copyrighted materials.
 - Any site that charges a fee (unless there has been prior written approval to justify the City expense for the item by the supervisor or the Department Director).
 - Marketing of personal or private business.
 - Unlawful, inappropriate or prohibited participation in non-business Internet discussion groups or chat rooms.
 - Creating or publishing personal web pages.

Guidelines on Personal Use of the Internet

The use of electronic equipment provided by the City is for the purposes of conducting City business. However, personal use of e-mail and the Internet is permissible if it is utilized on a limited basis as described below, and in such a way that it does not interfere with the employee's responsibilities or official City business nor pose any risk or inflict damage on City technology assets. Such use must not interfere with official business and if there is any doubt about whether the use is limited or there is an expense, employees should consult their supervisor or the IGS Manager.

Authorized personal use of the Internet is a concept that recognizes the reality of the workplace. Employees have a legitimate need at times to contact family, friends, and take care of a certain amount of personal business during the workday. City employees are expected to observe the following guidelines on personal Internet use:

- Employees must limit the personal use of the Internet to a reasonable duration and during personal time (during breaks or before/after work hours).
- Unlawful, inappropriate or prohibited personal use of the Internet must not be such that it can adversely reflect on the City (e.g., furthering of extremist organizations, off-colored jokes, chain emails, racial, ethnic or gender or any protected class related slurs or related images).
- Unlawful or inappropriate use of the Internet is not permitted (e.g., no access to pornographic sites, no privacy violations, no release of confidential, sensitive, classified, or public disclosure exempt information, no copyright or licensing law violations).

- Employees may transact a limited amount of commercial activities on the Internet at work, although not during work times, but may not conduct a business through the Internet (e.g., purchase of a book through the Internet is acceptable, but conducting a consultant business while at work is not).
- Personal use of the Internet must not interfere with the City's mission.
- Employees must not use the Internet for political activities (e.g., using Internet to further one's own or someone else's political campaign).
- Employees may not claim to represent the views or positions of the City, and may not make any unauthorized commitments or promises of any kind purporting to bind the City.
- If employees accidentally access a website that contains pornographic, sexually explicit, inappropriate or illegal materials, they must leave the site immediately and report the activity to the Human Resources Department.
- Supervisors are responsible for determining reasonableness of use and may restrict an employee's access to the Internet, e-mail, or other computer programs.
- Violations of these guidelines may result in disciplinary action to employees, up to and including the termination of employment.

Electronic Mail (e-mail)

- The e-mail system may not be used to solicit or generate interest in commercial ventures, chain letters, religious or political causes, outside organizations, or other non-job-related solicitations.
- The e-mail system may not be used to access, create, or forward offensive or disruptive messages. Among those which are considered offensive are any messages which contain sexual content, racial slurs, or any other comment or image that offensively addresses someone's age, sexual orientation, religious or political beliefs, race, national origin or disability or any other protected class status.
- The e-mail system and the Internet may not be used to send (upload) or receive (download) copyrighted materials. All licensing conditions, downloading and usage conditions should be understood before using or distributing any copyrighted information.
- **All** email generated or received on the City's email system is archived. This includes emails that have been deleted, forwarded, created, sent, and any other potential state of an email. This means that all email can be potentially requested in a records request. City staff should be aware of this and conduct email activities accordingly.
- Violations of these guidelines may result in disciplinary action to employees, up to and including the termination of employment.

Directories and File Structure

For security reasons and to provide consistent backups, files are to be saved on the network not on the employee's computer. Directories and files on the network are backed up on a nightly basis. **All data not saved to the network will not be backed up and the employee will be responsible for loss of data in the event of a hardware failure.** To have a file restored from a backup, contact the helpdesk.

Each department has access to a shared network drive which all other departments have access to. At this level the shares are considered "public" in that everyone with access to the network can view files located here. There are also many shares which are specific to a team or group which are restricted but provide an efficient way of sharing files between staff. The City also provides each user with a drive for their business purposes that is not necessarily shared with others, although as set out above, no employee has a right to privacy regarding any content on City owned communication services, computers or devices and except as specifically prohibited by law, the City may access this information at any time and for any reason, solely in its discretion. Employees are expected to periodically review the files they have saved on the network to determine if they are still useful and delete files that are no longer needed.

