

***PERSONNEL  
POLICIES  
AND  
PROCEDURES  
MANUAL***

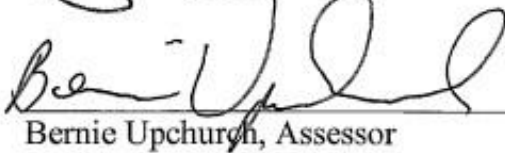
*February 7, 2023*

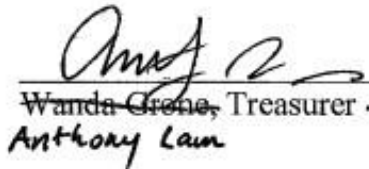
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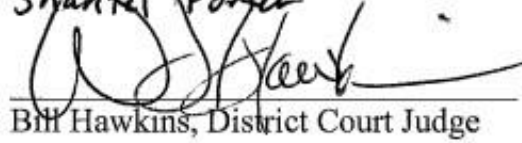
  
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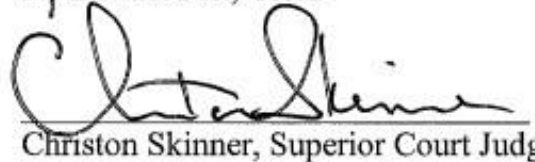
  
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Christon Skinner, Superior Court Judge

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**PERSONNEL POLICIES AND PROCEDURES MANUAL  
ISLAND COUNTY**

**I. PURPOSE, COVERAGE AND ADOPTION OF POLICIES**

**I.1 STATEMENT OF PURPOSE**

The purpose of these policies and procedures is to establish a system of personnel administration based on principles and professional methods of governing that apply to the recruitment, selection, employment, transfer, removal, discipline and welfare of employees as well as other aspects of County employment. Island County embraces and encourages our employees' differences in age, color, diverse abilities, ethnicity, family or marital status, gender identity or expression, language, national origin, physical and mental ability, political affiliation, race, religion, sexual orientation, socio-economic status, veteran status, and other characteristics such as personality and personal interests that make our employees unique and these policies are intended to reflect our respect for these differences.

**COUNTY POLICIES INCLUDED IN THIS MANUAL DO NOT CONSTITUTE A CONTRACT WITH EMPLOYEES, NOR DO THEY PROMISE PERMANENT EMPLOYMENT. THE COUNTY RESERVES LEGAL RIGHT TO RECRUIT, SELECT, DIRECT, DISCIPLINE AND DISCHARGE EMPLOYEES AND EXERCISE ALL LAWFUL DISCRETION OVER THE ORGANIZATION'S POLICIES AND PERFORMANCE OF WORK.**

**EMPLOYMENT WITH ISLAND COUNTY IS AT-WILL AND ISLAND COUNTY AND ITS OFFICIALS MAY TERMINATE ANY EMPLOYEE'S EMPLOYMENT AT ANY TIME. NO PROVISIONS OF THIS MANUAL SHALL BE INTERPRETED OR CONSTRUED AS A PROMISE OF PERMANENT OR CONTINUED EMPLOYMENT. EMPLOYEES HAVE THE RIGHT TO TERMINATE THEIR EMPLOYMENT WITH ISLAND COUNTY AT ANY TIME.**

It is the specific intent of these policies to assist in accomplishing the following objectives:

To recruit, select, and advance employees based on their relative ability, knowledge, and skills, including open consideration of qualified applicants for initial appointment.

To assist in attaining equal employment opportunity objectives of the County.

To assure fair treatment of applicants and employees in all aspects of personnel administration and not discriminate on the basis of political affiliation, age (40 or over), sex, marital status, sexual orientation, gender identity, race, creed, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a person with a disability, unless based upon a bona fide occupational qualification: PROVIDED, that the prohibition against discrimination because of such disability shall not apply if the particular disability prevents the proper performance of the particular worker involved.



To better inform employees of their rights, benefits, and responsibilities.

The Personnel Policies & Procedures Manual (PPPM) will be reviewed each year by the Human Resources Director and amendments to the PPPM are subject to change at the discretion of the Board of County Commissioners and the other elected officials of Island County in order to maintain their legal compliance and operational effectiveness. Upon amendment of any part of the PPPM, the County will endeavor to notify employees, in a timely fashion, of such changes and their effects. As amendments are made, the PPPM will be revised and the current version made available to all employees on the Human Resources intranet site.

## **I.2 SCOPE OF COVERAGE**

The PPPM applies to all Elected Officials and employees. Employees represented under collective bargaining agreements (CBA), or civil service rules may have different policies apply per the CBA. Where management rights are reserved or where the CBA is silent on an issue in the individual negotiated agreements, the PPPM will control. Elected Officials are not included or classified as non-represented employees. In all instances where the PPPM and CBA contradict, the County will defer to the CBA for employees represented by a bargaining unit.

## **I.3 UNION REPRESENTATION**

County employees shall be free of unlawful interference by any person on the selection of their chosen representative as provided by Washington Statute.

## **I.4 AUTHORITY AND RESPONSIBILITIES**

The Director of Human Resources shall have general overall authority and responsibility for labor relations and personnel administration concerning the County, subject to the oversight of the Board of County Commissioners.

This policy recognizes the independent authority of each of the following County officers over his/her office or department; the Assessor, the Auditor, the County Clerk, the Prosecuting Attorney, the Sheriff, the Treasurer, the Superior and District Court Judges, and the Coroner. Each of these officers must individually agree to any provision of this policy which is relevant within their office or department. All parties recognize the inability of the County Commissioners or the Human Resources Director or another elected officer to bind a different elected County officer with respect to the operations and conditions within their office or department.

