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ASOTIN COUNTY PERSONNEL MANUAL

2021

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ATTACHMENTS:

- Drug and Alcohol Testing Policy and Procedure
- Telecommunications, Electronic Information, Network Resources Use Policy
- Safety Program
- Fuel Card Policy (Resolution 15-34)
- Credit Card Policy

- Volunteer Activities
- Unpaid Holidays for Reasons of Faith or Conscience (Resolution 14-24)
- Catastrophic Illness Leave Donation Policy (Resolution 18-07)

CHAPTER 1

PURPOSE AND SCOPE

Section 1.1 Statement of Purpose

The purpose of this personnel manual is to provide and implement an equitable and uniform system of personnel administration governing the recruitment, selection, employment, transfer, removal, discipline and welfare of County employees. The personnel manual is not a contract of employment nor a promise or guarantee of specific treatment and/or benefits and many employees are at-will employees as defined by state and federal law and are therefore not covered by specific sections of this policy.

These policies are intended to accomplish the following objectives:

- A. Recruit, select, promote and retain the most qualified employees.
- B. To accomplish equal employment opportunity regardless of race, religion, sex, national origin, marital status, age, political affiliation or physical, mental or sensory disability unless based upon a bona fide occupational qualification.
- C. To inform employees of their rights, benefits and responsibilities.
- D. To assure the cost-effective delivery of quality County services to the community.
- E. Policies cover many aspects of the work place. The policies provide a guide for systematic and equitable administration of procedures as they apply to day-to-day operation of the County and its employees. However, it is unlikely that all situations can or will be covered. The absence of a written general policy does not relieve anyone (County or employee) of complying with law, exercising sound judgment and “common sense,” and/or following generally accepted routine or unwritten procedures. These policies are not to be interpreted as setting forth promises of specific treatment, nor to be a contract of employment and are subject to modification by the County Commission with or without notice to employees. Any amendments or revisions hereto shall not be retroactive.
- F. The following positions shall be considered “at will” positions and no portion of this policy shall apply which would be contrary to, or in any manner detract from their “at will” status:
 - 1. Chief Operations Officer/Risk Manager
 - 2. Clerk of the Board/HR Specialist
 - 3. Financial Analyst
 - 4. IT Systems Administrator
 - 5. Administrative Asst/Chief Deputy Clerk (Clerk’s Office)
 - 6. Payroll Accountant
 - 7. Court Administrator
 - 8. CASA Coordinator
 - 9. Office Manager – District Court
 - 10. Building Official/County Planner
 - 11. Deputy Prosecutor/District Court
 - 12. Deputy Prosecutor/Superior Court

13. Deputy Prosecutor
14. Office Manager – Prosecuting Attorney
15. Victim Witness Coordinator
16. Victim Witness Advocate
17. Juvenile Director - This position serves at the pleasure of the Superior Court Judge
18. Juvenile Probation Officer
19. County Engineer/Public Works Director
20. Public Works Office Administrative Manager
21. Project Manager
22. Road Supervisor
23. Solid Waste Supervisor
24. Stormwater Coordinator
25. Emergency Management Coordinator
26. Noxious Weed Coordinator
27. Community Services Director
 - Community Services Program Manager
 - Community Services Vocational Program Manager
 - Community Coordinator
28. Positions appointed by the Sheriff in accordance with Washington State Law
 - Undersheriff
 - Inspector
 - Jail Commander

This list is not all inclusive and may change at the will of the Board of County Commissioners.

Section 1.2 Scope: Collective Bargaining Agreements and Civil Service

This personnel manual shall apply to all employees, except where any provision is modified by or in conflict with a collective bargaining agreement or Civil Service rules and regulations for employees covered by such collective bargaining agreement or Civil Service rules and regulations. In such case, the provision of the collective bargaining agreement or Civil Service rule or regulation shall preempt the conflicting provision of this Personnel Manual. The employer recognizes the provisions of RCW 41.56.

Section 1.3 Amendments and Revisions

Recommendations may be submitted to Human Resources. Human Resources will evaluate and will forward to the Board of County Commissioners for their consideration. Personnel policies relating to the operation of Asotin County may be amended or revised, in whole or in part, without prior notification, by approval of the Board of County Commissioners. Such amendments or revisions shall not be retroactive.

All policies will be maintained as a complete set by each elected official or department head and shall be available for review by any employee during regular business hours.

Section 1.4 Severability

If any provision or application of this personnel manual to any person or circumstance is held invalid by a court of legal jurisdiction or regulatory agency, the remainder of the manual or the application of the provision to other persons or circumstances is not affected.

Provisions to policy will be made if any Federal or State laws change.

CHAPTER 2

DEFINITIONS

Section 2.1 Definitions

The following terms, when used in this manual, shall have the meaning given below:

- A. Anniversary Date: The date which occurs annually starting one year from the first regular day of full employment of any employee. The anniversary date may be adjusted dependent upon when in the month the first regular day of full employment falls, i.e.:
 - * *First regular day of full employment - "1st through the 15th"*: Anniversary date would be the 1st of that month.
 - * *First regular day of full employment - "16th through the 31st"*: Anniversary date would be the 1st of the following month.
- B. Appointing Authority: The elected official, department head or other authority designated by the County who is empowered to appoint or remove employees subject to the provisions of this manual.
- C. Appointment: The assignment of a qualified applicant to a position by the appointing authority.
- D. At Will: An employment relationship of indefinite duration which may be separated by either the employer or the employee at any time, with or without cause and with or without notice.
- E. Call Back: Time worked when an employee has left work or is on a day off and is called back to work by the employee's supervisor or an authorized agent.
- F. Compensatory Time Off: Time off from work to compensate the employee for overtime worked; at 1-1/2 times hours worked.
- G. Continuous Service: Employment without interruption except for brief leaves of authorized absence.
- H. Days: For the purpose of the grievance procedure, days are defined as Monday through Friday, excluding holidays, Saturdays and Sundays. For all other purposes, days shall mean business days, unless the context clearly requires some other meaning.
- I. Demotion: The assignment of an employee from present position to another lesser position with a lower salary standard pursuant to the compensation schedule.
- J. Department Head: The director and/or supervisor of any County department.
- K. Employee: Any individual who is not elected or under personal service contract occupying a paid position in service with the County and hired in a department whose budget is governed by the Asotin County Board of Commissioners.

- L. Examination: A procedure used in the selection process to measure applicant abilities, skills and suitability for a position, including but not limited to oral interviews, written tests, performance tests, and evaluations of education and experience, and shall also include work performance during the probation period.
- M. Exempt Employee: An exempt employee is an elected or appointed executive, administrative, or professional employee exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act.
- N. Full-time Employee: A compensated employee who is normally employed a minimum of thirty (30) hours per week or more, in the normal course of business. Includes the term “regular full-time employee.”
- O. Grievance: An employee’s written expression of dissatisfaction with some aspect of these rules and regulations or their interpretation or application as it affects him or her, for the purpose of attempting to gain an adjustment of said cause of dissatisfaction. **(Employees having “at will” employment status shall be exempt from this provision.)**
- P. Immediate Family: The employee’s, spouse, registered domestic partner, parents, siblings, parents-in-law, brother-in-law, sister-in-law, minor/dependent child, and child, daughter-in-law, son-in-law, aunts, and uncles. This also includes any other member residing permanently in the employee’s household. (refer to Federal FMLA list for current list) (WAC 357-01-172)
- Q. Insubordination: The intentional or deliberate refusal to follow or comply with a lawful order or directive.
- R. Layoff: The involuntary separation of an employee due to lack of work, lack of funds, or other reasons determined by the County.
- S. Non-Bargaining Unit Employees: All non-union (merit) represented employees of the County.
- T. Overtime: Time worked in excess of forty (40) hours worked per week excluding sick days, vacation days, holidays, jury duty, military leave and bereavement leave, or other approved paid leave.
- U. Part Time Employee Regular: A compensated employee who is normally employed less than twenty (20) up to twenty-nine/ninety-nine (29.99) hours per week. Includes the term “regular part time employee.”
- V. Part Time Employee, Non-Regular: An employee who normally works for not more than six months; includes a seasonal or temporary employee.
- W. Personnel Action: Any action taken with reference to appointment, compensation, promotion, demotion, transfer, layoff, dismissal, or other action affecting the status of employment.
- X. Position: A group of current duties and responsibilities requiring the employment of one person and/or a Full-time Equivalent (FTE).

- Y. Probation: A six (6) or twelve (12) month period of initial employment or upon promotion or transfer to determine if the employee meets the performance requirements of the position and may be separated without a showing of cause and or notice given. In promotion, he/she may be reassigned to original position at the sole discretion of the County.
- AA. Promotion: The movement of an employee to a position imposing increased duties and responsibilities requiring greater qualifications and providing a higher salary pursuant to the compensation schedule.
- BB. Resignation: The voluntary action by an employee to `separate his or her employment.
- CC. Reinstatement: Return of an employee to his/her former position in the service of the County within six (6) months after layoff or at any time after successful appeal of a suspension, demotion, or dismissal.
- DD. Salary: The compensation paid to an employee pursuant to the salary schedule.
- EE. Salary Schedule: A schedule of salary ranges for employees covered by this manual which sets forth starting salaries and the timetable for step increases. Step increases shall be subject to achievement of performance standards as well as duration of employment. New hires may be employed at above the entry step based on skills and experience.
- FF. Sick Leave: Leave for which an employee may be eligible in the event of illness, disability or to care for an immediate family member who is ill or for medical, dental, counseling and optical appointments. (See definition of immediate family).
- GG. Supervisor: The person responsible for supervising the work of other employees. All department heads are supervisors. Department heads may designate other employees within their department to be supervisors, and shall make such “line of authority” known to all employees in the department. (For department heads, the supervisor shall mean the appointing authority or County Commissioners)
- HH. Temporary Employee: An employee hired for employment of limited duration to perform duties. Such employees generally are ineligible for benefits.
- II. Transfer: The movement of an employee from one position to another having essentially the same salary schedule, involving performance of similar or dissimilar duties and requiring substantially the same basic qualifications.
- If an employee transfers from employee status to an elected position, that person shall forfeit all accrued leave, sick, vacation and floating holiday.
- JJ. Vacancy: A position existing, or newly created and authorized by the County, which is not occupied and for which funds are available.
- KK. Vacation: Paid leave for which an employee is eligible after probation and appropriate length of service.
- LL. Separation: The voluntary or involuntary cessation of employment with the County without cause and/or notice given and or shown.

CHAPTER 3

RECRUITMENT AND SELECTION

Section 3.1 Policy

Recruitment and selection of employees shall be based on the relative ability, knowledge and skills required to perform the duties of a given position. It is the policy of the County to provide equal opportunity for all applicants for employment regardless of political affiliation, race, color, national origin, age, sex, sexual orientation, gender identity, religious creed, marital status, or mental or physical disability except where specific age, sex or physical requirement or mental disability constitute a bona fide occupational qualification necessary for proper and efficient performance of that occupation.

Section 3.2 Pre-Employment Physical Examinations and Drug Screening

- A. Pre-Employment Physical and Drug Screening Exam. Any candidate for a regular full-time, part-time, or a temporary position will be required to take and pass a pre-employment drug screening test. Anyone refusing the drug screening or testing positive for illicit (including marijuana) or misused drugs will not be hired. Two consecutive drug tests that are deemed too diluted to test will be considered a positive and employment may be denied. A pre-employment physical exam can apply to any department based on specific job title and duties. In addition, employees returning from periods of disability may be required to take a physical exam from a County approved medical professional prior to returning to former duties.
- B. Physical examinations shall be limited to considerations relevant to the employee's or applicant's fitness for the essential functions of the particular job. The examining physician shall be provided with a complete job description, including a detail of bona fide physical requirements. The physician's report shall be limited to an opinion regarding the employee's or applicant's ability to perform the requirements of the job in a proficient manner and with due regard to the safety and welfare of the employee or applicant and co-workers. The examining physician may also be asked to discuss methods by which any physical disability might be accommodated.

Section 3.3 Oral or Written Examination

Oral and/or written tests may be used as a basis for evaluating candidates for a position. The format and content of these examinations shall be selected by the appointing authority with approval/direction from the Human Resources Department and shall reflect the skills and knowledge necessary to perform the work of a given position. Evaluation of the results of the examinations shall be based on the actual requirements of the work to be performed.