Software

All software will be legally licensed to the City of Mercer Island and not in the individual employee's name.

The City will purchase the required number of licenses required to meet the software vendor's requirements.

As set out above, employees are not authorized to install personal software (software not purchased by the City) on their computers without the express consent of the IS Administrator.

Technology Procurement Policy

The City has uniform standards that are applied to technology procurement. The IS Administrator in conjunction with applicable IGS Steering Committee policies is responsible for approving all technology related purchases with the exception of the following peripheral devices which are treated as general office supplies and should be procured by individual departments: enhanced keyboards, mice, and speakers not distributed with the PC.

Enforcement of Policy

Violation of any part of this policy shall be subject to disciplinary action up to and including termination. It is the Department Director's responsibility to enforce these policies. Employees who are found in violation of this policy may be subject to the following:

- Internet and E-Mail access may be revoked
- Access times may be restricted

- Disciplinary action, up to and including termination of employment.

Wireless Phone Device Policy

Purpose

Wireless phone devices provide a substantial benefit to City service delivery. Advances in both phone technology and wireless networks have facilitated mobile computing, which allows City staff to access City data wherever they are. While service delivery is significantly enhanced by wireless phone devices, the costs and appropriate use of these devices need to be managed effectively. The goals of this policy are: 1) to provide criteria to help the City Manager and Department Directors determine which employees and vehicles need wireless phone devices to effectively and efficiently conduct City business; 2) to keep the number of City owned wireless phone devices and the corresponding monthly cost to the City to a minimum; and 3) to reduce the public records liability to the City.

Definition

A wireless phone device shall be defined as any device that connects to wireless or cellular networks for purposes of transmitting voice or data. Examples would include RIM Blackberries, Apple iPhones, Android based phones, Microsoft based phones, etc.

Approval Process

The City Manager or Department Director, as appropriate, with the concurrence of the Finance Director, will determine if an employee qualifies for a wireless phone device, including but not limited to the following reasons:

- An employee who must be accessible at any time or place during business hours, during evening and/or weekend hours, or both; or
- An employee who is out in the field or otherwise away from his/her desk on a regular basis and who must be accessible to vendors/contractors and/or have access to City staff and/or City data that is maintained on a City computer; or
- A City vehicle requires a dedicated wireless phone device (e.g. police patrol car or fire engine).

If one of the criteria above is satisfied or another business reason is determined to require an employee to obtain a wireless phone device, the City Manager or Department Director, with the concurrence of the Finance Director, will determine what type of user the employee is. There are three options based on the expected level of business use of the wireless device:

1. Minimal business user (typically voice only)
2. Moderate business user (voice & data)
3. Power business user (voice & data)

In addition, all wireless phone devices that will connect to City data must be approved by the Information and Geographic Services (IGS) Division. These devices must support remote wiping of data and passwords and encryption to protect against unauthorized access to City data should the device be lost or stolen. Once approved by the City Manager or Department Director, as appropriate, the Finance Director, and IGS, the employee has the following two options in terms of acquisition and ownership: 1) City owned device; and 2) employee owned device.

Under option 1 (City owned device):

- The City is responsible for the purchase of the device and the monthly bill amount.
- The wireless phone device belongs to the City.
- Personal use must be minimal.

Under option 2 (employee owned device):

- The employee is responsible for the purchase of the device and the monthly bill amount.
- The wireless phone device belongs to the employee.
- Personal use is unrestricted.
- The employee receives a monthly stipend amount through his/her paycheck based on the type of user:
 - Minimal business user: \$30 per month
 - Moderate business user: \$55 per month
 - Power business user: \$75 per month

The monthly stipend amount for each type of user equals approximately 75% of the total cost, including fees and taxes, of a Verizon monthly bill based on the “government employee” discounted individual plan rates for voice, data, and texting. The monthly stipend amount may be changed at any time by the City.