The Human Resources Director shall:

Advise the officials of the County on all matters pertaining to the administration of personnel and ensure that personnel policies and related contractual obligations are observed by all concerned. Direct the development and maintenance of classification and pay plans.

Direct the operation of recruitment, employment and promotion programs, and assure equal opportunity in these areas. Direct the maintenance of an up-to-date personnel record system.

Direct the preparation of reports on personnel as may be required to accomplish employee program objectives.

Advise and assist all Department Heads and Elected Officials in the interpretation and application of all employee relation matters. Review and implement the personnel aspects of all organizational plans and modifications thereto.

Direct the labor relation functions of the County.

## **I.5 SEVERABILITY**

If any provision or application of these policies to any persons or circumstance is held invalid, the remainder of the policies or the application of the provision to other persons or circumstances is not affected.

## **I.6 AMENDMENTS AND REVISIONS**

This Manual, updated on, upon the passage of Resolution C- -22, replaces the Island County Employee's Manual dated August 22, 2018 as thereafter revised and any other previously enacted Island County ordinances, resolutions or policies in order to establish updated policies and procedures for the personnel management system. Policies not addressed in this Manual may be covered by other interim stand-alone policies, which shall remain in effect unless incorporated in, or superseded by this Manual.

Elected Officials and Department Heads are encouraged to submit proposed additions or modifications to the Board of County Commissioners at any time for their consideration. Personnel policies relating to the operation of Island County may be amended or revised, in whole or in part, by resolution of the Board of County Commissioners in the same manner as originally adopted and approved. Such amendments or revisions shall not be retroactive.

## **I.7 DEFINITIONS OF TERMS**

The following terms are used to describe Island County's personnel policies and shall be defined as indicated below unless the context clearly indicates otherwise:

1. **Acting** – Description of a temporary or interim appointment by the Board of County Commissioners or other Elected Official to fill a senior management position due to a vacancy in the position, such as Acting Department Head, Acting Elected Official, or Acting Chief Deputy.
2. **Administrative Leave** - Administrative leave is paid leave assigned to an individual by management pursuant to Section VIII.6. B.3.

3. **Applicant** - A person who has made formal application for a position by completing an Island County Job Application form and presenting that form to the County Human Resources office.
4. **Classification Plan** - All job class descriptions compiled into one written document.
5. **Compensation Plan** - A schedule of salary ranges for all job classes in the the County, including single position job classes, setting forth the salary rage for each such job class in accordance with the criteria and procedures set forth in this manual.
6. **Compensatory Time** - Time off from work to compensate the employee for overtime worked.
7. **Continuous Service** - Employment without interruption except for leaves of authorized absence.
8. **Demotion** - The movement of an employee from one class to another class having a lower base rate of pay.
9. **Department Head** - The director of a department appointed by the Board of County Commissioners.
10. **Designee** – The County Administrator with respect to responsibilities and authority specifically assigned by the Board of County Commissioners.
11. **Disciplinary Action** - Imposition of certain personnel actions (e.g., reprimand, warning, suspension, dismissal, demotion).
12. **Dismissal or Discharge** - Involuntary separation or termination of employment.
13. **Elected Official** - An individual elected by the voters to discharge the duties of his/her elective office, or an individual duly appointed to fill a vacancy in an elective office.
14. **Exempt Employee** - An Elected Official, non-represented staff member, executive, administrative, or professional employee exempt from the minimum wage and overtime requirements of the Fair Labor Standards Act or Washington Minimum Wage Act.
15. **Grievance** - An employee’s written complaint regarding the violation of some aspect of these rules and regulations negatively impacting them and for the purpose of rectifying said violation
16. **Hiring** - The assignment of a qualified applicant to a position.
17. **Immediate Family** - For purpose of bereavement leave, persons related by blood or marriage, or legal adoption in the degree of consanguinity of grandparent, parent, spouse, registered domestic partner, brother, sister, child or grandchild or relative living in the employee’s household, or otherwise approved by elected official/Department Head. For purposes of health and welfare benefits and legally mandated leave, the definition of “immediate family” will be controlled by law or by benefits summary plan documents.
18. **Layoff** - The involuntary termination of an employee due to lack of work, lack of funds, or reorganization.
19. **Municipal Officer** - “Municipal Officer” and “officer” shall each include all elected and appointed officers of Island County, together with all deputies and assistants of such an officer, and all persons exercising or undertaking to exercise any of the powers or functions of a municipal officer. (See [RCW 42.23.020](#))
20. **Overtime** - Time worked in excess of forty (40) hours in any one work week for non-law enforcement personnel and hours worked in excess of 171 hours in a designated consecutive 28-day work period for law enforcement personnel under the Federal Fair Labor Standards Act.
21. **Overtime Pay** - Rate of pay (time-and-a-half) for each hour a non-exempt employee works in excess of the regularly scheduled full-time workweek.
22. **Personnel Action** - Any action taken with reference to hiring, compensation, promotion,