Section 3.4 Probation Period

All original and promotional appointments shall be tentative and require a probationary period of six (6) or twelve (12) months in which the employee has the opportunity to demonstrate his or her capability to fulfill the duties and responsibilities of the job.

The probation period is an extension of the examination process. There shall be no right to appeal based upon failure to pass the trial/probation period. EMPLOYEES ON PROBATION MAY BE SEPARATED WITHOUT ANY CAUSE WHATSOEVER. Such separation shall be approved by the appointing authority. Extensions of the probation period may be made on a case-by-case basis. Employees shall be evaluated periodically, at a minimum annually. Information evaluations shall occur during the probationary period.

Section 3.5 Employment of Immediate Family Members

- A. Immediate family members, and those that you have a close personal relationship with, may not be employed where the following situations of business-related conflicts exist:
 - (1) Where one would have the authority to supervise, direct, or make effective recommendations pertaining to the salary level, promotion, transfer, discipline and related employment conditions of the other.
 - (2) When one is auditing the work of the other.
 - (3) Where other circumstances would place one in a situation of actual or reasonably foreseeable conflict between the interests of the County and their own.
- B. Where situations of “business related conflict” require the exclusion of immediate family members, such as the marriage of two employees, effort shall be made to resolve the situation by transfer of either employee.

CHAPTER 4

WORK HOURS

Section 4.1 Work Hours and Week

- A. Work hours for County departments will be according to the regular work week patterns established within each department. Such work week patterns may include varying schedules within the department, with varying starting times, quitting times or break periods.
- B. The work week begins at 12:00 A.M., Sunday, and concludes at 11:59 P.M., Saturday, for a full seven-day period. If you participate in the alternative schedule (9X80) the workweek is from 12:00pm on Friday until 11:59am the following Friday.

CHAPTER 5

COMPENSATION AND REIMBURSEMENT

Section 5.1 Salary Schedule

The County Commissioners shall adopt in the annual budget a salary schedule for employees.

Section 5.2 Pay Period

- A. There is one pay period per month; to be the fifth (5th) day of the following month in which wages were earned. The appointing authority needs to submit payroll timesheets to the Auditor's office prior to payroll.
- B. Employees shall be paid on the fifth (5th) day of the following month in which wages were earned, provided however, if said dates fall on a weekend or holiday, then salary shall be paid on the last business day immediately preceding such weekend or holiday.
- C. Employees have the option to request in writing a no interest loan (draw) of no more than 50% of earned monthly salary. Draws are subject to payroll deductions.

All requests need to be submitted to the HR Dept. by the close of business seven (7) working days prior to the warrant run. Normal draw date is on the 20th of the month, provided however, if said date falls on a weekend or holiday, then draw shall be paid on the last business day immediately preceding such weekend and holiday.

- D. Payroll deductions shall be as required by law or authorized in writing by the employee. New monthly regular full-time employees working less than a calendar month will be pro-rated based on the number of working days in a month.

Section 5.3 Pay Plan

The County maintains a pay plan. Coverage under the plan includes all position classifications established by the County. The salary established for a position shall represent the total remuneration (compensation) for an employee occupying the position except for fringe benefits, official travel, special projects, and other approved expenses. No employee shall receive pay from the County in addition to the salary and fringe benefits authorized in these policies and the current budget as adopted by the Board of County Commissioners, except as provided by union or private contract.

Section 5.4 Salary Ranges

A salary range comprises a series of steps through which an employee may progress. Classifications are assigned to salary ranges, based upon the discretion of the Board of County Commissioners.

Section 5.5 Merit Advancement

Advancements through the merit steps, not to exceed at any time the maximum prescribed for the employee salary range, will depend upon the employee's performance as appraised by the department head with the approval of the Board of County Commissioners. Merit step increases are not to be granted automatically, but may be given biennially (every 2 years) on the anniversary date to any employee who consistently meets the requirements of the position. Anniversary date for the purpose of this section means the date in which an employee began working in that particular position and should not be confused with the date of hire with the County. Merit steps may also be removed by the department head for any employee who consistently does not meet the requirements of the position. An employee shall not be moved up or down more than one merit step at a time except possibly for disciplinary reasons. The Board of County Commissioners would have to approve such an action. The Board of County Commissioners may authorize movements of more than one merit step if they determine such a move to be in the best interests of the County. Any employee may request in writing review by the Board of County Commissioners of their department head's recommendation.

Effective March 6, 2012 the Board of Commissioners will not approve any personnel action forms for merit staff merit increase unless annual review is up to date.

Section 5.6 Deferred Pay Increases

In the event that an employee is on "disciplinary probation" status on the date he/she is scheduled to receive a step salary increase or a salary review, such salary increase or salary review shall not be implemented until the date the employee is removed from such status. No salary increase shall be payable for any period of time any employee is on "disciplinary probation" status.

Section 5.7 Performance Evaluations

- A. Performance evaluations shall be designed to ensure that quality services are provided to the public at the least possible cost; to motivate and develop employees to their fullest potential; to clarify roles and mutual expectations of supervisors and employees; and to ensure open and ongoing communication between employees at all levels including feedback from subordinates to supervisors.
- B. Written performance evaluations should be prepared annually for each employee, acknowledged by the employee, and kept in the personnel files located in the Human Resources Department. Evaluations shall include feedback, positive and/or negative, constructive criticisms, and note any need for corrective action.

Section 5.8 Overtime Pay

Employees may occasionally be required to work in excess of forty (40) working hours. Overtime pay shall be paid to all employees except those for whom overtime pay is not required by law. An eligible employee shall earn overtime pay at the rate of one and one-half (1-1/2) times the employee's hourly pay rate for all time worked in excess of forty (40) hours per week. No employee shall be permitted to work overtime or receive pay without the express approval of the supervisor in charge.

Section 5.9 Compensatory Time

Upon the approval of the supervisor compensatory time is provided at the rate of one and one-half (1-1/2) times the time worked. The maximum accumulation shall be forty (40) hours.

An employee who has accrued compensatory time off, authorized as above, and who has requested the use of such compensatory time, shall be permitted by the elected official/department head to use such time within a “reasonable period” that does not unduly disrupt the operations of the department. This evaluation will consider customary work practices within the department based on the facts and circumstances in each case. Such practices include, but are not limited to (a) the normal schedule of work, (b) anticipated peak workloads based on past experience, (c) emergency requirements for staff and services, and (d) the availability of qualified substitute staff. The employee will be notified within a “reasonable period” of approval/rejection of use of the requested compensatory time based on the above evaluation. The County shall have the right to schedule employees to use any and all accrued compensatory time.

Section 5.10 Travel Expenses

- A. Business and travel expenses are paid for or reimbursed as follows: (1) travel expense reimbursement voucher, (2) County gas card use, (3) direct billing from travel agents or hotels, or (4) advance travel allowance. All travel must be approved in advance by the appointing authority or designee.
- B. In order to qualify for reimbursement all expenses must be reasonable and prudent under the circumstances and directly related to the conduct of County business. Care must be taken to avoid unnecessary or excessively costly expenditures. To be reimbursable, expenditures must be specifically authorized.
 - 1. On either “day travel” or first and last days of “overnight travel”, reimbursement eligibility is based on the following times unless otherwise pre-approved an Elected Official/Department Head:
 - Breakfast: departure prior to 6:30 AM qualifies an employee for breakfast.
 - Lunch: during the person’s regular lunch period.
 - Dinner: arrive at origination point after 6:30 PM qualifies an employee for dinner.
- C. Department Heads, Elected Officials, and employees will be reimbursed for meals consumed outside of 20 miles, according to the per diem rates, when conducting County business. Employees will need to have prior approval from their Department Head or Elected Official to be reimbursed for meals consumed **within** 20 miles of the courthouse.

- D. Unauthorized expenditures include but are not limited to:
1. Alcohol
 2. Expenses of a spouse or other person not authorized to receive reimbursement
 3. Room Service fees
 4. Entertainment (i.e., TV, radio, games, outdoor fun), clothing, personal sundries and services.
 5. Transportation to places of entertainment or similar personal activities (tour bus, sightseeing).
- E. Reimbursement for the expenses of business travel is acceptable under the following general guidelines:
1. County vehicle. County vehicles must be used if available. This includes individual department vehicles, as well as General Administration vehicles, which can be checked out through the Commissioners' office. The use of county vehicles for non-county business is strictly prohibited. Unauthorized transport passengers include family. Expenses necessarily incurred for vehicle operation are acceptable, such as gas, oil, tires, and necessary repairs. Such expenditures should not be made, however, except where necessary.
 2. Personal vehicle. The usage of an employee's personal vehicle is discouraged. However, personal vehicles can be used at the employee's expense. If a county vehicle is not available the employee may elect to use their personal vehicle, if it is approved by their Elected Official/Department Head as it will directly impact their budget. If an employee uses their personal vehicle, expenses shall be reimbursed for mileage in accordance with the IRS Federal Mileage Rate. Such mileage shall be computed by reference to, and by use of the most direct public highway route to and from the destination. Google Maps, MapQuest, or Yahoo will be used to determine reimbursable mileage.
 3. Rental vehicle. The cost of vehicle rental will be handled on an exception basis and must be approved in advance by the appointing authority.
 4. Air travel. Advance arrangements for air travel shall be made for direct payment by the County to the travel agent or airline in a normal course of payment of bills.
 5. Other travel expenses. Miscellaneous travel costs, such as bus, taxi, bridge or other tolls, parking, ferry, and the like are authorized and shall be listed on the claim for expenses form and must include original receipt(s). Meals are excluded from this as they are paid at a per diem rate.
- F. Cost of meals consumed while conducting County business outside of Asotin County is authorized for reimbursement. Meals consumed within twenty (20) miles of the Asotin County courthouse are not reimbursable unless prior authorization is obtained from the Elected Official/Department Head. Reimbursement for meal costs will be made in accordance with current travel per diem defined as the following rates:

Breakfast \$ 14.00 Lunch \$16.00 Dinner \$ 25.00

For meals, actual receipts are not required and will not impact the per diem amount paid to the employee.

Meals consumed over 200 miles outside of Asotin County, 1-way will use the current OFM rates. Refer to the State Administrative and Accounting Manual (SAAM), Subsection 10.40.10.c. <https://www.gsa.gov/travel/plan-book/per-diem-rates>

Meals will not be reimbursed if the conference has “hosted events” for meals (meals provided as shown on course agenda) unless previously authorized by Elected Official/Department Head; or

Incurred for recreational or social events such as office, going away, and retirement parties, or other personalized social events; or

A violation of gifting of public funds, would occur, or

For the purchase of alcoholic beverages

- G. Procedure for Requesting Advance Travel Funds. A County official or employee desiring a travel advance shall complete a request form which is available from the office of the Commissioners. When completed, this form must be approved by the employee’s supervisor. The request should be submitted to the Clerk of the Board or designee along with a course agenda, at least five (5) business days in advance of the travel. Advance travel funds shall not be used for registration fees. Upon return, an expense report must be submitted to the Clerk of the Board no later than the tenth day following the close of the authorized travel period for which expenses were advanced.

Section 5.11 Work Clothing

Employees in departments requiring fieldwork may need protective gear and/or protective work clothing suitable to such work. The County, at its discretion, shall provide protective gear and/or protective clothing such as over boots or coveralls. The County shall not be responsible for other work clothing, such as logoed clothing that is not for a protective gear use.

CHAPTER 6

BENEFITS

Section 6.1 Eligibility

Employees are eligible for employee benefits established by the County and/or plan requirements.

Regular full-time employees and part-time employees (on a prorated basis) are eligible for employee benefits offered by the County unless otherwise specified in these policies. If employed on the first working day of the month, the regular employee is eligible for health benefits on the first day of that month. If employed after the first working day of the month, the regular employee is eligible for health benefits on the first day of the following month. Upon satisfactory completion of the probationary period, an employee becomes eligible to use accrued leave. Paid holidays begin at the date of hire. Accrual of vacation and sick leave will begin on the date of hire. If an employee is hired on or before the 15th day of the month, the employee's anniversary date will be on the first day of that month. If an employee is hired on the 16th day of the month or after, the anniversary date will be the first day of the following month.

Part-time employees who work a minimum of twenty (20) hours a week shall have the option to receive prorated benefits equal to 50% of the full-time benefit. However, medical is not an option, the employee is not allowed to opt-out of medical unless they have other qualified medical coverage.

Part-time employees that work less than 20 hours a week are not eligible for any benefits.

Section 6.2 Open Enrollment

The County shall offer an open enrollment period for all County employees from November 1st, through November 30th of each year.