City Owned Devices

The following guidance applies to City owned devices:

- A City owned device cannot be replaced more than once every three years, unless otherwise approved by the City Manager or Department Director, as appropriate.
- If negligence on the part of the employee results in a City owned device being lost, destroyed, or rendered unusable for reasons other than typical “wear and tear,” then the employee may be subject to disciplinary action.
- City owned devices are intended primarily for business use. Limited personal use is acceptable; however, it should not significantly impact work nor result in any additional expense or liability to the City. Due to the diverse workgroups within the City, Department Directors are responsible for developing and communicating department

specific policy regarding appropriate personal use of City owned devices. Where no other policy, contract, or agreement exists, the City's Technology Use Policy should be followed with respect to City owned mobile devices.

Policy Administration and Review, Auditing, and Disciplinary Action

The Finance Director develops and implements procedures for administering this policy, ensuring compliance with the policy and State law. Any exceptions to this policy must be authorized by the Finance Director.

The Finance Department and IGS Division will review this policy, including the monthly stipend amounts under option 2, once per biennium to ensure cost effectiveness and will periodically audit wireless phone device usage. Violations of this policy may result in disciplinary action, including the forfeiture of a City owned device or the monthly stipend amount provided under option 2.

Audit

Wireless Communication Device accounts are audited by the State Auditor's Office and the City's Finance Department. Personal usage that is not reimbursed or other violations of this policy can result in disciplinary action, up to and including termination of employment.

Workplace Violence Policy

The City is committed to maintaining a workplace free from violence and threats of violence. The City will not tolerate any acts or threats of acts of violence to persons or property. Any employee who commits or threatens an act of violence will be subject to discipline, up to and including termination. Employees should promptly report any acts of violence or threats of violence, including actions of coworkers and members of the public to their Department Director, the City Attorney, or the Human Resources Department.

Employees are not permitted to bring a weapon into the City workplace, including parking lots and lunch break rooms, unless the weapon is required to fulfill the employee's job duties, such as those of a police officer, unless a request has been granted by management in writing prior to the bringing of the weapon into the workplace (this includes but is not limited to stun guns, mace and other personal protection). The weapon will then be registered with the Police Department prior to bringing it to work, with a set time frame for its use. If an employee brings a weapon to work, he or she must immediately inform the Police Department that the weapon is on City premises.

Drug Free Workplace Policy

Philosophy

The City of Mercer Island has established a drug free work place policy for the health and safety of all its employees and the customers we serve. The City regards prevention, intervention, and treatment as the best approaches for creating a drug free work place. Unless otherwise stated in a collective bargaining agreement, this policy applies to all City employees.

Drug-Free Workplace Policy

1. While at work, each City employee has a responsibility to coworkers, and to the general public, to perform his or her work in a safe and conscientious manner. The City expects employees to be able to work in an environment free from the effects of alcohol and/or other job-impairing substances. This does not mean that employees cannot perform their jobs while taking prescription or nonprescription medications in accordance with a lawful prescription or consistent with the standard dosage recommendations, unless such medications cannot be taken in a safe manner, or if the medications impair the employee's ability to perform the essential functions of his or her position with or without an accommodation that does not create an undue hardship for the City.
2. The unauthorized use, sale, or possession, by any employee, of alcohol (except as specifically allowed in the Community Center at Mercer View Rental Policy), controlled substances, drugs not medically authorized and used in the manner prescribed, or other substances which may impair job performance or pose a hazard to the safety and welfare of the individual employee, the public, or other employees, is strictly prohibited and may result in disciplinary action, up to and including the termination of employment.
3. Employees that are required to have and maintain a Commercial Driver's License (CDL) to perform their City job duties are required to participate in a drug and alcohol testing program governed by federal law. Employees in positions at the City that require a CDL must see the Human Resources Department for a copy of the specific policy governing those employees. To the extent there exists any conflict between this policy and the Drug and Alcohol Testing policy for CDL drivers, the Drug and Alcohol Testing policy will govern.
4. Employees in safety-sensitive jobs are required to immediately notify their Department Director and the Human Resources Department if they are taking medications which may interfere with their ability to perform their jobs safely. Failure to notify your Department Director and the Human Resources Department under this policy may result in disciplinary action, up to and including the termination of employment.