- transfer, layoff, dismissal or other action affecting the status of employment.
23. **Position** - A group of current duties and responsibilities established by the legislative body of the County and requiring the employment of one person.
  24. **Promotion** - The movement of an employee from a position in one class to another class imposing increased duties and responsibilities, requiring greater pay and qualifications and providing a higher base rate of pay.
  25. **Reclassification** - A change in classification of a position by raising it to a higher class, reducing it to a lower class, or changing it to another class at the same longevity level.
  26. **Regular Full-Time Employee** - Employees working a regular schedule of thirty-five (35) to forty (40) hours per week.
  27. **Regular Part-Time Employee** - An employee working a regular schedule of less than thirty (35) hours per week or on an on-call basis.
  28. **Resignation** - The voluntary action by an employee to terminate their employment with the County.
  29. **Suspension** - A temporary removal from duty with or without pay of an employee for disciplinary purposes or for the purpose of investigation of accusations brought against an employee.
  30. **Temporary Employee** - An employee working a full-time or part-time schedule whose employment automatically terminates after a pre-determined period of time. Includes persons appointed to County boards who receive compensation for performing their duties on the board.
  31. **Termination** - The voluntary or involuntary cessation of employment with the County.
  32. **Transfer** - The movement of an employee from one position to another in the same or different class having essentially the same salary range, involving the performance of similar duties, and requiring substantially the same basic qualifications.
  33. **Travel Status** - An employee is in travel status when performing official duties away from the location where the employee's normal permanent office is located and may be eligible for reimbursement of certain expenses. Travel status excludes time spent commuting between the normal permanent office and the residence of the employee.
  34. **Workweek** - An employee's workweek is a fixed number of hours per week. The workweek commences at 12:01 a.m. on Sunday and concludes at 12:00 midnight the following Saturday unless otherwise specified by the Elected Official/Department Head. For law enforcement personnel the Elected Official/Department Head may designate a workweek that will comprise a total month consisting of up to 28 consecutive days as allowed under the Federal Fair Labor Standards Act.

## II. PAY AND CLASSIFICATION

### II.1 EMPLOYEE COMPENSATION PLAN

The County shall maintain this Employee Compensation Plan which shall be adopted by the Board of County Commissioners. The Plan shall encompass all Island County job classifications and shall apply to all paid employees. The Board of County Commissioners shall ensure the development, maintenance, and administration of a uniform and equitable pay plan based upon this Employee Compensation Plan for all positions in County service.

The salary/hourly rate established for a position shall represent the total remuneration for an employee occupying the position, excluding approved reimbursement for official travel, approved reimbursement of other expenses, or other additional compensation specifically

authorized by the Board of Island County Commissioners, such as emergency hazard pay, benefits or additional compensation as authorized in this Manual, such as for Acting Supervisors, Acting Department Heads, or Acting Elected Officials. For employees occupying position that require certifications, such certifications must be kept up to date in order for the employee to maintain their position and pay.

**A. Salary/Hourly Rate Ranges**

An individual's salary shall be within the salary range that is assigned to their position and based on the individual's experience, qualifications and tenure.

**B. Placement in Salary Range at Hire**

**Minimum:** Represents entry-level pay.

**First Quartile:** Represents pay for a seasoned employee hired with at least 2 years of experience in a comparable position.

**Midpoint:** Represents pay for a seasoned employee hired with at least 5 years of experience in a comparable position.

**Maximum:** Represents pay for a seasoned employee with at least 20 years of commensurate experience.

The hiring placements are guides and may be adjusted for particularly skilled hires upon the approval of the Board of County Commissioners or its designee.

New hire compensation rates set between Midpoint and Maximum may be offered to new hires in recognition of their experience, qualifications and education after approval by the Board of County Commissioners or its designee.

If a current employee is offered a transfer into a lateral position, HR approval is required in order for the transferring employee to receive an increase over 2.5% greater than their pay in the current position.

HR is authorized to adjust an employee's pay in order to assure payment within the salary range for the position held by the employee and employee longevity/years of service.

**C. Adjustment of Salary Ranges**

Salary ranges may be adjusted periodically in accordance with Sections II.2, II.3 and II.4. Except as provided in this section, adjustments of salary ranges do not increase the salary paid to an employee but provide increased potential for within-range salary advancement. If an adjustment of salary range for a given classification raises the minimum salary for the classification above the salary for an employee in that classification, the employee's salary shall be set to the new minimum.

**D. Performance Based Increases**

Salary advancement within a salary range is based primarily on merit. The increase awarded to an eligible employee is based on a review of current pay and assigned responsibilities, the employee's current position within the salary range, relative performance and availability of

funds. No performance increase is authorized without a written performance appraisal which substantiates an increase in pay due to merit. A performance increase may not exceed 2.5% without approval by the Board of County Commissioners or its designee and must be based on performance and increase date eligibility. Any such increase must be made effective at the beginning of a pay period.

Once an employee has reached the maximum for their pay grade, they are not eligible for any other increases until the maximum has been increased due to range adjustment, they are promoted, or their position is reclassified.

**E. Increase Date Eligibility**

Employees are eligible for a performance-based pay increase on the following anniversary dates:

- After completing 2 years
- 5 years
- 8 years
- 11 years
- 14 years
- 17 years
- 20 years
- Every 5 years thereafter

**F. Promotional Increases**

A salary increase may be granted upon promotion or upward reclassification. An increase in hours is not a promotion or job reclassification.

**G. Salary Adjustments upon demotion or downward reclassification**

An employee normally will receive a salary decrease upon demotion due to performance. Upon structural reclassification downward, the employee's current salary rate may be retained even though the salary is above the maximum of the salary range for the new class upon approval of the Board of County Commissioners or its designee.

**H. Annual Pay Increases**

As part of the annual budget process, the Board of County Commissioners will consider the necessity and feasibility of providing a pay increase to non-represented employees. The Board will consider inflationary trends, the County financial picture and pay increases being provided to represented employees when making this determination.