New dependents can be added at other than open enrollment per each Benefit policy.

All these categories of dependents can be added at open enrollment if they are not added within the initial time period.

Section 6.3 Health and Welfare Benefits

A. Medical Coverage:

Regular full-time employees and eligible dependents receive coverage on Asotin County's health care plan, providing they meet the eligibility rules as specified by the plan contracts. Part-time regular employees (including dependents) shall be offered medical benefits on a pro-rated (50%) basis. Information and applications for coverage are available from the Human Resources Department.

B. Dental Coverage:

A family dental program shall be offered for all regular full-time employees that meet the requirements. Part-time regular employees shall be offered dental coverage on a prorated basis.

- C. Life Insurance Coverage:
Life insurance coverage shall be offered and insurance premiums shall be paid in full by the County for regular full-time and part-time regular employees that meet the requirements. Additional life insurance may be purchased and paid for by the employee through a payroll deduction.
- D. Vision Coverage:
Family vision coverage shall be offered for regular full-time Part regular employees that meet the requirements and prorated for part-time regular employees.
- E. VEBA:
An eligible employee is entitled to the HRA VEBA plan which is a tax-free health reimbursement arrangement (HRA) that enables your employer to make tax-free contributions into a special trust account on your behalf. These tax-free funds can then be used to pay or reimburse eligible out-of-pocket healthcare costs and premiums for yourself, your spouse and your qualified dependents. The specific funding sources are subject to change annually.

Employees will be eligible to cash out one (1) workweek of vacation time if the employee has used a minimum of two (2) weeks of vacation during the calendar year. This cash out would be paid in the December payroll (December hours) as determined by the Employer. Therefor accrual shall not be greater than 240 hours by December 31st of each calendar year.

Section 6.4 Retirement Benefits

The County and all eligible employees shall contribute a prescribed amount of the employee's salary to a state-mandated retirement system, pursuant to the State laws and rules prescribed, therefore.

Commissioned Sheriff's Deputies are covered under the Law Enforcement Officers/Firefighters System. Other employees are covered by the Public Employees Retirement System. Details concerning benefits upon retirement and further regulations are available from the Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380.

Any employee considering retirement must, if at all possible, notify the Human Resources sixty (60) days prior to retirement. Forms will be available at the time for employees who wish to carry on their own insurance coverage.

Section 6.5 Other Insurance Coverage

The County may authorize other insurance benefits to selected employees or groups.

Section 6.6 Holidays

A. The following days shall be declared paid holidays:

New Year's Day	January 1
Martin Luther King Day	Third Monday in January
Presidents' Day	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	First Monday in September
Veterans' Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving Day	Day after Thanksgiving Day
Christmas Day	December 25

If during the course of this policy, the United States Government or the State of Washington designates a special holiday it may in turn be recognized, observed, and granted to all employees at the sole discretion of the Board of County Commissioners.

B. An employee may select one (1) floating holiday, or as deemed by Union Contract, each calendar year, and his/her department head must grant the day, provided:

1. Employee has met probation.
2. Employee and department head mutually agree upon the date.
3. The number of employees selecting a particular day off does not prevent the department from providing continued public service.
4. Employees hired between January 1 and June 30 will be credited with a floating holiday. Those hired after July 1 **will not** have a floating holiday until the following year.
5. Accrued, but not used, floating holidays will be paid upon separation from employment the same as a vacation day, 7, 8, 9, or 10 hours or prorated based on part-time status.

This floating holiday must be taken during the calendar year, or entitlement will lapse, except when the employee has requested a floating holiday and the request has been denied.

Part-time regular employees shall receive holiday pay at fifty percent (50%).

- C. Any regular holiday which falls on a Saturday shall be observed on the preceding Friday and any regular holiday which falls on a Sunday shall be observed on the following Monday. Any employee of the County who is on vacation or medically authorized sick leave when a holiday occurs will not be charged for that day.
- D. Holidays observed during an employee's vacation leave or other paid leave period shall not be counted as leave time.
- E. Holiday hours will be counted toward eligibility/accruals for sick leave and vacation benefits.

Section 6.7 Vacation Leave

- A. When an employee leaves the County, either voluntarily or involuntarily, they will be paid for the accrued vacation time they have earned after six months of continuous employment. Employees shall start to earn vacation leave allowance as of their anniversary date. The employee may use earned vacation leave after six (6) months service with the County or upon successfully completing probation as applicable.

Upon notification of voluntary separation, any and all earned (County owned) vacation pay, subject to the maximum cash out listed below, shall be paid on the next scheduled pay period following separation date. Employees leaving the County's employment may not resign and then remain on payroll using vacation time accrued if it causes them to go into a new month. An example is Bob gives notice on August 23rd; he cannot then use 2 weeks of accrued vacation carrying him into September. He is considered resigned as of the 23rd or the 31st depending on how much leave he has.

- B. Vacation leave allowance shall be earned annually and accrued monthly based on the following schedule:

		<u>35 hr./wk.</u>	<u>40 hr./wk.</u>
0 - 4 years	13 days	7.58	8.67 hours/month
5 - 9 years	16 days	9.33	10.67 hours/month
10 - 14 years	19 days	11.08	12.67 hours/month
15 - 19 years	22 days	12.83	14.67 hours/month
20 - 24 years	25 days	14.58	16.67 hours/month
25 plus	28 days		18.67 hours/month

0-4 years means the completion of four calendar years, the first day of the fifth year is when an employee would move to the 16 days. Vacation accrual shall not be greater than thirty (30) days by December 31st of each calendar year. An exception may be granted on rare occasions by the Elected Official/Department Head, (or by the Board of County Commissioners in the instance the employee requesting the exception is the Department Head), when conditions exist that prevent the employee from taking accrued vacation leave by the specified date. If an exception is authorized, the amount of accrued vacation leave exceeding the allowable thirty (30) days as of December 31st, must be used by April 1st of the following year or the excess will be removed from the employee's accruals.

Part-time employees shall receive vacation pay at fifty percent (50%).

- C. The employee shall be compensated for all accrued vacation leave upon separation of employment with the County, retirement, or death, up to a maximum of thirty (30) days. In the event of death, payment shall be made to the beneficiary of the employee or surviving spouse.
- D. Employees will have the right to use all vacation days in any manner he/she wishes. This is intended to mean that they may be used one day at a time if he/she so desires. Vacation leave can be used in increments of 30 minutes the same as sick time.
- E. Vacation schedules should be arranged to offer flexibility in arranging individual vacation requests. All vacation requests must be approved by the Department Head prior to the

commencement of the requested vacation.

- F. Vacation leave shall be earned by part-time employees based on the ratio of scheduled time worked. Temporary/contract and seasonal employees are not eligible for paid vacation leave.

No employee shall be paid for unearned vacation leave. Employees may only use, or get paid for, the number of hours they have when their vacation ends. Leave without pay is only intended for those employees who have no accrued vacation or sick time available.

- G. Holidays occurring during an approved vacation shall not be counted as a day of vacation.
- H. For employees leaving the County, either voluntarily or involuntarily, vacation and sick will accrue only if your separation date is the 15th of the month or later. If you separate prior to the 15th of the month, no accruals will be earned.
- I. Longevity will be included in the payout of any accrued vacation that is due to an employee in accordance with the Personnel Policy or Union Contracts.

Section 6.8 Sick Leave

- A. Sick leave shall be earned at the rate of twelve (12) working days per year, or one (1) day per month, and indicated on the employee's records on a monthly basis. Sick leave is solely intended as a form of income protection; sick leave is not to be considered as paid time off that is owed to an employee. Leave without pay is only intended for those employees who have no accrued vacation or sick time available.

An employee may use his/her sick leave as accumulated, except that new employees will be credited with six (6) sick days to be used as necessary until they have earned them. In the event that the employee is separated before completion of their probationary period, any unearned sick days that have been used shall be deducted from their last paycheck.

Part-time regular employees shall receive sick pay at fifty percent (50%).

- B. It is the responsibility of the employee to notify his or her supervisor as soon as possible in the event of any absence.
- C. Sick leave may also be taken for any of the following reasons:
 - 1. Medical, counseling, dental, or optical appointments for the employee or an immediate dependent family member, provided that the employee must make a reasonable effort to schedule such appointments at times which have the least interference with the workday.
 - 2. Use of a prescription drug which may impair job performance or safety.
 - 3. Actual periods of temporary medical disability associated with pregnancy or childbirth as certified by a medical authority. Employees may request additional time off beyond the actual period of disability; vacation leave, compensatory time, or leave without pay may be used.

- D. The minimum amount of time to be charged to sick leave will be thirty (30) minutes. Requests for sick leave time off in amounts less than thirty (30) minutes will be considered time worked with the approval of the employee's supervisor. The maximum amount of sick leave to be granted for one day is 7, 8, 9, or 10 hours depending on the employee's work schedule.
- E. If an employee is injured or taken ill while on paid vacation or compensatory time off, and wishes to be compensated under his/her sick leave account he/she shall notify the Elected Official/Department Head the first day of such disability, either by telephone or by letter postmarked the first day of the disability. If it is physically impossible to give the required notice on the first day, notice shall be given as soon as possible. In that case, the notice shall be accompanied by a showing of an acceptable reason for the delay.

In order for the employee to be compensated under his/her sick leave account for illness or disability suffered while on vacation or compensatory time off, a doctor's statement or other acceptable proof of illness or disability must be presented to the Elected Official/Department Head upon the employee's return to work.

- F. Employees who use all their accumulated sick leave and require more time off work due to illness or injury may, with the appointing authority's approval, take leave without pay only after vacation leave is exhausted. All paid time off must be used prior to taking any leave without pay.
- G. A doctor's certificate of illness and release may be required when an employee is absent for a period in excess of three (3) days. The County may also request the opinion of a second doctor at the County's expense to determine whether the employee suffers from a chronic physical or mental condition which impairs his/her ability to perform the job. Employees who are habitually absent due to illness or disability may be terminated if their disability cannot be reasonably accommodated and/or when the employee's absenteeism prevents the orderly and efficient provision of services to the citizens of the County.
- H. When an employee or employer files an Industrial Insurance claim, the employee will receive sick/vacation leave pay and upon repayment to the County of money received from Industrial Insurance claims, will be credited back with sick leave time equal to the value of money returned to the County.
- I. An employee who separates his or her employment with the County either voluntarily or involuntarily shall lose all accumulated sick leave benefits.
- J. An employee may request either upon their anniversary date or within 30 days, to "buy" back the unused portion of their accumulated sick leave for the preceding twelve (12) months ~~up to and including six~~ (6) days at twenty-five (25) percent. A minimum of 240 hours remaining must be maintained after the buyback has occurred.

Example: An employee's anniversary date is April 1, 2004. They have until April 30, 2004, to request a "buy-back" of their unused accumulated sick leave for the preceding twelve-month period; April 1, 2003 – April 1, 2004.

- K. Upon separation from employment by death or retirement, an employee or his/her beneficiary shall be paid for all accumulated sick leave at fifty percent (50%) up to a maximum of 1000 hours total, for 500 hours paid. Accumulated sick leave days shall not be used for calculating retirement benefits. This does not apply to PERS I employees. NOTE: check union contracts for different total hours.

Retiring from the County is defined under the following guidelines:

- a. You have 5 years in PERS and are age 60 or older
 - b. You have 30 years in PERS and are any age
 - c. You have 25 years in PERS and are age 55
- L. An employee who is recalled to work within twelve (12) months of a layoff for lack of work, lack of funds, reorganization, or other reason shall be credited for earned but unused sick leave prior to layoff.

Section 6.9 Disability Leave

It may be necessary for a regular full-time employee to be absent from work due to a disability including childbirth, illness, or accident and associated periods of recovery.

- A. Return to Work - In order for an employee to return to work after being absent based on disability; the attending physician must furnish a medical release in writing. The County shall have the authority to require a second medical opinion based upon examination by a physician acceptable to both the County and the employee, to be performed at the sole expense of the County. If the employee is still unable to assume full duties, an attempt will be made to place him or her in another County position if a position is open and if qualified. If the employee cannot be so placed, he or she will be referred to the State for vocational rehabilitation. The County shall in any event make any reasonable accommodation to disabled employees according to State law and the Americans with Disabilities Act (ADA).
- B. No Fault Separation - In the event of extended illness or injury absence in which the employee has exhausted illness and vacation leave the appointing authority shall review the employee's status with the Board of Commissioners. When there is no reasonable expectation that the employee may return to work in a timely fashion and perform the essential functions of their position with or without reasonable accommodation, the employee may be separated. Such separation shall not be subject to the grievance procedure contained herein unless required by ADA.
- C. In accordance with the Federal Family and Medical Leave Act (FMLA), the County shall provide eligible employees up to twelve (12) weeks of unpaid family leave during any twelve (12) month period for the following reasons:
- A. For the care of the employee's child (birth or placement for adoption or foster care);
 - B. To care for an immediate family member (spouse, child or parent) with a serious health condition; or,
 - C. To take medical leave when the employee is unable to work because of a serious health condition.