5. Employees are required to immediately notify their Department Director and the Human Resources Department if they are convicted of a drug related crime while employed by the City. Failure to notify your Department Director and the Human Resources Department under this policy may result in disciplinary action, up to and including the termination of employment.
6. The City may require a drug evaluation and/or test, including but not limited to blood tests, urinalysis or other appropriate examinations:
 - a. Prior to an appointment to a position in the Maintenance Department or other position that requires a CDL or involves safety-sensitive functions such as driving or operation of equipment as a function of the employee's position.
 - b. If a supervisor or manager develops a reasonable suspicion that an employee is under the influence of drugs or alcohol while at work, he/she may require that employee to take a drug/alcohol test. Reasonable suspicion includes, but is not limited to, abnormal coordination, behavior, speech or odor, or unusual work performance.
 - c. After an accident or an unsafe practice for employees in safety-sensitive positions.
 - d. Randomly for employees in safety-sensitive positions.
 - e. There may be other circumstances when the City may require drug testing.
 - f. Refusal by an employee to take a required drug or alcohol test may subject the employee to disciplinary action, up to and including termination of employment.
 - g. A positive drug test may result in disciplinary action, up to and including termination of employment.
7. Any violation of this policy may result in disciplinary action, up to and including termination of employment.
8. Employees are strongly encouraged to request confidential assistance from the City's Employee's Assistance Program (EAP) when dealing with problems of drug or alcohol abuse.

City Vehicles

The City of Mercer Island maintains a fleet of vehicles and motorized equipment in its delivery of services to the public. These vehicles, and the employees who drive them, represent a major investment of resources and potential for liability. As a general rule, employees should use City vehicles to conduct routine City business. Employees may use their personal vehicle for City

business when a City vehicle is not available and upon obtaining the Department Director's approval.

Guidelines for Driving City-Owned Vehicles

Employees must have a valid driver's license and the prior approval of their supervisor before they drive on City business. Employees approved to drive on City business are required to immediately inform their supervisor of any changes in circumstances that may affect either their legal, physical or mental ability to drive or their continued insurability. This includes, but is not limited to, circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of injury, illness or prescription medication. Any employee whose driver's license is expired, suspended or revoked must immediately report it to their Department Director and must not drive a City vehicle. An employee with a revoked, expired or suspended license who continues to operate a City vehicle or who fails to inform their supervisor of any changes in circumstance that may affect their legal, physical or mental ability to drive or their continued insurability may be subject to disciplinary action, up to and including termination.

Employees holding jobs designated as requiring driving for City business must, as a condition of employment, be able to meet the driving approval standards of this policy at all times. For all other jobs, driving is considered a non-essential function of the position. Employees who need transportation during the course of their normal work day may use a vehicle assigned to their department or one available from the pool of vehicles owned by the City.

City vehicles should not be taken home overnight except as follows: Employees may take a City-owned vehicle home for one night when attendance to an out-of-town meeting takes place late at night after normal working hours or early in the morning prior to normal working hours. Also, an employee may take home a City vehicle under unusual or emergency conditions as determined by the Department Director, Human Resources Department or the City Manager.

Employees who drive a vehicle on City business must exercise due diligence to drive safely and to maintain the security of the vehicle and its contents. Employees are responsible to pay for any moving violations, driving infractions or fines as a result of driving City vehicles. Employees are also responsible to ensure they drive in accordance with the laws of Washington State, including the speed limits, traffic signs, and the legal drinking limit. Seat belts must be worn by the driver and any passengers at all times when the vehicle is in motion. Smoking and cell phone use is prohibited.

There is a check-out process through Outlook for the City pool cars that are available for general use. If you need to use a City vehicle, please reserve the vehicle you are planning to use as far in advance as possible.

Each driver is responsible to immediately report to their Department Director if there is an accident involving the City vehicle. The Department Director will take a detailed report from the driver and investigate the accident and order any necessary repairs to the vehicle. Failure to

report an accident or damage to a City vehicle may result in disciplinary action, up to and including termination. Each driver is also responsible to report any malfunctions of the City vehicle so it may be repaired as quickly as possible to ensure the safety of everyone authorized to drive City vehicles.

Each driver is responsible to completely clean out the vehicle when returning. Vehicles should be filled with gasoline if the tank goes below one-quarter tank. Employees who use a City vehicle regularly should also make sure it is kept vacuumed and washed and that it receives regular mechanical maintenance.