See also:

[II.2 – Maintenance and Revision of the Employee](#)

[Compensation Plan II.3 – Administrative](#)

[Provisions](#)

[II.4 – Classifications Plan/Pay Grade—New Positions and Revisions of Existing Positions](#)

[II.5 – Temporary Positions—Pay Grade Authorization by Board of County Commissioners](#)

## **II.2 MAINTENANCE AND REVISION OF THE EMPLOYEE COMPENSATION PLAN**

The Human Resources Director shall periodically (every 4 years) review the Employee Compensation Plan, or, in the Director's discretion, more frequently upon the request of the Board or an Elected Official. The review shall consider whether the salary range for each classification is appropriate based on: changes in duties, expansion or contraction of workload, competitiveness of salaries, and other relevant factors. The review shall include an examination of the applicability and accuracy of job descriptions.

At least once every four years, the Human Resources Director shall present a report of the review to the Board of Island County Commissioners, along with recommendations for amendments to the wage grid or other aspects of the compensation plan. The Board shall consider the recommendations and determine whether to make amendments to the Employee Compensation Plan. The Board may adopt the recommendations of the Human Resources Director, or fashion its own amendments in the Board's discretion. The Board may consider other factors, such as the County's fiscal health and projected revenues in deciding upon whether to revise the Employee Compensation Plan.

See also:

[II.1 – Employee Compensation Plan](#)

[II.3 – Administrative Provisions](#)

[II.4 – Classification Plan/Pay Grade—New Positions and Revisions of Existing Positions](#)

[II.5 – Temporary Positions—Pay Grade Authorization by Board of County Commissioners](#)

## **II.3 ADMINISTRATIVE PROVISIONS**

The Employee Compensation Plan and any revisions thereto shall only be effective upon adoption by the Board of County Commissioners.

The administration of the Employee Compensation Plan is the responsibility of the Human Resources Director.

See also:

[II.1 – Employee Compensation Plan](#)

[II.2 – Maintenance and Revision of the Pay Plan](#)

[II.4 – Classifications Plan/Pay Grade—New Positions and Revisions of Existing Positions](#)

[II.5 – Temporary Positions—Pay Grade Authorization by Board of County Commissioners](#)

## **II.4 CLASSIFICATION PLAN/PAY GRADE—NEW POSITIONS AND REVISIONS OF EXISTING POSITIONS**

- A. Requests for reclassification of any position or requests to determine the pay classification of a new position shall be made in writing to the Board of County Commissioners by an Elected Official/Department Head and submitted through the Human Resources Department or the Board's designee. Request for reclassification shall be accepted not more frequently than once per year for each position.

- B. All requests must contain the following support for the request and comply with Section V.5.
1. For a new position, a completed Position Analysis Questionnaire (PAQ) that accurately reflects the education required, essential duties, responsibilities and activities of the position to be classified or reclassified.
  2. Requests for reclassification based on educational requirements must clearly state what additional education is required for the position since the original classification. A copy of the RCW or similar documentation indicating the change in educational requirements must be attached.
  3. A request for reclassification based on a change in duties must clearly state what the new or additional duties are and why they have been required. A side-by-side PAQ will be submitted showing the old circumstances in the left column and the changed circumstances in the right column directly opposite so that the differences are readily apparent.
  4. A detailed statement from the requester as to the impact on the department budget if such classification or reclassification were granted.
  5. Any other factors the requester wishes the Commissioners to consider.
  6. Submissions not meeting the minimum documentary support required in this section will not be accepted or considered.
- C. Human Resources will recommend a preliminary classification for the position based on the PAQ, discussion with the Department Head/Elected Official, internal comparators and market data for comparable counties and forward the request to the Board of County Commissioners or its designee. If the position is in a Bargaining Unit, Human Resources will first forward the recommendation to the Bargaining Unit, including market data and internal comparators, for Bargaining Unit comments, and any comments made by the Bargaining Unit will be included in the information sent to the Board of County Commissioners or its designee.
- D. The preliminary classification will be reviewed by the Board of County Commissioners or its designee.
- E. After the preliminary classification has been reviewed, the Board or its designee shall exercise its discretion in consideration of all information presented and either (1) adopt the preliminary classification, (2) reject the preliminary classification, or (3) assign a different classification. A final classification report shall then be issued by the Board of County Commissioners or its designee, describing the action taken.
- F. Upon adoption of the final classification report by the Board of County Commissioners or its designee, the Human Resources Department will process a job requisition and/or a personnel status change form. If the position is a reclassification, the classification plan shall be revised.



- G. Progression from a position in a lower pay grade to a position of the same title at a higher pay grade within a department or unit of the County shall not be automatic except where the department has a written progression system that: (1) has increasing responsibilities, certifications or training that are objectively measured; (2) is in the best interest of the County; and (3) has been formally approved by the Board of County Commissioners, or its designee, as a progression system for the affected County department or unit.
  
- H. When the Board of County Commissioners, or its designee, has received evidence that the responsibilities of a position have been reduced and such reduction in responsibilities results in an inequity for the assigned pay grade, the Board of County Commissioners, or its designee, may require a position to be re-evaluated to ensure equity with other County positions. If the re-evaluation cannot be accomplished after a reasonable time due to lack of timely cooperation in providing the detailed information in conformity with subsection "B" above, then the position may be classified to the pay grade that Human Resources determines is appropriate based on current information and data until such time as the re-evaluation is completed. When bargaining unit persons are affected by a reduction, such reduction shall only be effective after consultation with the appropriate bargaining unit representative.