Employees eligible for this leave must have been employed with the County at least twelve (12) months and have worked at least 1250 hours during the previous twelve (12) months. Leave for birth or adoption (including foster care placement) must conclude within twelve (12) months of the birth or placement. Spouses who are both employed by the County are jointly entitled to a combined total of twelve (12) workweeks of family leave for the conditions noted above.

An employee that is on FMLA and receives pay for any given month will receive full benefits excluding the employee contribution to medical insurance, including vacation and sick accruals. Once the employee is not receiving any monies, accruals will stop for vacation and sick and the employee will be required to pay for the employee portion of benefits. The County will continue paying their contribution.

If an employee is not covered by FMLA, or their FMLA has expired, if they are compensated in terms of vacation, sick, etc. for at least 8 hours in a month, the County will prorate their portion of the premium for insurance benefits. The employee will pay both their portion and the County's prorated portion to remain on the benefits plans. Time off will not accrue.

All paid leaves must be exhausted before unpaid leave will be allowed of any kind.

When possible, except in the case of unexpected events, requests for family leave should be submitted to an employee's immediate supervisor and the Human Resources Director at least thirty (30) days prior to the date leave is expected to commence.

In addition, all absences which qualify under the FMLA, will be counted against an individual's FMLA leave.

- D. Paid Family and Medical Leave is available to almost everyone working in Washington. WA Paid Family Medical Leave is administered through Employment Security Department, <https://paidleave.wa.gov/>

Section 6.9.2 Definition of the 12-Month Period

The 12-month period shall be measured forward from the date an employee's first FMLA leave begins. Therefore, an employee would be entitled to 12 weeks of leave during the year beginning the first time FMLA leave is taken; the next 12-month period would begin the first time FMLA leave is taken after completion of any previous 12-month period. The 12-week period applies to both part time and full-time permanent employees.

Section 6.10 Military Leave of Absence

Military leave is allowed in accordance with State Statute (RCW 38.40.060).

Section 6.11 Bereavement Leave

In the event of death in the immediate family (See Section 2 #P) of an employee or spouse, the employee shall be granted up to five (5) days leave with pay (not to be deducted from sick or annual leave). Also included are members of the family regardless of relationship, residing at the time in the household of the employees. If needed, three (3) additional days may be charged to sick leave and any additional days to be charged to annual leave to make household adjustments or attend funeral services.

Section 6.12 Jury Duty

Any County employee serving as a juror or witness in either Superior Court or District Court shall not be additionally compensated as they already receive a salary from the County from which no deduction is made for serving on a jury or as a witness, except for off duty police officers when called as a witness in Superior Court who shall be paid regular witness fees. Any monies received from performing Jury Duty will be returned to the County.

Section 6.13 Reporting Leave

Leave shall be reported in accordance with County payroll procedures.

Section 6.14 Educational/Training Benefits

- A. Seminars - The County will pay the cost of tuition and fees for seminars and training sessions which advance an employee's service to the County when pre-approved by the appointing authority and subject to budgetary considerations. Seminars and training sessions shall be scheduled to minimize interference with work schedules.
- B. Mandatory Education/Training - Mandatory training shall be provided at County cost. In addition to wages, travel expenses and tuition costs will be paid by the County, if applicable.

Section 6.13 Layoff

- A. The employee may be given at least ten (10) working days written notice before such a layoff is to take place. The decision to lay off employees, in which department or program and the reasons therefore, shall be the sole discretion of the Board of County Commissioners.
- B. In determining who is to be laid off, consideration will be given to individual performance and the qualifications required for remaining jobs
- C. Employees who are laid off may be eligible for re-employment if a vacancy occurs in a position for which they are qualified within one year of the employee's layoff.

Section 6.16 Leave of Absence

Upon written request of the employee, the County may grant a leave of absence without pay, not to exceed twelve (12) months. Approval of such leave will be in writing and signed by the appointing authority. Such leave shall be used in exceptional circumstances, solely in the discretion of the County, who shall consider the length of such leave, the work load, and work disruption involved, and the need for a replacement employee. Leave of absence without pay shall not be routinely granted. No vacation or sick leave benefits or any other fringe benefits shall accrue while the employee is on leave without pay. Furthermore, the employee's anniversary date will be adjusted by the length of the leave granted. Upon expiration of the regularly approved leave without pay, the employee shall be reinstated in the position held or other equivalent position at the time the leave was granted. The employee may continue his/her medical insurance coverage as provided under COBRA. Approval of the Board of County Commissioners is required.

Section 6.17 Reinstatement

An employee who is reinstated to his or her position after an authorized leave of absence, suspension, or layoff shall be paid at the same step in the salary schedule that he or she was receiving at the time of the leave of absence, suspension, or layoff.

Section 6.18 Re-employment

An employee, who has resigned in good standing from his or her County position and is subsequently re-employed within twelve (12) months, shall be paid in accordance with the rules governing the hiring to the County position. The appointing authority shall have the authority, based upon such person's prior work experience with the County, and in the appointing authority's sole discretion, to re-employ such person at a salary higher than the minimum point within the schedule or with guarantees of accelerated advancement, or with credit for prior employment for purpose of vacation, sick leave, or other appropriate inducements subject to the Board of County Commissioners approval.

Section 6.19 Work Breaks

- A. All employees are entitled to one paid fifteen (15) minute work break for every four (4) hours work period. This work break is to be approximately midway into the work period, but should not disrupt regular County business. Work breaks must be used during each four-hour work period and may not be accumulated.
- B. All employees are entitled to a lunch break of one half to one hour as applicable within each department approximately midway through a work shift of not less than six hours. The lunch break is not paid time nor counted as work time except in certain specific departments such as the Sheriff's Department.
- C. Employees are encouraged to take breaks at or near the work place. Employees who take breaks off County property are not covered by the County's liability coverage.

CHAPTER 7

EMPLOYEE RESPONSIBILITY AND CONDUCT

Section 7.1 General Conduct

The County expects a reasonable standard of conduct and work performance from each employee. Behavior that reflects unfavorably on the employee or the County is not condoned. While not inclusive, the following are examples of acts by an employee that could result in discipline, including termination:

1. Dishonesty: Includes intentionally falsifying the company's records, work time reporting, expense accounts, or making false statements when applying for employment.
2. Forgery: Forging County documents and or records. Also taking credit for transactions not actually done by the employee.
3. Explosives, firearms, or other dangerous weapons: Employee possession of any of these items or other dangerous weapons during working hours or on company property at any time.
4. Insubordination: Refusal to follow reasonable instructions of a supervisor or intentional disrespect of a supervisor or fellow employee.
5. Fraud: Defrauding the County through the provision or acceptance of unauthorized products or services to others or for self. Defrauding the County through the performance of unauthorized personal work using company equipment, vehicles, or time.
6. Fighting: Physical violence or disturbance on company premises.
7. Confidentiality: Willful violation of County confidentiality or willful conflict of interest.
8. Abusive Behavior: Willful abuse of customers, agents, or fellow employees; harassment of any type, including excessive or inappropriate use of profanity.
9. Solicitation: Violation of the No Solicitation Rule.
10. Work Time: Reporting to work late, stopping work early or leaving the work area before quitting time without supervisor's/management's approval.
11. Theft: Destruction, abuse, removal, or attempted removal of property or material belonging to the County or any employee.
12. Safety Rules: Violation of established safety policies and procedures.
13. Disruptive Behavior: Disruption of the work of others.
14. Driver's License: Operating a County vehicle at any time without a valid driver's license and Authorized Driver form.
15. County Funds: Misuses of County funds and/or resources.
16. Customer Payments: Misappropriation of customer payments.

Employees are expected at all times to conduct themselves in such a manner as to reflect credit upon the County.

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

Since the proper working relationship between employees and the County depends on each employee's ongoing job performance, professional conduct and behavior, the County has established certain minimum standards of personal conduct. Among the County's expectations are:

1. Basic tact, courtesy and cooperation toward the public and fellow employees;
2. Good judgment and common sense;
3. Adherence to County policies, procedures, safety rules and safe work practices;
4. Compliance with reasonable directions from supervisors;
5. Preserving and protecting the County's equipment, grounds, facilities and resources; and
6. Providing orderly and cost-efficient services to its citizens.

Section 7.2 Political Activity

A. Elected officials shall comply with Public Disclosure Commission rules and regulations. All other employees shall be governed as follows:

1. County funds, resources and property are not utilized except for the pre-scheduled uses of the County's meeting facilities, any part or public place when governmental business is not being otherwise conducted therein.
2. The activity does not adversely affect the responsibilities of the employees in their positions.

B. Employees shall not:

1. Participate in any political activity, solicit for, or receive, directly or indirectly, any political assessment, subscription or contribution for a partisan political cause while on County property.
2. Participate in any political activity while on County time.
3. Participate in any political activity while in a County uniform, or while representing the County in any way. Any County employee who meets with or may be observed by the public or otherwise represents the County to the public, while performing his/her regular duties shall not wear or display any button, badge or sticker relevant to any candidate during working hours, nor on any County uniform at any time.
4. Use their County position or authority to further the political interests of any candidate.

Section 7.3 Outside Employment - Conflicts of Interest

A. Generally, outside employment, other than assigned County related responsibilities, is discouraged. A regular full-time employee who chooses to have an additional job, contractual commitment or self-employment, may do so as long as it does not conflict with Paragraph B, provided he/she notifies the appointing authority **in advance** and **in writing**. If a regular full-time employee is currently gainfully employed in addition to the County, the employee must immediately advise **in writing** his/her appointing authority of such employment in advance. In addition, a copy of this advisement must be submitted to the Human Resources Department.

- B. Employees shall not, directly or indirectly, engage in any outside employment or financial interest which may conflict with the best interests of the County or interfere with the employee's ability to perform his/her assigned County job. Outside employment shall not:
1. Be conducted during the employee's work hours;
 2. It shall in no way detract from the efficiency of the employee's work;
 3. Prevent the employee from being available for work beyond normal working hours, such as emergencies or peak work periods, when such availability is a regular part of the employee's job;
 4. It shall not take preference over extra duty required by County employment;
 5. Utilize County telephone, computers, supplies, or any other resources, facilities or equipment;
 6. Involve employment with an agency or business which has contracts with or does business with the County; with which the County conducts business or contributes financial support, unless the employee has written approval of the appointing authority;
 7. Be reasonably perceived by members of the public as a conflict of interest, or otherwise discredit public service;
 8. It shall not result in a benefit of any kind or nature to the employee as a result of his or her position with the County, and
 9. It shall not result in any potential for overtime pay or benefits liability to the County under the Federal Fair Labor Standards Act or any other State, Federal or local laws or regulations.
- C. The Non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the performance of its employees engaging in the selection, award and administration of contracts. No employee, officer, or agent must participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity. Disciplinary action for violation of conflicts of interest may result in written reprimand, suspension and/or separation.

Section 7.4 Harassment and Intimidation

Asotin County is an equal opportunity employer and is fully committed to providing equal opportunity to all employees and applicants. It is the policy of the County to provide a work environment for its employees, which is harmonious and free from intimidation and unlawful discrimination. The County will not tolerate any form or degree of harassment based on sex (including sexual harassment) race, color, creed, gender, religion or national origin, marital status, age, mental or physical disability or public assistance status. Such harassment in any form, whether malicious or not, will result in appropriate disciplinary action against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension, demotion or separation of employment. An employee who engages in such behavior may be in violation of Federal and State law, as well as this policy.

Managers and supervisors who knowingly allow or tolerate discrimination or harassment, including by failing to immediately report such misconduct to the Human Resources Director, are in violation of this policy and subject to discipline, which may include verbal or written reprimand, suspension, demotion or separation of employment.

All County employees are responsible for maintaining a workplace based on equal employment opportunity and, to that end, are charged with treating others with respect, fairness and professionalism at all times.