Using City Vehicles for Personal Business

As set out above, employees should not use City vehicles for personal business. Some examples of personal business include: shopping, providing transportation for family members, or any other form of recreation.

It is City policy that passengers should only ride in a City vehicle if the passengers are associated with a specific work-related purpose. Passengers may include other City employees, employees of contracted temporary help agencies, other governmental officials, agents contracted with the City, or participants in City sponsored programs. Transporting a passenger in a City vehicle must be for a demonstrable public purpose.

Family members of City employees are not allowed as passengers in City vehicles unless they are qualified as explained above. Employees who take family members to work-related events, seminars, conferences, etc. must use their own personal vehicle and may receive travel reimbursement, depending on the circumstances.

Using Personal Vehicles for City Business

Ideally, City-owned vehicles should be used for all official city business. There are times, however when it would create an undue hardship to use a City vehicle, and there may be times when a City vehicle is simply not available. In those situations an employee may use their own personal vehicle for business use, upon obtaining the Department Director's approval. Proof of insurance and a valid driver's license may be required.

When personal vehicles are used for City business, a request for mileage reimbursement, based on IRS business standards, may be submitted. The IRS standard rate assumes coverage for gas, maintenance and insurance costs of the vehicle. No mileage reimbursement is allowed for vehicle use that is not directly related to the business purpose of the trip.

Driver Abstracts

All newly-hired employees are required to provide a complete Driver's Abstract from the Department of Licensing. The City has the right to obtain a motor vehicle report at any time for current employees.

Emergency Operations Program

Disasters and emergencies have occurred in this region and will likely occur again in the future. It has been determined that the City is vulnerable to numerous technological and natural hazards. These hazards include wind, rain and snow storms, earthquake, flood, landslide, public and private car accidents, search and rescue emergencies, civil disturbance, terrorist activity, conventional and nuclear war, structural collapse, hazardous material incident, major fires, and energy and utility system failure.

In order to be prepared for events such as these, the City has established an Emergency Operations Plan (EOP) to respond to emergencies and disasters. The goals of this plan are to:

1. Coordinate the development and maintenance of the City's EOP that provides the framework for organizational activities during disaster operations.
2. Provide a community education program for the residential and business community to assist in developing self-sufficiency.
3. Provide assistance to City departments in training activities for the development of first responder capabilities.
4. Foster an atmosphere of inter-agency cooperation within the City, as well as with other City, County, State, Federal Agencies and allied service providers such as the Red Cross.

The City's EOP is designed to be compatible with King County and Washington State plans. This document provides support to Title III of Superfund and Re-Authorization Act of 1986 and other plans required by the State and Federal Government.

The EOP calls for an Emergency Operations Response Team to oversee and provide policy recommendations during a time of disaster. The Team consists of the following members: The Emergency Preparedness Officer, The Mayor, City Manager, Deputy City Manager, City Attorney, Police Chief, Fire Chief, Director of Development Services, Director of Finance, and a representative from the school district. This team acts as a flexible unit, changing its members as necessary to reflect the needs of the situation. Members of the team have designated back-up personnel to fill in during their absence or during times of extended emergencies. Certain employees may be required to take part of the Emergency Response Team as part of their job description.

To learn more about emergency preparedness or the Emergency Operations Plan and your role during an emergency or disaster, please contact the Emergency Preparedness Officer or your Department Director.

Worker's Right to Know – Chemical Hazard Communication

To better ensure the health and safety of City employees, it is the City's policy to reduce the potential hazards to all employees from chemical substances used and/or stored in City work places and facilities. In an effort to maintain an increased awareness of hazard potential, the City strives to comply with all levels of safety standards regarding chemical hazard communication.

Blood Borne Pathogen Exposure Control

The Washington Industrial Safety and Health Administration (WISHA) and State law requires a written plan to deal with the potential exposure to blood and Other Potentially Infectious Materials (OPIM). As an employer, the City of Mercer Island has an obligation to provide a safe and healthy place to work. Likewise, as an employee, you have an obligation to work in a safe and healthy manner.

Employees who have been designated as having a "reasonably anticipated" potential for exposure to blood or OPIM will receive specialized annual training and have the responsibility to read, and understand the contents of the Exposure Control Plan. If you are one of these employees, and there is something you do not understand, ask your supervisor or team leader.