See also:

[II.1 – Employee Compensation Plan](#)

[II.2 – Maintenance and Revision of the Pay Plan](#)

[II.3 – Administrative Provisions](#)

[II.5 – Temporary Positions – Pay Grade Authorization by Board of County Commissioners](#)

[V.5 – Job Requisitions and Personnel Status Change Forms](#)

<b>II.5 TEMPORARY POSITIONS—PAY GRADE AUTHORIZATION BY BOARD OF COUNTY COMMISSIONERS</b>
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- A. Except for recurring seasonal and on-call temporary positions for which the Board has already approved hourly wage rates and which positions are authorized by the Board in the annual budget process, the Elected Official/Department Head shall, upon the demonstration of need for a temporary position, make written application requesting an authorization of a temporary position and submit the request for an authorization to the Human Resources Department. The application shall include the reason the position is necessary, source of funding, duration of position, and other relevant information regarding the justification for the expenditure of public funds. The Human Resources Department will forward the request to the Board of County Commissioners or its designee.
  
- B. A temporary position is created to perform a discrete unit of work by an individual employed by the County where such unit of work is to be performed on an annual recurring or a non-recurring basis, unless otherwise authorized by the Board of County Commissioners. A temporary position may not exist for more than 23 months.

Once a temporary position has been authorized by the Board of County Commissioners pursuant to (A) above, the Elected Official/Department Head shall comply with the requirements of Section V.5. Seasonal and on-call temporary employees whose positions have not gone

through the process of Section V.5 must nonetheless still complete the standard job application and orientation through the Human Resources Department.

Upon receipt of the description of duties outlined above, Human Resources shall determine the proper wage grade comparable to like positions in the Compensation Plan for the temporary position. Such determination must be authorized by the Board of County Commissioners or its designee. Human Resources will notify the Elected Official/Department Head and the Auditor's office of the approved wage and length of time the position is authorized.

The provisions of Section II.4 do not apply to temporary employees.

See also:

[II.1 – Employee Compensation Plan](#)

[II.2 – Maintenance and Revision of the Pay Plan](#)

[II.3 – Administrative Provisions](#)

[III.I – Eligibility for Benefits](#)

[V.5 – Job Requisitions and Personnel Status Change Forms](#)

## **II.6 PAY GRADE-ACTING SUPERVISOR OR DEPARTMENT HEAD**

Where an employee of this County is assigned the responsibilities as an “interim” or “acting” supervisor or Department Head outside of a bargaining unit and such position in which the employee is “acting” has been classified at a pay grade higher than the current grade of the employee who will be “acting” then, upon approval of the Board of County Commissioners, or its designee, the pay of the employee who is “acting” in the higher capacity may be advanced by two (2) pay grades for up to one-hundred twenty (120) days from the date of approval. The employee “acting” in such capacity shall be paid the minimum pay identified in the advanced pay grade. If necessary, this period may be extended for an additional one-hundred twenty (120) days. Temporary assignment may be terminated at any time as determined by the Board of County Commissioners.

## **II.7 PAY DAYS**

A. Island County pays its employees bi-weekly, every other Friday.

All employees will participate in direct deposit of their paychecks or by another direct deposit means agreed to by the Auditor and the Board of County Commissioners. The Auditor shall provide a record of each paycheck to each employee by paper or electronic means, in the Auditor's discretion, on each payday.

B. .

Deductions shall be made from the salaries of all County employees as prescribed by law. On the regular payday, deductions shall be made for federal withholding tax, social security, employee's retirement fund, state industrial insurance, health insurance, union dues, and any other lawful and authorized deductions.

A statement shall be available electronically, mailed or given to each employee in January,

showing his or her total earnings and tax for use in income tax filing.

## **II.8 SERVICE CREDIT UPON REHIRE**

The policy of Island County regarding service credit after rehire (split employment) is established as follows:

1. In the case of split employment with Island County, the employee's rehire date will be the new commencement date of employment for purposes of determining the employee's rate of pay and leave accrual / paid time off unless otherwise agreed to by the Human Resources Director and Budget Director based on increased knowledge, skills and abilities.
2. Upon serving a period of three (3) years continuous employment after rehire, the duration of the employee's previous employment period(s) will then be added to the employee's post-rehire service time for purposes of determining the employee's rate of pay and leave accrual / paid time off for all employment after the three-year anniversary.
3. Notwithstanding the provision in subsection 2. above, no additional wages or salary shall be retroactively paid to re-hired employees for the first three years of employment after re-hire.

## **II.9 OVERTIME PAY**

- A. **Overtime Pay** - Overtime pay is paid to all employees except those classified as Exempt Employees or those not covered under the Federal Fair Labor Standards Act and the Washington Minimum Wage Act. Overtime shall be granted only upon approval of the employee's Department Head, Elected Official or authorized supervisor. Whenever an eligible employee is specifically authorized or requested by his/her supervisor to work overtime, they shall receive overtime pay for each overtime hour worked.
- B. **Holiday Pay** – Non-exempt employees who are required by their supervisor to report to work during a day which is proclaimed as a holiday by the Board of County Commissioners shall be compensated at the rate of time-and-one-half for all hours actually worked on that designated holiday, regardless of the number of hours worked during the week.
- C. **Emergency Work Premium Pay – Non-Represented Overtime Eligible Employees** – In the event there is a need for coverage outside of normal work hours due to a Board of County Commissioners' declared emergency situation, non-represented overtime eligible employees shall be paid at time-and-one-half (1 ½) the employee's hourly rate of pay for hours worked in excess of eight (8) hours per day for hours worked on a regular workday and time-and-one-half for all hours worked on a holiday or other ordinarily non-working day. (NOTE: If the normal workday of an employee covered by this section is ten (10) hours, this section only applies to hours worked on a normal workday in excess of ten (10) hours.) Only the Board of County Commissioners will determine if an emergency exists that triggers this premium pay. The use of this premium is not applicable to non-emergency fluctuations in workload or to foreseeable situations. This premium pay will not apply to any hours worked that are considered as overtime hours under the Federal Fair Labor Standards Act

and Washington Minimum Wage Act. For those overtime hours worked, the employee will receive only overtime pay.