Employees who report harassment shall not be subject to any form of retaliation. Any employee responsible for any form of retaliatory conduct shall be subject to disciplinary action up to and including separation.

An employee who knowingly files a false or malicious complaint of sexual harassment complaint may also be disciplined, up to and including separation.

Section 7.5 Sex Harassment - Definitions

A. Sex harassment:

1. Sex harassment is a form of sex discrimination and is prohibited by Title VII of the Civil Rights Act of 1964 and Washington State Law Against Discrimination.

Sex harassment is a form of harassment based upon an individual's gender. Sex harassment may be of a sexual nature, but does not have to be, to be based upon gender.

Sex harassment is a form of employee misconduct which is demeaning to another person and undermines the integrity of the employment relationship. Harassment may be subtle or manipulative and is not always evident. It does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome and is personally offensive. All forms of gender harassment are covered. A victim of sex harassment can be any gender. The victim can be of the same sex as the harasser. Harassment, including sexual harassment, may include acts or conduct by managers, supervisors, co-workers, customers and non-employees (such as clients, vendors, or persons with whom County employees must work) and in some cases may include conduct that occurs while off-duty outside of the workplace.

i. Sex Harassment that is of a Sexual Nature. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature constitute sexual harassment when:

- a. Agreement to or going along with such conduct is a term or condition of employment; or,
- b. Agreement to or rejection of such conduct is used for employment decisions affecting the recipient; or,
- c. The conduct interferes with an individual's work performance or creates a hostile or offensive work environment.

ii. Other Gender-Based Sex Harassment. Gender-based sex harassment occurs when the harassment is based upon one's gender; it does not need to be sexual in nature. Gender-based sex harassment includes harassment based upon an individual's sexual orientation and gender identity. Gender-based harassment constitutes sex harassment when the conduct interferes with an individual's work performance or creates a hostile or offensive work environment.

iii. Behaviors that may constitute prohibited sex harassment include but are not limited to the following:

- Pranks, or repeated teasing, jokes, or innuendoes, in person or online, of a sexual nature, or about gender, sexual orientation, or gender identity
- Verbal abuse of a sexual nature, or about gender, sexual orientation, or gender identity.
- Touching or grabbing of a sexual nature
- Repeatedly standing too close to or brushing up against a person
- Repeatedly asking a person to socialize during off-duty hours when the person has said no or has indicated he or she is not interested (supervisors, in particular, should be careful not to pressure their employees to socialize)
- Giving gifts or leaving objects that are sexually suggestive
- Repeatedly making sexually suggestive gestures
- Off-duty, unwelcome conduct of a sexual nature, or about gender, sexual orientation, or gender identity, that affects the work environment
- Making or posting sexually demeaning or offensive pictures, cartoons, or other materials in the workplace
- Jokes about gender-specific traits
- Gender stereotyping, such as talking about what jobs or life activities are or are not appropriate for men or women
- Gender-based exclusion from work-related activities, trainings, or events
- Disparaging remarks for associating with a person of the same or opposite sex
- Intentional misuse of a transgender employee's new name or pronoun

2. A “complaint” of sex harassment is an allegation of unwelcome behavior of a sexual nature or of unwelcome gender-based behavior.
3. A “preliminary inquiry” is a preliminary evaluation of the circumstances of a complaint to determine if an investigation is necessary.
4. “Investigation” is a complaint inquiry process initiated in response to an allegation of sex harassment. When it is determined from a preliminary inquiry that there are allegations that, if found true, would constitute sex harassment, further appropriate investigation is required. No inference of wrongdoing should be made because a preliminary inquiry or investigation process has been initiated.

B. Submitting Complaints or Reports of Harassment; Required Reporting by Managers and Supervisors; Prohibition against Retaliation

1. Employees who experience, witness, or learn of harassment, including sexual harassment, are encouraged to submit a complaint or report of the harassment. Complaints or reports of harassment submitted by County employees will be promptly addressed.
2. Required Reporting by Supervisors and Managers:

A supervisor or manager who witnesses harassing conduct or otherwise becomes aware of harassment, must take prompt action to appropriately address the issue, including, at a minimum, immediately reporting the issue to the County’s Human Resource Director. Failure by a supervisor or manager to take prompt action to address observed or known harassment will result in disciplinary action up to and including separation.¹
3. Sexual harassment training will be required for all new hires: employees are required to complete subsequent refresher training classes every two (2) years. The Human Resources Department may mandate additional training classes as appropriate.

C. Procedure:

1. Internal Complaint Procedure: If the employee chooses not to address the offending person, and the employee desires an internal resolution of the complaint, the process outlined below shall be followed:
 - a. Accepting Complaints: Any County employee may submit a complaint or report of harassment to a supervisor, manager, director or the Human Resources Department by telephone, email, in writing, or by any other means of communication. A complaint may also be submitted anonymously.
 - b. No employee shall attempt to discourage, interfere, or delay an individual from making a complaint.

¹ While the County’s personnel policy cannot require elected officials to report harassment, elected officials are encouraged to report any observed or known harassment to the County’s Human Resource Director.

- c. Documentation and Notice to Management: As soon as possible after the supervisor, manager, director or the Human Resources Department receives a complaint pursuant to this policy, the complaint must be documented in writing on a Discrimination/Harassment Complaint Form. The individual completing the form should specify the date of receipt of the complaint, summarize the nature of the complaint, and provide any supporting data that accompanies the complaint or other pertinent information regarding the complaint.
 - i. The individual who documents that complaint must inform the Human Resources Department and the department supervisory or director of the complaining party of the complaint as soon as possible, but no later than fifteen (15) business days after receipt of the complaint.
- d. Confidentiality: To the extent that it does not hinder the investigation or the resolution of the complaint and is permitted under local, state and federal laws, management representatives and any investigator shall maintain the confidentiality of a harassment complaint.
- e. Preliminary Inquiry: The Human Resources Department, in consultation with the supervisor or director of the complaining party, will conduct a preliminary inquiry to determine if the complaint will activate the investigation process under this policy. This determination will be made as soon as possible after receipt of the complaint, making every effort to make the determination within fifteen (15) business days.
- f. Investigation: The Human Resources Department shall ensure that any complaint determined to be subject to investigation is assigned to an investigator who shall complete the investigation process as soon as possible, making every attempt to complete the process within sixty (60) days after determination that investigation is required. Complaints or reports of harassment submitted by County employees will be investigated by the individuals or entities identified on the Human Resources page of Asotin County's website: <https://www.co.asotin.wa.us/243/Human-Resources>

If the investigation is not completed within one calendar month, the investigator may be asked to provide the Human Resources Department and the department supervisor, director with a status report.

If the investigation is not completed within one calendar month, the investigator may be asked to provide the Human Resources Department and the department supervisor, director with a status report.

- 1. Union Representation: The investigator shall ensure compliance with any employee's right to union representation, including the right of the alleged harasser, who may reasonably believe that disciplinary action may be taken based upon their statements to the investigator or on the outcome of the investigation.
- 2. Investigation File: If a matter is referred for investigation, the Human Resources Department will maintain an investigation file. The scope of the investigation will be documented in the investigation file to provide

the investigator and parties clear notice of the issues that will be addressed in the investigation. All investigation interviews will be documented in the investigation file in writing.

3. To ensure informed decisions regarding the merits of a complaint, the following general procedures will be used to respond to and investigate all complaints or report of harassment:
 - a. interviewing all individuals who may have knowledge about the harassment underlying a complaint, including any individual or witness not named in a complaint but who is subsequently identified by operation of the investigation to have knowledge of the harassment;
 - b. ensuring sufficient documentation of the interviews;
 - c. gathering and reviewing relevant documents; and
 - d. checking whether prior complaints of a similar nature were made against the same individual, the disposition of the complaint, and what discipline, if any, was taken in response to the prior complaint
- g. Response to Complaints (appeal process):
 1. The department supervisor, director will inform the complainant if the investigation process is activated by the complaint. If the investigation process is not activated, the department supervisor, director will discuss with the complainant options for resolving the issue raised.
 2. The department supervisor, director will review and discuss the completed investigation report with the investigator, and the Human Resources Department or the designee. The department supervisor, director in the consultation with the investigator and Human Resources Department, shall determine if corrective action is appropriate.
 3. If it is determined that corrective action is necessary, the department supervisor, director will take appropriate remedial and/or disciplinary action.

2. Other Methods to Submit Complaints or Reports

- a. Complaints of discrimination or harassment may also be filed, within certain time frames, with appropriate state and federal agencies, such as:

State of Washington

Washington State Human Rights Commission, Rockpointe Plaza 3,
1330 North Washington Street, Suite 2460, Spokane WA 99201. (509)
568-3196, TDD (800) 300-7575, Voice (800) 233-3247

Federal Government

U.S. Equal Employment Opportunity Commission, 909 First Avenue, Suite 400, Seattle WA 98104-1061, (206) 220-6883, TDD (206) 220-6882, Fax (206) 220-6911, Voice (800) 669-4000

Office of Federal Contract Compliance Programs

U.S. Department of Labor – OFCCP, Seattle District Office, 300 5th Avenue, Suite 1100, Seattle WA 98104, Voice (206) 398-8005

- b. The sexual harassment complaint procedure does not limit any procedures available under any existing federal or state law.
- c. An employee who experiences unwelcome sexual behavior may assertively tell the offending person that the conduct is unwelcome and must cease immediately. It is not required that an employee tell the offending person that the conduct is unwelcome.

3. Retaliation Prohibited:

Retaliation against a County employee for submitting a complaint of discrimination or harassment, reporting discrimination or harassment, or participating in the investigation of a complaint of report or discrimination or harassment is prohibited. Any employee, manager, or supervisor who engages in retaliation will be subject to discipline, including verbal or written reprimand, suspension, or separation of employment.

The County will also take the necessary steps to protect from retaliation those employees who in good faith report incidents of potential discrimination or harassment. It is a violation of both federal law and this policy to retaliate against someone who has reported possible sexual harassment.

An employee may not be discharged (or discriminated against) in retaliation for opposing discrimination made unlawful by Washington’s Law Against Discrimination ((WLAD). Nor may an employee be discharged (or discriminated against) in retaliation for filing a charge, testifying, or assisting in a proceeding under WLAD. WLAD prohibits, among other things, discrimination in employment on the basis of age, sex, marital status, sexual orientation, race, creed, color, national origin, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a disabled person. Washington Revised Code (RCW) 49.60.210(1).

It is a violation of RCW 49.60 and Federal anti-discrimination laws to retaliate against someone who opposed a discriminatory action in employment.

4. Employee Rights:

Employee rights are also protected through remedies available under the Washington State Law Against Discrimination, (RCW 49.60), the U.S. Civil Rights Acts of 1964 and 1991.

5. Complainant's Responsibilities:

- a. Occasionally the offender may not be aware that a behavior is offensive. If at all possible, advise the offending individual that the conduct in question is offensive, and request that it be discontinued immediately.
- b. If the complainant is not comfortable talking to the offending person and/or the offending conduct continues or reoccurs, the matter should be immediately reported to the complainant's immediate supervisor, director or the Human Resources Department.
- c. Employees who witness sexual harassment, hear of it, or know of its occurrence should immediately report it to an appropriate party with whom the employee is comfortable, whether male or female, such as a supervisor, director or the Human Resources Department, the bargaining unit or Ombudsman.
- d. Employees are required to cooperate fully in processing of the complaint. Employees may be allowed to be accompanied by a union representative or a person of comfort. If the employee chooses to be accompanied by an attorney, the cost of the attorney will be the sole responsibility of the employee.

6. Administration:

If a violation continues, the Human Resources Department shall be consulted immediately. The Human Resources Department is to be notified of all discrimination or sexual harassment complaints so that a record may be maintained as required by the Equal Employment Opportunity Commission,

D. Other Measures to Address Harassment

As part of the County's commitment to take prompt action to address complaints and reports of harassment, including sexual harassment, the following measures (in addition to an investigation) may be taken:

- a. to the extent appropriate, separating from each other the complaining employee and alleged harasser;
- b. when the alleged harasser is a non-employee, the County will explore options legally available to it based upon the identity of the alleged harasser. Such actions may include reporting the alleged harassment to authorities with governing power over the alleged harasser, precluding the alleged harasser, to the extent legally possible, from access to County property, restricting the alleged harasser's access to or contact with the complainant and providing the complainant with job modifications designed to preclude contact with the alleged harasser.