Since exposure to a blood borne pathogen may lead to sicknesses such as hepatitis, AIDS, or malaria, and since the City of Mercer Island wants to assure employees have as safe and healthy work environment as possible, it is the policy of the City to comply with all statutory obligations for the prevention of exposures to blood borne pathogens. Failure to comply with the safe work practices described in the City's Exposure Control Plan will result in discipline, up to and including termination.

Work-Related Injuries Policy

In the event an employee experiences a work-related injury or illness resulting in a valid State Industrial Insurance claim, the following compensation and leave policies and procedures apply.

All employees are covered by State Industrial Insurance and Medical Aid through the State of Washington's Department of Labor and Industries, commonly referred to as "Workers' Compensation."

Notification/Filing a Claim

When an employee is injured or becomes disabled from an on-the-job activity, the employee must immediately notify their supervisor. The supervisor will consult with the Human Resources Department to determine whether a claim form needs to be completed. If the injury is serious, the supervisor will arrange to have the employee transported immediately to a

medical facility appropriate for examination and treatment of the employee's condition. The Employee/Volunteer Injury & Illness Form must be completed and returned to the Human Resources Department as soon as possible.

The supervisor will immediately notify the Human Resources Department. If the incident occurs after business hours, the supervisor must notify Human Resources Department the next business day following the incident. The notification will include the name of the employee, the employing department and any other pertinent information.

As soon as possible, the employee should contact their supervisor with the name of the treating doctor or other medical personnel, and note whether or not the health care provider recommends a period for recovery before resuming work. Because Workers' Compensation time loss generally takes several weeks to be paid at the outset, the City will continue to issue a regular paycheck to an employee who is on leave pursuant to an injury or illness covered by Workers' Compensation. When an employee who receives a regular paycheck from the City also receives a Workers' Compensation time loss payment, he or she must endorse the Workers' compensation check to the City and submit it to Payroll immediately upon receipt. In no circumstance will the total of the amount of the City paycheck and the Workers' Compensation time loss payments exceed one hundred percent (100%) of the employee's regular wage. Failure to endorse a Workers' Compensation check as require pursuant to this policy may result in disciplinary action, up to and including the termination of employment.

Employee Discipline/Corrective Action Policy

The City may utilize a disciplinary track and/or a corrective action track in addressing problems in employee behavior and/or performance. The tracks may be commenced concurrently, separately or not at all, at the City's sole discretion. The City is in no way obligated to complete both tracks, may progress through either track in any manner, and is not required to follow each of the steps or complete the steps in the order described in this provision. Unless an employee's employment is governed by a collective bargaining agreement, civil service rules, or a written employment contract signed by the City Manager or City attorney, that provides for specific requirements for discipline or termination of an employee's employment that specifically conflicts with this policy, the City, in its sole discretion, may take any disciplinary action with an employee, up to and including termination of employment, at any time and for any reason, with or without notice or without following any of the steps or tracks outlines in this policy. Supervisors, team leaders and Department Directors must consult the Human Resources Director, the City Attorney's Office, or the City Manager before issuing any disciplinary action. The Human Resources Director or the City Attorney's Office, in conjunction with the Department Director, will determine the appropriate disciplinary or corrective action to deliver.

The list below contains some examples of the types of offenses that may be subject to discipline, the corrective action track, or termination of employment, in the City's sole discretion unless prohibited by a collective bargaining agreement, civil service rules, a written

employment contract signed by the City Manager or the City Attorney, or otherwise prohibited by law; however, it is not intended to be exhaustive and does not contain all possible offenses and does not otherwise alter the at-will status of an employee's employment. The City expressly has the right, in its sole discretion, to discipline employees, up to and including termination of employment, whether or not the offense is specifically listed as follows:

1. Failure to meet job performance expectations.
2. Habitual absence or tardiness for any reason or abuse of sick leave.
3. Unauthorized absences from work.
4. Personal conduct at work.
5. Violation of safety rules or personal conduct at work that is dangerous to others.
6. Failure to act consistent with the Mercer Island Vision set forth in Section 2 of this Handbook
7. Violation of any ethical provision of state law or this Handbook
8. Unlawful harassment, discrimination, or retaliation in any form, including use of the e-mail system or Internet.
9. Arriving on the job under the influence of drugs or alcohol; using intoxicating beverages or other drugs on City property; misuse of prescription drugs on the job which may cause potential hazard to other employees or the public; or job performance that is adversely affected by the use of intoxicating beverages or other drugs.
10. Violation of any ordinance, directive or policy of the City or departmental operating procedure or regulation.
11. Insubordination.
12. Violation of safety rules or personal conduct at work that is dangerous to others.
13. Conviction of a felony or a misdemeanor which would adversely impact the employee's ability to perform the duties of his or her position.
14. Interfering with or disrupting the work of other employees on the job.
15. Negligent or willful damage to the City's property, waste of supplies and equipment, or theft.
16. Discourteous treatment of the public or other employees.
17. Fighting on the job.
18. Conducting private enterprise or business during City working hours.

Authority to take most disciplinary/corrective action rests with the Department Directors who must consult with the Human Resources Department and/or the City Attorney's Office. This authority may be delegated to supervisors or team leaders, but is limited to reminder notices,

warnings, and reprimands. Any disciplinary/corrective action must be reviewed by the Human Resources Department or the City Attorney's office prior to its delivery.

Any suspension or termination resulting from disciplinary/corrective action must be reviewed and recommended by the Department Director, the Human Resources Department and the City Attorney.

When a disciplinary issue arises, the City Manager may invoke the Disciplinary Review Committee (DRC). The Human Resources Director, the City Attorney, the Department Director of the affected department and an uninvolved Department Director (determined by the City Manager) will make up the DRC. The DRC will evaluate the disciplinary matter and determine the appropriate course of action through consensus. If the DRC lacks consensus when determining disciplinary action, the matter will be turned over to the City Manager who will consult with the members of the DRC and make a final determination.

The City Manager may, at his/her discretion, use an outside professional or retain a Human Resources Director and/or City Attorney from another city when a conflict of interest or perceived conflict of interest arises.

An employee who is subject to a disciplinary or corrective action will be notified regarding the reason and the proposed disciplinary/corrective action. Employees who work under Civil Service rules and regulations or a collective bargaining agreement should refer to those documents for more specific information regarding disciplinary policy. The general guidelines of the Corrective Action Track and Disciplinary Action Track are outlined below, although as set out below, need not be followed, as the City, in its sole discretion, may take any disciplinary action it deems appropriate up to and including the termination of employment unless otherwise prohibited by a collective bargaining agreement, civil service rules, an employment contract signed by the City Manager or the City Attorney, or if otherwise prohibited by law. Nothing in this policy is intended to or does alter the otherwise at-will status of any employee.

Generally, the Corrective Action Track may take one or more of the following forms, in the City's sole discretion:

1. **Reminder I Notice** – When informal coaching sessions are unsuccessful in solving a performance or behavior problem, the first level of formal disciplinary action is generally a Reminder I. The supervisor, team leader or Department Director issues the Reminder I notice to the employee, discusses the issue, reminds the employee of his/her responsibility to meet the City's standards, and advises the employee that subsequent performance and/or behavior problems will lead to further corrective action.
2. **Reminder II Notice** – If the performance or behavior problem continues, the supervisor generally moves to Reminder II notification. The supervisor discusses the performance or behavior problem with the employee and issues the Reminder II notice, which is placed in the employee's personnel file. The employee is advised of the next step, which is 'Decision Making Leave'.

3. **Decision Making Leave** – When the Reminder I and Reminder II notifications are unsuccessful in convincing an employee to solve a performance and/or behavior problem, the employee is generally suspended for one day with pay. The employee is told to return on the following day ready to make a final decision - either to solve the immediate problem and make a total commitment to fully acceptable performance in every area of the job or choose to resign. If another offense occurs, or if at any other time in the process, in the City's sole discretion, the employee's employment may be terminated.