## **II.10 COMPENSATORY TIME**

In lieu of overtime pay for non-exempt employees, compensatory time may be authorized by an Elected Official/Department Head, when requested by a non-exempt employee, for hours worked in excess of forty (40) hours per week. Approvals for compensatory time shall be in writing. Compensatory time must be used by the end of the calendar year in which it is earned.

A request for compensatory time shall be made not later than the date an employee must report their overtime hours for payroll purposes. If the compensatory time is not used by the end of the calendar year, it shall be paid to the employee, as if it were earned at the employee's overtime rate of pay at the time the hours were worked.

Compensatory time shall be accrued at a rate of one and one-half hours (1½ hours) for each hour of overtime worked. In a subsequent pay period, an employee may use the accrued compensatory time as hours of paid leave. Maximum accrual for compensatory time shall be forty (40) hours. Unused compensatory time shall be paid upon termination of employment.

For employees working a thirty-five (35) hour workweek, or less, work that is performed in excess of their regularly scheduled hours but less than forty (40) hours shall not be considered overtime and does not make that time eligible for compensatory time. This section does not apply to employees not covered by or exempt from the Fair Labor Standards Act. Such employees are not eligible for compensatory time or overtime pay.

## **III. BENEFITS**

### **III.1 ELIGIBILITY FOR BENEFITS**

Regular full-time employees and regular part-time employees (on a prorated basis) are eligible for employee benefits offered by the County, unless otherwise specified in these policies.

Temporary employees are not eligible for paid holidays, paid leave, medical benefits, or any other benefits unless otherwise specified in these policies or provided by law. Exceptions may be made by the Board of County Commissioners or its designee.

See also:

[III.2 – Medical Insurance](#)

### **III.2 MEDICAL INSURANCE**

Regular full-time employees and regular part-time employees, whose normal schedule totals not less than 30 hours per week, are eligible to take part in Island County's health care plan, providing they meet the eligibility rules as specified by the plan contracts. Premium payments for the health care plans are shared by employer and employee as determined by the Board of County Commissioners. Employees who decline County coverage must show evidence of coverage

elsewhere.

Coverage for spouse and/or dependents will be offered and payment will be shared by employer and employee as determined by the Board of County Commissioners, provided they meet the eligibility rules as specified by the plan contracts.

Employees who are married to another employee must choose a single medical plan in which they both enroll. No employees who are married to another employee may enroll in two separate medical plans. The employee not enrolling in the plan is not considered for opt out coverage.

Continuation coverage under the Federal COBRA law is available. Information on COBRA coverage is available from the Human Resources office.

### **III.3 ELIGIBILITY FOR RETIREMENT SYSTEM**

Within guidelines established by the Washington State Department of Retirement Systems (DRS), all employees are to be enrolled in either the Public Employees Retirement System (PERS), the Law Enforcement Officers & Firefighters System (LEOFF) or the Public Safety Employees' Retirement System (PSERS).

A percentage, depending on the plan enrollment, of the employee's gross salary is deducted from earnings; also, a percentage of the employee's gross salary is contributed by Island County and sent to DRS.

Details concerning benefits on retirement and further regulations are available from the Department of Retirement Systems, 1025 East Union, Olympia, Washington 98504, at [drs.wa.gov](http://drs.wa.gov) or from the Human Resources office.

### **III.4 SOCIAL SECURITY**

Island County regular full-time, regular part-time and temporary employees are covered by the Federal Social Security program. Employee contributions are deducted from paychecks and employer contributions are made by the County. An employee with a question relative to social security coverage may contact the Payroll Department of the County Auditor.

### **III.5 HOLIDAYS**

The following days with actual dates specified by the Board of County Commissioners will be recognized as holidays with pay for all regular full-time and regular part-time employees:

- New Year's Day
- Martin Luther King's Birthday
- President's Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day

Veteran's Day  
 Thanksgiving Day  
 Day after Thanksgiving Day  
 Christmas Day

In addition to the above, the Board of Island County Commissioners may designate additional holidays by December 31 of each year that will be recognized in the following year. Employees who work on the Commissioner-designated holiday will receive 8 hours of holiday time that will appear on their paychecks as Additional Annual Leave and it must be used by the end of the year. If the Commissioner-designated holiday falls in November or December, the 8 hours will be rolled over to the following year and must be used within that year.

Regular part-time employees shall receive holiday pay on a prorated basis as follows:

		<u>Hours worked</u>
32 Hr. Week (5 Day Work Wk.)	= 6.4 Hr. Holiday for	25.6 Hrs.
24 Hr. Week (5 Day Work Wk.)	= 4.8 Hr. Holiday for	19.2 Hrs.
16 Hr. Week (5 Day Work Wk.)	= 3.2 Hr. Holiday for	12.8 Hrs.
8 Hr. Week (5 Day work Wk.)	= 1.6 Hr. Holiday for	6.4 Hrs.

Employees are eligible for paid holiday benefits from their date of hire.