E. Follow up and Monitoring

As part of the County's commitment to ensure its efforts to promptly address complaints of harassment have been effective, the Human Resource Director will take the following steps to ensure reported harassment does not continue:

1. Talk to complaining employee to verify the alleged harassment has ceased;
2. Talk to employee's supervisor or manager to ensure actions necessary to ensure harassment does not continue (i.e., separating employees, etc.) have been taken.

F. Responsibilities:

1. The Human Resources Department shall administer this policy.

G. Conflict with Other Policies:

1. In the event of any conflict between this policy (or any portion thereof) and any other County department policy now existing or hereafter adopted, the terms of this policy shall prevail.

DISCRIMINATION/HARASSMENT COMPLAINT FORM

Name: _____ Date: _____

Address: _____
City State Zip

Phone: _____ Email: _____

Department: _____

Is this a Discrimination/Harassment Complaint? Yes ____ No ____

Are you a County Employee? Yes ____ No ____

If yes, have you notified your supervisor? Yes ____ No ____ If yes, what was the outcome?

This complaint is based on: (Check all that apply)

☐ Age	☐ Marital Status	☐ Religion
☐ Disability	☐ National Origin	☐ Sex/Gender
☐ Familial Status	☐ Race/Color	☐ Sexual Harassment
☐ Sexual Orientation	☐ Workplace Harassment	☐ Other Please Note:

Who allegedly discriminated against/harassed you: _____

Is the alleged offender a County employee? Yes ____ No ____ Department _____

Where did it take place? _____

When did it take place? _____

Was this a single incident? Yes ____ No ____ If more than once, how many times? _____

How did the discrimination/harassment take place? _____

Please explain additional details of complaint including why you feel you were discriminated against and/or harassed. List any witnesses: _____

In filing this complaint, please explain the resolution you would like: _____

The following information is VOLUNTARY and is requested for statistical purposes:

Age ____ Gender: M ____ F ____ Race/Ethnicity _____ Disability _____

Signature _____ Date _____

Printed Name _____

FOR OFFICE USE

Complaint received by Email ____ Mail ____ Phone ____ Walk-In ____ Prior Appointment ____

Date complaint Received (stamp date here)

Details of action taken: _____

Referral(s)

Date: _____ To: _____

Date: _____ To: _____

Complaint Closed: _____

Is complainant satisfied with outcome? Yes ____ No ____

Complainant Remarks (if any): _____

If you need assistance in filing your complaint please contact the Human Resources Department
At below address or call (509) 243-2060 Fax (509) 243-2005
P.O. Box 250 Asotin WA 99402

NOTE: If the alleged offending employee is covered by a current collective bargaining agreement, paragraphs D & E are subject to and to be coordinated with the discipline and grievance procedures of such Agreement.

See also, Asotin County Whistle Blower Policy, Chapter 10.

Section 7.6 Resignation

An employee wishing to leave the County service in good standing shall provide his/her appointing authority with a written notice at least two (2) weeks before leaving. This notice shall set forth the effective separation date (last day of employment). The advance notice of the resignation may be waived at the discretion of the employee's appointing authority. The Elected Official/Department Head may exercise their right to end the employment relationship immediately.

Upon notification of voluntary separation, accrued vacation up to the maximum of 240 hours shall be paid on the next scheduled pay period following separation date. However, in order to be eligible for pay out an employee must have successfully completed their six (6) month probation period (see Attachment – VEBA memo(s)).

Non-represented and represented employees may be allowed to use accrued vacation time prior to voluntary separation as long as they have worked at least one (1) day prior to the vacation and it does not bring them into the following month. Vacation leave cannot be used to carry an employee into a new month. If it does, they must work in the new month to be eligible for any County provided benefits.

Section 7.7 Exit Interview

The employee may ask the Board of County Commissioners for an exit interview when leaving the County whether by resignation, discharge or retirement. At such interview, information shall be obtained regarding the reasons for separation from employment, any complaints or basis for dissatisfaction which may have arisen during the course of employment, and any other information which will improve or enhance the present operating procedures. The Human Resources Director will discuss all aspects regarding benefits during a separate interview.

Section 7.8 Attendance

- A. Employees must be in attendance at their work place in accordance with the rules regarding hours of work, holidays and leaves. All departments are required to keep time records of employees.
- B. If an employee is going to be late for work or absent because of illness or other reasons, it is the employee's responsibility to notify his/her supervisor as soon as possible. This is to enable the supervisor to make necessary work scheduling arrangements to continue the absent employee's work function. If an employee is absent during any work period, the employee's leave shall be adjusted accordingly.
- C. Continual tardiness or absenteeism, after counseling by the appointing authority, shall be cause for discipline or discharge.

Section 7.9 Solicitation and Distribution

Employee solicitation of funds, sales of tickets, unauthorized posting of notices, distribution of literature and solicitation of membership in organizations in County facilities or at County work locations during work hours is prohibited except for fair activities in connection with the Asotin County Fair.

Section 7.10 Accepting Gifts

- A. An employee shall not accept anything of value from the public for or because of any official act he or she has performed or will perform. In this regard, an employee shall not solicit or accept directly or indirectly any gift, gratuity, favor, entertainment, a loan, or any other thing of monetary value from members of the public with whom he or she has an official relationship, whether or not asked for or offered because of any action or decision of the employee, such as from a person or organization that:
1. Has or is seeking a permit, action approval, favorable recommendation, contractual or other business or financial relationship with the department.
 2. Conducts operations or activities that are regulated by the department.
 3. Has interests that may be substantially affected by the performance or nonperformance of his or her official duties.
- B. The Non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the performance of its employees engaging in the selection, award, and administration of contracts. No employee, officer, or agent must participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity. Disciplinary action for violation of conflicts of interest may result in written reprimand, suspension and/or separation.
- C. The restrictions set forth do not apply to the following:
1. Obvious family or personal relationships, such as those between employee, his or her parents, children, or spouse, when the circumstances make it clear that those relationships rather than the business of the persons concerned are the motivating factors.
 2. The acceptance of food and refreshments of nominal value on infrequent occasions or

in the ordinary course of a luncheon, dinner meeting, or other meeting, or on an inspection tour where an employee may be properly in attendance.

3. The acceptance of loans from banks or other financial institutions on customary terms to finance proper and usual activities of employees, such as home mortgage loans.
4. The acceptance of unsolicited advertising or promotional materials, such as pens, pencils, note pads, calendars, and other items of nominal intrinsic value.
5. The acceptance of an award for a meritorious public contribution or achievement given by a charitable, religious, professional, social, fraternal, nonprofit education or recreational, public service, or civic organization.
6. Travel, food, and lodging paid for by third parties for employees to conduct County business on County time, providing business, administrative or educational purposes. The benefit of those gifts would go to the County who would normally pay for the travel, food, and lodging, rather than to the specific employee who accepts those gifts.

Section 7.11 Employees License and Driving Requirements – Accidents

- A. Employee license requirements are provided in accordance with state statute.
- B. Drivers of County vehicles and equipment shall:
 1. Have a completed Driver Authorization Form on file.
 2. Operate the vehicle in a safe manner that will comply with local and state traffic laws (ie. No texting while driving, speeding, etc.).
 3. Use the vehicle for official business only.
 4. Transport passengers only in connection with the official County business. Unauthorized transport passengers include family.
 5. Take reasonable precautions to protect the vehicles against damage or theft.
 6. Report any accident promptly to the employee's appointing authority, to the Risk Manager, and to the law enforcement agency if appropriate.
 7. Keep the interior and exterior of the vehicle reasonably clean.
 8. Be responsible for any fines related to violations while operating the vehicle and notify the HR Department.
 9. Wear seat belts and require passengers to use seat belts at all times. This also applies to employees who operate their personal vehicles on County business.
 10. Be in compliance with the Drug Free Workplace Policy.

C. Accidents:

1. Any accident involving vehicles or rolling stock owned by the County shall be reported to the Risk Manager, the law enforcement authority when appropriate, and the employee's immediate supervisor. If the accident occurs outside the County, the employee shall report the accident to the appropriate police agency immediately and to the employee's immediate supervisor as soon as possible.
2. Vehicles or rolling stock shall not be moved from the accident scene unless instructed to do so by the police officer investigating the accident, except Police or Fire emergency vehicles on an emergency run, if the accident does not involve injury and the accident is minor in nature.
3. An employee involved in an accident with a County-owned vehicle shall fill out the County accident report form and is encouraged to (1) cooperate in the investigation, (2) secure names, addresses, phone numbers and insurance information from involved parties, (3) and names of witnesses. The employee shall not discuss that he/she and/or the County has fault, responsibility or liability to involved parties or witnesses.
4. Accidents involving employees while utilizing their personal vehicles while on official County business for which mileage is reimbursed shall be reported as above.

D. Accident Forms, Employee Instruction:

It shall be the responsibility of the appointing authority or designee to see that all vehicles, County owned or those that are used for County business but are privately owned, are supplied with the appropriate accident forms, and to instruct their employees on the accident reporting procedures. Additional forms are located with the Risk Manager and Department Heads.

Section 7.12 Business Telephones: Personal Calls (Office phone and Cell phone)

- A. General Policy. County telephones are provided for the purpose of conducting County business. This applies to both desk and cellular phones.
- B. Personal Phone Calls. The County's business phones are available for limited personal use. Personal calls should not exceed more than a few minutes and should be placed during break or non-work time.

Section 7.13 Cellular Phone Policy

A. Cellular Phone Ownership

1. All cellular phones will be purchased by Asotin County unless approved by the County Legislative Authority.
2. Cellular phones purchased by Asotin County will be reported on each department's inventory.
3. Cellular phones will be purchased only for purposes where the intended use is primarily for official county business.
4. Cellular phones intended primarily for personal use will not be purchased by or through Asotin County.
5. Cellular phone service will be purchased through Asotin County contracts only when

such service is intended primarily for official County business.

B. Cellular Phone Use

1. The installation and use of a county owned cellular phone is for improved efficiency in conducting county related business. Use of county owned cellular phones for personal use should be minimized and discouraged whenever possible.
2. All Elected Officials/Department Heads shall be responsible for supplying annual current listing of cell phones and users for inventory to Finance Department.

C. Payment for Cellular Phone Use

1. Asotin County will pay for any cellular phone use which is certified as official county business.
2. Employees and Elected Officials which are assigned a personal cellular phone understand and agree that Asotin County is authorized to deduct the costs of any unpaid personal calls from their paycheck.
3. Elected Officials or Department Heads may pay their entire cellular phone bill as an alternative to monitoring personal calls.
4. Each department responsible for a cellular phone shall circulate monthly phone bills to cellular phone users for review.
5. Each Elected Official/Department Head shall be responsible for monitoring of the usage of cellular phones. As determined by the supervisor, excessive use of cellular phones for personal use on a recurring basis shall warrant appropriate progressive discipline for said employee and the loss of phone privileges. The same applies to desk phones.

D. Penalties

1. Employee violating this policy will be subject to disciplinary actions in accordance with applicable bargaining unit contract or personnel rules. Elected Officials violating this policy will surrender their cellular telephone and cancel their service contract.

Section 7.14 Public Records - Releases of Information

It is the policy of the County that citizens shall have the cooperation of departments and employees in obtaining routine information needed to transact business with the County, and other public information in accordance with the following procedures: (see Attachment – Telecommunications)

- A. Public Records - Inspection of Records - Requests for Copies: Public records without legal restrictions on accessibility and/or dissemination shall be made available to any person (and be provided in a timely manner) upon request. A person requesting the record should be asked to put the request in writing and return it to the appropriate appointing authority. Requests by telephone are discouraged but oral requests must be honored. Fill out the requisite form and ask them to sign for clarification and for documentation purposes.

In accordance with Resolution 14-08 (adopting Attorney General Public Records Act – Model

rules) and Resolution 17-25 (Establishing Costs) any person requesting public records shall be charged a fifteen (15) cent per page fee and the County's costs for postage and packaging. Any department which provides "certified" copies will charge a separate "certified" copy fee.

Public records without restrictions accessibility and/or dissemination may be inspected in the presence of an authorized employee on regular work days during regular working hours. An appointment may be required.

Some records are exempt by statute, for example, most matters contained in personnel files. Questions regarding exemptions should be referred to the appointing authority who may refer it to the Clerk of the Board or the HR Director. If a request is denied, a written statement of the specific reason(s) for the denial must be given.