Generally, the Disciplinary Track may take one or more of the following forms, at the City's sole discretion:

1. **Verbal (oral) warning** - A verbal notice that a rule or work standard has been violated may be given. When the warning is given, the employee is to be advised that the action will be noted in the departmental record and that subsequent violations will lead to more severe discipline. Record of verbal warnings are not placed in an employee's personnel file.
2. **Written warning** - A written notice that a rule or work standard has been violated may be given. When the warning is issued, one copy of the document will be given to the employee and the original will be forwarded to the Human Resources Department and placed in the employees' personnel file. The Department Director will maintain a copy in a confidential file.
3. **Suspension Without Pay** - Suspensions, for up to 30 days without pay, may be made where the offense is serious and/or repeated, where the employee has received prior discipline and been advised that further work rule or performance violations would result in further discipline, or as determined by the City, in its sole discretion. Suspensions must be approved by the City Manager and will not take effect until the matter is reviewed and the recommended disciplinary action is approved as set out above. Written record of a suspension will be placed in the employee's personnel file.
4. **Demotion** - A demotion may be imposed in addition to any other disciplinary/corrective action where the employee has failed to fulfill the requirements of the position and the violations are repeated and/or serious, where the employee has received prior discipline and been advised that further work rule or performance violations would result in further discipline, or as determined by the City, in its sole discretion. Demotions are subject to the review and approval of the City Manager.
5. **Termination of employment** - Termination may be imposed for failure to meet performance expectations and for any serious and/or repeated violation of work rules. It is not necessary that any prior discipline has been imposed. Termination is appropriate for criminal offenses, serious work rule violations, failure to meet

performance standards, and for such other reasons as the Department Director and the City Manager determine jeopardize the efficient operation of the City. Terminations are subject to the review and approval of the City Manager.

All disciplinary notifications must be reviewed by the Human Resources Director or City Attorney before finalized. If an unrepresented employee disagrees with any disciplinary/corrective action taken under these provisions, he or she may resort to the grievance procedure.

Grievance Procedure Policy

Occasionally, an unrepresented employee or group of unrepresented employees may dispute the application or interpretation of job-related rules and/or regulations. When the issue cannot be resolved informally between the employee and the immediate supervisor or team leader, the disagreement will be termed a grievance and the following procedures will be followed.

1. An unrepresented employee or group of unrepresented employees may present directly, or through a designated representative, a grievance to the appropriate supervisor or team leader within ten (10) working days of the disputed event and the supervisor or team leader will attempt to resolve the issue within ten (10) working days after it was presented.
2. In the event the supervisor or team leader and the employee cannot resolve the matter, the employee may present the grievance in writing to the Department Director within five (5) working days from receiving the supervisor or team leaders' decision. The Department Director will attempt to resolve the matter within ten (10) working days from receipt of the grievance. The written grievance will outline the facts at issue and the remedy sought.
3. If the employee is not satisfied with the decision of the Department Director, the written grievance together with all pertinent information must be presented within five (5) working days to the City Manager, who will render a decision within fifteen (15) working days from presentation, unless a longer time period is necessary, as determined in the sole discretion of the City Manager. The Deputy City Manager or Assistance City Manager are considered part of the City Manager's Office and may serve as his/her designee in the final step of the grievance process, if the City Manager is unable to be the final decision maker. To ensure both fairness and the appearance of fairness, the Assistant City Manager and the Deputy City Manager shall remain detached from the grievance process, unless circumstances require additional designation by the City Manager. The decision of the City Manager is final.

4. The time frames outlined above may be extended by mutual consent of the employee and the supervisor, team leader, Department Director or City Manager.

Employees who work under the terms of a collective bargaining agreement should refer to their contract for grievance filing procedures.

**RECEIPT AND ACKNOWLEDGMENT OF
EMPLOYEE HANDBOOK**

This employee Handbook is a guide intended to help you become acquainted with the City and its policies and procedures. These policies and procedures described in this Handbook do not constitute a promise of specific treatment in specific situations. The City may, in its sole discretion, change, delete, suspend, discontinue, alter, interpret or deviate from any part or parts of the policies in this Handbook at any time with or without prior notice or reason. Any such changes made by the City will immediately supersede the current contents of this Handbook. This Handbook is effective as of the date below and replaces and supersedes all previous employee handbooks.

Your signature below indicates that you have received and have had an opportunity to review the City’s employee Handbook and that you will familiarize yourself with its contents.

Date

Employee’s Printed Name

Employee’s Signature