Holidays observed during an employee's annual vacation or other paid leave period shall not be counted as vacation or leave time. Employees will receive holiday pay on such days.

See also:

[III.6 – Holidays falling on scheduled day off](#)

[III.7 – Unpaid Holidays for Reasons of Faith or Conscience](#)

### **III.6 HOLIDAYS FALLING ON SCHEDULED DAY OFF**

- A. When a holiday falls on Saturday, employees not scheduled to work Saturday shall observe the preceding Friday as the holiday.
- B. When a holiday falls on Sunday, employees not scheduled to work Sunday shall observe the following Monday as the holiday.
- C. When a holiday falls on an employee's normal day off, the employee's Elected Official/Department Head must approve when the holiday day off will be taken, unless the Board of County Commissioners has determined otherwise. Employees will receive 8 hours of holiday pay to use if a regular full-time employee or the commensurate number of hours stated above if a regular part-time employee.

See also:

[III.5 – Holidays](#)

### III.8 – Unpaid Holidays for Reasons of Faith or Conscience

#### **III.7 UNPAID HOLIDAYS FOR REASONS OF FAITH OR CONSCIENCE**

Under Washington law, Island County employees are entitled to up to two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization.

If an employee wishes to be compensated for the time off, they must use accrued vacation leave, PTO or compensatory time. A partial day off will count as a full day toward an employee's yearly allotment of two days.

To take a day off or partial day off under this law, an employee must consult with their supervisor and submit a written request to their supervisor at least two weeks in advance. Untimely requests will only be considered if the employee can demonstrate that timely notice was not possible under the circumstances.

The unpaid holiday shall not be deemed approved unless it has been authorized in writing by the employee's supervisor. The employee's supervisor shall evaluate requests by considering the desires of the employee, scheduled work, anticipated peak workloads, response to unexpected emergencies, the availability, if any, of a qualified substitute, and consideration of the meaning of "undue hardship" under WAC 82-56-010.

If an employee prefers to take the two unpaid holidays on specific days, then the employee will be allowed to take the unpaid holidays on the days they have selected unless:

- The request was not submitted in a timely fashion, or
- The reason for the requested leave is not appropriate under the law, or
- The employee has already exhausted their allotment of days off under the law, or
- The employee is in a public safety position, such as police, fire, or dispatch, and granting the leave would result in the shift falling below necessary staffing levels, or
- Granting the request would cause an undue hardship; the term "undue hardship" has the meaning contained in the rule established by Washington's Office of Financial Management.

The two unpaid holidays allowed by this section must be taken during the calendar year, if at all; they do not carry over from one year to the next.

See also:

[III.5 – Holidays](#)

[III.6 – Holidays falling on scheduled day off](#)

[WAC 82-56-020 – Definition of "Undue Hardship"](#)

#### **III.8 TRAINING**

Training sessions may be conducted during regular working hours at the discretion of the Elected Official/Department Head. County-wide training sessions shall be provided when appropriate. Elected Officials/Department Heads should assist in designing programs that will meet the



County-wide personnel needs.

The County will reimburse employees for pre-approved tuition costs incurred to achieve job-required certifications.

The Board of County Commissioners or its designee may from time to time identify mandatory training for Island County employees and all employees are expected to complete such training as mandated.

## IV. LEAVE

### IV.1 PAID TIME OFF (PTO)

- A. Paid Time Off (PTO) is provided to employees to use to take time off work for vacation, personal time or medical issues not otherwise covered by Washington Sick Leave (WSL) or Washington State Paid Family and Medical Leave (PFML).
- B. Regular full-time and regular part-time County employees shall be credited with Paid Time Off on a bi-weekly basis at 1/26th the annual rate in accordance with the following schedule for an employee scheduled to work 40 hours per week (qualified part-time employees will accrue prorated PTO):

COMPLETED YEARS OF CONTINUOUS EMPLOYMENT	HOURS ACCRUED PER BIWEEKLY PAY PERIOD	APPROXIMATE ANNUAL PTO BENEFIT
0 Through 4	6.00	19.5 Days
4 Through 8	6.62	21.5 Days
8 Through 13	7.23	23.5 Days
13 Through 19	8.15	26.5Days
19 Through 20	8.46	27.5Days
20 Through 26	0.31 hours for each additional year of employment	One (1) additional day for each additional year of employment
26+ years	Continue accrual at 26-year rate*	32.5 Days

\* **County contribution to employees who have worked for the County for 26+ years.** In appreciation of employees who have worked for Island County for 26+ years, whose PTO accrual is a maximum of 32.50 days per year, the County shall contribute \$200 annually for each year over 25 years worked by that employee to that employee's HRA VEBA. This annual HRA VEBA contribution shall be made at the beginning of the pay period following the employee's anniversary date. In addition, the County shall provide a cash payout to those eligible employees whose usual daily pay exceeds \$200, for an amount not to exceed the difference between \$200 and their usual daily pay.

- C. Employees shall accrue PTO benefits from date of employment and may use such benefit following completion of two (2) pay periods of continuous service with the County.