- B. Press Releases and contact with news media: The appointing authority shall be responsible for all official contacts with the news media, including issuing press releases and responding to media inquiries. Only employees authorized to represent the County and responsible for information they provide may release information or respond to media inquiries.
- C. Routine County Business Inquiries: Inquiries concerning County business (permits, services, complaints, etc.) shall be referred to the designated employee. With respect to such inquiries, employees are not authorized to release information, including personal opinion, beyond that necessary to complete work assignments or perform their duties.

Employees may release information relative to internal County operations, procedures, investigations, preliminary studies and reports, work activities, financial information, only with advance authorization by the appointing authority.

- D. Internal Affairs: Internal complaints, problems or disputes shall be handled internally, through the established line of authority: Employee - Supervisor - Appointing Authority. Employee concerns about administrative policies or procedures shall be handled through the established line of authority.
- E. Sensitive and Security Related Information: Information concerning personnel matters shall be released by the Human Resources Director as appropriate.

Information related to real estate purchases or sales transactions in progress and matters of litigation in which the County is or might become involved shall be released only through the County Commissioners or the County Prosecuting Attorney.

Questions concerning non-routine matters pertaining to or affecting internal procedures, operations, personnel matters and investigations, interpretations or administration of County policy, etc., shall be referred directly to the appointing authority or Human Resources Director.

- F. Exercise of Judgment and Decision-Making: Employees shall exercise care and judgment in handling requests for non-routine information which if released, may result in harm or damage to the County, its operations or employees. In any questionable matter, the employee shall refer the person requesting the information to the appointing authority or Human Resources Director who will determine the appropriateness of releasing the information and be responsible for all decisions related to the matter.

Section 7.15 Safety

- A. The Board of County Commissioners recognizes the need for the development of safe working practices for every employee. They desire to promote on-the-job safety by encouraging the proper design and use of buildings, equipment, tools, and other devices. Responsibility for development, promotion, coordination, and enforcement of the safety program throughout the various county departments shall be the responsibility of the safety committee. They should be constantly on the alert to observe and report unsafe working practices or existing hazardous working conditions with the air of immediate correction. Each Department Head or supervisor shall make sure that each employee understands and follows the safety program. (See attachment Safety Program)
- B. Every employee is responsible for maintaining a safe work environment and following the County's safety rules. Each employee shall promptly report all unsafe or potentially hazardous conditions to his/her appointing authority. The County will make every effort to remedy problems as quickly as possible.
- C. In case of a work accident involving a personal injury, regardless of how minor, the employee's appointing authority shall be notified immediately, in writing. The employee's and supervisor's report must be completed, signed and forwarded to the County Risk Manager within three (3) days.

Section 7.16 Children in the Workplace

Asotin County values an atmosphere that fosters a healthy balance between workplace obligations and family issues. Employees and supervisors must consider issues of safety, confidentiality, disruption of operations, disruption of services, disruption to other employees, appropriateness, and legal liability, as well as sudden emergency, posed by the presence of children in the workplace.

Asotin County understands that brief infrequent visits by children of its employees occur for a variety of reasons. However, the frequent, regular or extended presence of children during work hours is not allowed.

Supervisors may grant exception for a temporary, unforeseen emergency, but no guardian can have a child in the workplace without the supervisor's permission. When authorized, the accompanying adult must supervise the children at all times.

Employees are not permitted to bring ill children to work. This policy is not to be utilized as a backup childcare arrangement. Employees are provided paid time off benefits which should be used for personal reasons or to care for an ill child.

Notwithstanding the exceptions provided by this policy, management has the authority to deny the presence of children in the workplace or revoke previously granted permission for the employee to bring the child to the workplace (e.g., the child's presence is determined to be disruptive, confidentiality, or for safety issues).

Section 7.17 Unusual/Inclement Weather Conditions

During times of inclement weather or natural disaster, it is essential that the County continue to provide vital public services. Therefore, it is expected that employees make every reasonable effort to report to work without endangering their personal safety. An inclement weather situation is generally one in which snow, ice or other conditions present a significant hazard to employees and customers in getting to and from County facilities. Certain operations in the County must provide at least partial services at all times regardless of or because of unusual or inclement weather situations. Vital Public Services include the Sheriff's Office, Jail (clerical staff are excluded) and Public Works employees. The Elected Official/Department Heads with the responsibility for these operations, in conjunction with the County Commissioners, will determine what services and staffing levels must be maintained in unusual or inclement weather situations. An employee who is unable to get to work or leaves work early because of unusual/inclement weather conditions may charge the time missed to: vacation, Floating Holiday, compensatory time, or leave without pay. The employee shall advise the supervisor by phone as in any other case of late arrival or absence.

Closures.

1. The County Commissioners or designee retains authority to determine when inclement conditions warrant closing down County offices and services. The County Commissioners may choose to delegate this authority to an Elected Official/Department Head who is authorized to make the closure decision.
2. Once a closure directive has been issued, elected official/department heads are authorized to determine which services and facilities will remain open to provide vital critical or emergency services. They are encouraged to develop specific written inclement weather policies and procedures, keyed to the general requirements of this policy.
3. When a closure directive has been issued, all departments will be notified through the elected official/department head or a designated contact person.

Staffing Levels. When an inclement weather closing is directed, elected official's/department heads or the County Commissioners must determine which employees and services must remain available during the shutdown. For services that must continue, they shall determine the level of staffing required, and the process by which it is decided which employees can be released and which must remain on duty.

Employee-Initiated Time Off.

1. In hazardous conditions, but short of a shut-down declaration, employees are authorized some discretion in deciding not to report for work or to leave work early. When employees legitimately believe that travel to or from work is overly hazardous, or circumstances at home require their presence, they may request the time off and may use paid leave to continue compensation during the absence. Leave charged for this purpose may be vacation, Floating Holiday or comp time. Sick leave may not be used.
2. Time off under this section must be requested and approved by the employee's immediate supervisor or the person they would normally contact for time off. Requests will be honored provided the circumstances reasonably justify the employee's concern and the employee's presence is not required for critical services.

Pay During Shut-Downs.

1. When the determination is made to close down a facility, on duty employees will be paid for

the remainder of their scheduled shift and paid leave need not be charged. This time is considered inclement weather leave and is authorized by the County Commissioners declaration of a shut-down.

2. If the shutdown is announced in advance of the work day and employees do not report on that basis, they must use their own paid leave for the day.
3. When a shut-down is declared, employees who had left work or did not report due to personal concerns relating to the inclement weather situation are eligible for inclement weather leave from the beginning of the shut-down to the end of their shift. Personal leave accounts need only be charged for their absence prior to the shutdown. For example, an employee who leaves at 9:00 AM on a day a shut-down is declared at 11:00 AM must use two hours of leave and will receive five hours of inclement weather pay beginning at 11:00 AM. This section does not apply to employees who were off duty for the full day due to other reasons scheduled vacation, sick leave, etc. They must use paid leave for the full day as originally planned.
4. Non-critical employees must have their supervisors' approval to continue working once a shutdown has been announced. The inclement weather leave will not count as time worked for the purposes of overtime calculation for the week.

CHAPTER 8

COMPLAINT PROCEDURES

Section 8.1 Complaint Procedure

The County recognizes that sometimes situations arise in which an employee feels that he or she has not been treated fairly or in accordance with County rules and procedures. For this reason, the County provides its employees with procedures for resolving complaints.

Step 1: An employee should first try to informally resolve any problem or complaint with his/her supervisor.

Step 2: When normal communication between an employee and the supervisor is not successful, or when an employee disagrees with the application of County policies and procedures, the employee should attempt to resolve the problem with his/her appointing authority. The appointing authority will respond to the employee in writing within three (3) business days after meeting with him/her, if possible.

Step 3: If the employee is not satisfied with the response from the appointing authority, the employee may submit the problem, in writing, to the HR Director. The written complaint must contain, at a minimum:

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

The written complaint should be filed within ten (10) calendar days of the occurrence leading to the complaint.

The HR Director may meet with the parties, and will respond in writing to the aggrieved employee within seven (7) calendar days of the meeting. The Board of County Commissioners' will be involved if deemed necessary by the HR Director, and their response and decision shall be final and binding.

Employees formally represented by a bargaining agent, or in a bargaining unit, or who are covered under Civil Service rules shall follow the complaint/grievance procedures set out in their respective labor contracts or Civil Service rules, where applicable. In all other cases, the procedures described in this section shall be used. Under no circumstances shall an employee have the right to utilize both this process and any other complaint or appeal procedure that may be available to an employee unless the right is afforded by law.

CHAPTER 9

DISCIPLINE AND SEPARATION

Section 9.1 Expectations

The primary mission of every employee is to provide quality, courteous, orderly, efficient, and economic delivery of services to the citizens of the County. All employees are expected to exercise good judgment, loyalty, common sense, dedication, and courtesy in the performance of their duties.

Section 9.2 Authority

The appointing authority has full discretion and authority to impose disciplinary action in accordance with County policy, HR concurrence, based on the circumstances of the particular case.

Disciplinary and grievance procedures DO NOT apply to “at-will” employees.

For employees covered in an existing bargaining unit, contract terms and conditions shall prevail.

Section 9.3 Discipline

- A. Acts, errors, or omissions which discredit the public service or impair the provision of orderly services to the citizens of the County may result in discipline, including termination. Any employee may be discharged, suspended without pay, demoted or reduced in rank for any reasonable cause by the appointing authority when authorized by County policy, with HR concurrence.
- B. The following are illustrative examples only of the types of behavior which may result in discipline and are not to be considered inclusive. Some items may be covered in other sections.
 - 1. Drinking alcohol or the abuse of prescription or non-prescription drugs or other controlled substances on the job or during working hours; or arriving on the job under the influence of or while in possession of alcohol, unauthorized or non-prescription drugs, or other controlled substances. (See Attachment – Drug & Alcohol Policy)
 - 2. Performance of duty in an unlawful manner.
 - 3. Dishonesty, insubordination, discourteous treatment of the public or fellow employees including supervisors, or any other willful failure on the part of the employee to properly conduct himself/herself, or any willful violation of the provisions of this resolution or the rules or regulations adopted hereunder.
 - 4. Absence without leave, unsatisfactory record of attendance, or lack of punctuality; habitual absence or tardiness for any reason.
 - 5. Unsatisfactory job performance, as determined by the County; incompetence, inefficiency, inattention or dereliction (neglect) of duty.

6. Conviction of a felony or a misdemeanor that could negatively impact your job performance.
7. Accepting fees, gifts, or other valuable items in the performance of the employee's official duties of the County.
8. Inability, refusal, or failure to perform the duties of the assigned job.
9. Violation of County policies, regulations and rules specified in this manual, or as otherwise promulgated by any other County rule, regulation or administrative order.
10. Outside business activity or employment which conflicts with or detracts from the employee's job performance.
11. Resort to, or threat of physical violence against co-workers including supervisors, or members of the general public, except that which can clearly be shown to be necessary for self-defense.
12. Negligent, careless, or willful acts which damage or endanger the County's property, equipment, or the personal safety of the employee or others.
13. Falsification of County records and reports, including **time records**.
14. Any other act or failure to act, which in the judgment of the appointing authority is sufficient to show the offender to be an unsuitable and unfit person for employment in the public service.

THE ABOVE LIST IS NOT ALL-INCLUSIVE, BUT ONLY SERVES AS A GENERAL GUIDE. THE COUNTY MAY DISCIPLINE OR SEPARATE EMPLOYEES FOR OTHER REASONS NOT STATED ABOVE.

Section 9.4 Disciplinary Actions

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

1. Verbal Warning: A verbal warning is a counseling session between the employee's supervisor and the employee on the subject of the employee's conduct and performance, or his/her failure to observe a rule, regulation, or administrative instruction. It is intended to increase an employee's efficiency and value to the County by changing the employee's conduct, attitude, habits, or work methods.

Following the counseling session, the supervisor shall document the verbal warning. Verbal warnings are placed in the employee's Supervisory file and a copy given to the employee.

2. Reprimand: A reprimand is a formal written disciplinary action for misconduct, inadequate performance, or repeated lesser infractions. Written reprimands are to be signed by the employee and placed in the employee's personnel file with HR and a copy given to the employee.

3. Suspension Without Pay: A suspension is a temporary, unpaid absence from duty which may be imposed as a penalty for significant misconduct or repeated lesser infractions. A suspension is a severe disciplinary action which is made part of the employee's permanent record with HR. Such time shall not be deducted from any accrued leaves. A Personnel Action Form must be completed by the appointing authority and given to HR.
4. Separation:
 - A. No employee will be disciplined or separated for a discriminatory purpose and/or in violation of a constitutionally protected right or other illegal reason.

CHAPTER 10

POLICIES

Section 10.1 Smoke Free Workplace

Effective in 2005 smoking, including electronic cigarettes is prohibited in all public places and workplaces, including any place used by and open to the public. Smokers are restricted and must be a minimum of 25 feet from any doorway, window, or air intake system. Violators face a \$100 fine.

Smoking, including electronic cigarettes shall be allowed in the following areas with the understanding that complaints by non-smokers shall warrant a review and possible revocation of this Agreement. Smoking, including electronic cigarettes in County vehicles is prohibited.

Allowable Smoking Areas:

1. 25 feet from the Courthouse and Annex doors, windows or intake systems

Section 10.2 Use of Public Facilities

The County encourages its employees to acknowledge the milestones that occur in our lives, such as birthdays, weddings, the birth of children, retirement, etc. However, public employees must remember that any celebrations that interfere with the performance of work are not permitted, nor should public funds be used for such celebrations. Minor celebrations such as the sharing of a birthday cake in an employee lunchroom during the standard lunch break are appropriate, but celebrations that get more involved are discouraged.

Section 10.3 AIDS and Contagious Diseases

Asotin County recognizes that employees with life-threatening illnesses including but not limited to cancer, heart disease, and AIDS may wish to continue to engage in as many of their normal pursuits as their condition allows, including work. Such employees will be allowed to work as long as they are able to meet acceptable performance standards, and medical evidence indicates their conditions are not a threat to others. Managers should be sensitive to the employees' condition and ensure that they are treated consistently with other employees. At the same time, Asotin County has an obligation to provide a safe work environment for all employees. Every precaution should be taken to ensure that an employee's condition does not present a health and/or safety threat to other employees. It should be noted that HIV Infection and AIDS are medical conditions which are considered disabilities under Washington State Law Against Discrimination, Chapter 49.6. RCW.

Section 10.4 Whistleblower Policy

It is the policy of Asotin County to encourage reporting by its employees of improper governmental action taken by Asotin County officials or employees and to protect Asotin County employees who have reported improper governmental actions in accordance with Asotin County's policies and procedure(s).

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

1. "Improper governmental action" means any action by an Asotin County official or employee:
 - a. That is undertaken in the performance of the official's or employee's official duties, whether or not the action is within the scope of the employee's employment; and
 - b. That is in violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety or is a gross waste of public funds.

"Improper governmental action" does not include personnel actions, including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployment, performance evaluations, reductions in pay, dismissals, suspensions, demotions, and violations of collective bargaining or civil service laws, alleged violations of labor agreements or reprimands.

2. "Retaliatory action" means any adverse change in the terms and conditions of an Asotin County employee's employment.
3. "Emergency" means a circumstance that if not immediately changed may cause damage to persons or property.

Procedures for Reporting

Asotin County employees who become aware of improper governmental actions should raise the issue first with their supervisor. If requested by the supervisor, the employee shall submit a written report to the supervisor, or to some person designated by the supervisor, stating in detail the basis for the employee's belief that an improper governmental action has occurred. Where the employee reasonably believes the improper governmental action involves his or her supervisor, the employee may raise the issue directly with the Elected Official/Department Head and/or Human Resources Director or designee to receive reports of improper governmental action.

In the case of an emergency, where the employee believes that damage to persons or property may result if action is not taken immediately, the employee may report the improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action.

The Elected Official/Department Head, Human Resources Director or designee, as the case may be, shall take prompt action to assist Asotin County in properly investigating the report of improper governmental action. Asotin County officials and employees involved in the investigation shall keep the identity of reporting employee(s) confidential to the extent possible under law, unless the employee authorizes the disclosure of his or her identity in writing. After an investigation has been completed, the employee reporting the improper governmental action shall be advised of a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.

Asotin County employees may report information about improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action if the Asotin County employee reasonably believes that an adequate investigation was not undertaken by Asotin County to determine whether an improper governmental action occurred, or that insufficient action has been taken by Asotin County to address the improper governmental action or that for other reasons the improper governmental action is likely to recur.

Asotin County employees who fail to make a good-faith attempt to follow Asotin County's procedures in reporting improper governmental action shall not receive the protection provided by Asotin County in these procedures.

Protection Against Retaliatory Acts

Asotin County officials and employees are prohibited from taking retaliatory action against an Asotin County employee because he or she has in good faith reported an improper governmental action in accordance with these policies and procedures.

Employees who believe that they have been retaliated against for reporting an improper governmental action should advise their Elected Official/Department Head and the Human Resources Director or designee. Asotin County officials shall take appropriate action to investigate and address complaints of retaliation.

If the employee's Elected Official/Department Head, the Administrative Officer, or the Human Resources Director or designee, as the case may be, does not satisfactorily resolve an Asotin County employee's complaint that he or she has been retaliated against in violation of this policy, the Asotin County employee may obtain protection under this policy and pursuant to state law by providing a written notice to the Asotin County Commissioners that:

- a. Specifies the alleged retaliatory action and
- b. Specifies the relief requested.

Asotin County employees shall provide a copy of their written charge to the Human Resources Director no later than thirty (30) days after the occurrence of the alleged retaliatory action. Asotin County shall respond within thirty (30) days to the charge of retaliatory action.

After receiving either the response of Asotin County or thirty days after the delivery of the charge to Asotin County, the Asotin County employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing should deliver the request for hearing to the Human Resources Director within the earlier of either fifteen (15) days of delivery of Asotin County's response to the charge of retaliatory action, or forty-five (45) days of delivery of the charge of retaliation to Asotin County for response.

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

Office of Administrative Hearings, 2424 Heritage Court SW, Suite 302, Olympia, WA 98504-2488 (360) 664-8717. Asotin County will consider any recommendation provided by the administrative law judge that the retaliator be suspended with or without pay, or dismissed.

RESPONSIBILITIES

The Human Resources Director is responsible for implementing Asotin County's policies and procedures (1) for reporting improper governmental action and (2) for protecting employees against retaliatory actions. This includes ensuring that this policy and these procedures (1) are permanently posted where all employees will have reasonable access to them, (2) are made available to any employee upon request and (3) are provided to all newly-hired employees. Asotin County officials, managers and supervisors are responsible for ensuring the procedures are fully implemented with their areas of responsibility. Violations of this policy and these procedures may result in appropriate disciplinary actions, up to and including dismissal.

WHISTLE BLOWER LIST OF AGENCIES

ASOTIN County Board of County Commissioners, 95 Second Street, Asotin, WA 99402 (509) 243-2060
ASOTIN County Health Department, 102 First Street, Asotin, WA 99402 (509) 243-3344
ASOTIN County Prosecuting Attorney's Office, 135 Second Street, Asotin, WA 99402 (509) 243-2061
ASOTIN County Sheriff's Office, 127 Second Street, Asotin, WA 99402 (509) 243-4717
Attorney General's Office, (360) 753-6200
State Auditor's Office, (360) 902-0370
State Department of Ecology, (360) 407-6000
Human Rights Commission, (360) 753-6770
State Department of Health, (360) 586-5846
Department of Labor and Industries, (360) 902-5800
Department of Natural Resources, (360) 902-1000
Department of Social and Health Services, (360) 902-8400
Equal Employment Opportunity Commission, (206) 220-6883

Section 10.5 Americans with Disabilities Act Policy & Grievance Procedure

I. POLICY

Asotin County does not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in employment or the provision of services. It is the County's goal to assure disabled persons the opportunity to participate in or benefit from County services. Reasonable accommodations for compliance with the Americans with Disabilities Act (ADA) will be provided upon request.

THE FOLLOWING ARE ASOTIN COUNTY STANDARDS

All public meetings will be held in accessible facilities. Further, upon 24 hours' notice, the County will provide auxiliary aids and services (interpreters, readers, assisted listening devices, text telephones, large print materials, audio tape, help in filling out forms, and other similar services and actions) if necessary and reasonable accommodations can be provided so that individuals with disabilities have an equal opportunity to participate in or enjoy the benefits of County services, programs, or activities. Communication of accessibility will be included in County publicity announcements. Disabled persons may request the auxiliary aids and services of their choice, which will be given primary consideration.

Asotin County has a commitment to ensure that we provide equal opportunities for disabled persons to participate on our boards and commissions. All board meetings will be held in accessible locations, reasonable accommodations for auxiliary aids will be provided, upon request, and our application and interview processes for selection of board and commission members will be held in accessible locations. Requests for accommodation during the application/interview process will be sought and reasonable accommodation provided with 24 hours' notice.

To the extent feasible and practicable all future construction and renovation of County-owned buildings and facilities will be carried out in accordance with Washington State Barrier-Free code regulations and A.D.A. Accessibility Guidelines (ADAAG).

In the event citizens and other participants in the County's programs, services, and activities feel the County has violated their rights under the A.D.A., this policy provides for a grievance procedure for handling such complaints.

Asotin County provides a bias free work environment in which employees serve our populace. The County's goal is to practice nondiscrimination in all employment practices. Detailed policies and procedures are contained in the County's Personnel Policy. County staff will be trained to ensure that disabled persons may participate in and benefit from County programs, services, and activities.

II. GRIEVANCE PROCEDURE

Asotin County adopts the following internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act (A.D.A.). Title II states, in part, that "no such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination" in programs or activities sponsored by the public entity.

Complaints should be addressed to: A.D.A. Coordinator, Asotin County Courthouse, P.O. Box 250, Asotin WA 99402, Telephone (509) 243-2060. (TDD accommodation: dial 711 or call 1-800-833-6384). <https://www.dshs.wa.gov/altsa/odhh/telecommunication-relay-services>

1. A complaint may be filed either in writing or verbally, and shall contain the name and address of the person filing it, or on whose behalf it is filed, and shall briefly describe the alleged violation of the ADA regulations. A complaint shall be filed within twenty calendar (20) days after the complainant becomes aware of the alleged violation.
2. An investigation, as may be appropriate, shall follow a filing of complaint. The investigation shall be commenced by the A.D.A. Coordinator or the designee of the A.D.A. Coordinator within ten (10) calendar days following the filing of the complaint. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit information relevant to such investigation.
3. A written determination as to the validity of the complaint and a resolution of the complaint, if any, shall be issued by the A.D.A. Coordinator and a written copy mailed to the complainant within thirty (30) calendar days following the filing of the complaint unless the complexities of the complaint requires additional time.
4. The A.D.A. Coordinator shall maintain the files and records of Asotin County relating to the complaints filed.
5. The complainant may request a reconsideration of the case determination by the Asotin County Board of Commissioners in instances where he/she is dissatisfied with the decision of the ADA Coordinator. The request for reconsideration should be made within the (10) calendar days following the date the complainant receives the determination of the ADA Coordinator. The request for reconsideration shall be made to the Asotin County Board of Commissioners, by giving notice thereof to the Asotin County Board of Commissioners, P.O. Box 250, Asotin, WA 99402. (TDD accommodations: dial 711 or call 1-800-833-6384).
<https://www.dshs.wa.gov/altsa/odhh/telecommunication-relay-services>

The Asotin County Board of Commissioners shall review the records of said complaint and may conduct further investigation when necessary to obtain additional relevant information and shall issue their decision thereon within twenty (20) days of the filing of the request for reconsideration unless the complexities of the complaint requires additional time. A copy of said decision shall be mailed to the complainant.

6. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an A.D.A. complaint with the responsible federal department or agency. Use of this grievance procedure is an administrative remedy and result of which may be appealed to the Superior Court.
7. These rules shall be construed: to protect the substantive rights of interested person; to meet appropriate due process standards; and, to comply with the A.D.A. and implementing regulations.

DISCLAIMER STATEMENT

Nothing contained in this Personnel Policy nor any other County policies, procedures or practices (whether written or verbal) or the acceptance or continuance of employment is to be construed as a contract of employment, a promise of continued employment or as creating an implied or contractual duty between an employee and the County nor as a promise or guarantee of specific treatment or benefit. This Personnel Policy is intended to be simply general statements of County policy and all employment with the County is terminable by either the County or the employee at any time for any reason which either the County or employee considers sufficient.

If any changes by the State of Washington or Federal Law(s) the policy will automatically change/update.

THIS POLICY SHALL BECOME EFFECTIVE UPON ADOPTION BY RESOLUTION.

Adopted: _____, 2021 by Resolution #21-____