- D. Except in cases of emergency, PTO must be requested and approved in advance of its use. Employees who abuse the PTO program may have their PTO requests denied or be asked for medical documentation for frequent time taken off without notice or approval.
- E. **MAXIMUM ANNUAL ACCRUAL:**  
The maximum PTO accrual allowed is **720** hours. Accruals will be frozen at this level until hours are used, at which time the employee will begin to accrue PTO again.
- F. **TERMINATION:**
- Upon resignation or termination, an employee will receive a lump sum payment for all accrued PTO up to six hundred (**600**) hours.
  - Terminating employees may take PTO during their last month of active work. However, a terminating employee cannot continue to take leave in order to carry-over their employment into the next month after their last day actually worked. The practice known as terminal leave is negated.
- G. Accrual of PTO is based upon an employee's regularly scheduled and paid hours,, excluding overtime hours and unpaid periods such as time spent on Leave Without Pay and Family and Medical Leave..
- H. Use of PTO will be based upon an employee's regular weekly work schedule and will be taken on an hourly basis, except for FLSA exempt and not covered employees, as stated in Section IV.5.
- I. In the event of an approved change in and employee's regularly scheduled hours, the employee's accrual of PTO shall be adjusted accordingly.
- I. **DONATED LEAVE:**
1. Donated Leave is available to any County Employee who is eligible to receive donated leave.
    - The employee must have no more than 30 hours PTO and the leave must be due to any conditions which qualify for Family Medical Leave (FML). Victims of sexual assault, domestic violence or stalking would also be covered.
    - The employee must be approved to receive donated leave, by their Elected Official or Department Head and by the Human Resources Director.
  2. PTO may be donated by employees in one (1) hour increments.
  3. Donated leave will only be used in lieu of other leave.
  4. All information regarding donated leave recipients will be maintained by the Human Resources Department. Distribution of hours will be the responsibility of the Auditor's Office as indicated by Human Resources.
  5. Human Resources has the authority to deny leave to individuals with a history of misusing their own leave banks.
  6. Any leave donated to an individual who does not need it will be distributed back to the donors.
  7. The maximum amount of donated leave that can be used by any recipient will be **600** hours.
  8. Donors must still retain a balance of at least 80 hours PTO after they have donated.

9. The donation of such leave will be accomplished by preparing the Human Resources Leave Donation form and submitting it through the donor's Department Head.
10. Donated hours will be based on the wage rate (times) X hours donated by the donor, (divided)/by the recipient's wage rate, (equals) = the hours donated to the recipient.
11. Washington Sick Leave (WSL) cannot be donated.
12. No employee may use donated leave in conjunction with another benefit in which the amount would exceed 100% of their regular straight time salary.

## IV.2 WASHINGTON STATE PAID SICK LEAVE UNDER RCW 49.46.210

### A. USE OF WASHINGTON STATE PAID SICK LEAVE

1. Washington Paid Sick Leave (WSL) banks may be used for the following:
  - a. An employee's mental or physical illness, injury or health condition;
  - b. Preventive care such as a medical, dental or optical appointments and/or treatment;
  - c. Closure of the employee's place of business or child's school/place of care by order of a public official for any health-related reasons;
  - d. If the employee or the employee's family member is a victim of domestic violence, sexual assault, or stalking, subject to the restrictions in subsection 2 of this section.
  - e. Care of a family member with an illness, injury, health condition and/or preventive care such as a medical/dental/optical appointment:
    - "Family member" means (a) a child, including a biological, adopted, or foster child, stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status; (b) a biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child; (c) a spouse; (d) a registered domestic partner; (e) a grandparent; (f) a grandchild; or (g) a sibling. (See RCW 49.46.210)
  - f. To supplement payments received from Paid Family and Medical Leave to reach 100% of regular straight time pay.
2. Authorized use of Washington paid sick leave for domestic violence, sexual assault or stalking includes:
  - a. Seeking legal or law enforcement assistance or remedies to ensure the health and safety of employee's and their family members including, but not limited to, preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault or stalking.
  - b. Seeking treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking.
  - c. Attending health care treatment for a victim who is the employee's family member.
  - d. Obtaining, or assisting the employee's family member(s) in obtaining, services from: a domestic violence shelter; a rape crisis center; or a social services program for relief from domestic violence, sexual assault or stalking.
  - e. To obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault or stalking in which the employee or the employee's family member was a victim of domestic violence, sexual assault or stalking.

Participating, for the employee or for the employee's family member(s), in safety planning; or

temporary or permanent relocation; or other actions to increase the safety from future incidents of domestic violence, sexual assault, or stalking.

## **B. ACCRUAL OF WASHINGTON STATE PAID SICK LEAVE**

1. Non-exempt employees will accrue Washington State Paid Sick Leave (WSL) at a rate of 1 hour for every 40 hours worked, including overtime. Non-exempt employees shall not accrue Washington State Sick Leave (WSL) when they are not working (i.e. when they are on vacation or using sick leave).
2. FLSA Exempt employees shall accrue Washington State Sick Leave according to scheduled hours of work (Full-time employee: 1 hour of WSL for every 40 hours scheduled).
3. WSL hours will be compensated at an employee's regular rate of pay.
4. WSL hours will not count towards the calculation of overtime.
5. An employee is eligible to use accrued paid Washington Sick Leave upon completion of one month of their employment with the County.
6. If an employee separates from employment, they can cash out up to 16 hours of accrued WSL at their full regular rate of pay. There will not be a financial or other reimbursement to the employee for any additional accrued, unused paid sick leave at the time of separation.
7. There is no cap on accrual of WSL. However, employees may only carry up to forty (40) hours of earned but unused Washington State Paid Sick Leave (WSL) into the following calendar year.
7. If an employee leaves employment and is rehired within 12 months of separation, any accrued, unused WSL, not-paid-out WSL will be reinstated to the employee's Washington State Paid Sick Leave (WSL) balance. If an employee is rehired within 12 months of separation, the employee will not be required to wait another month to use the accrued WSL if the employee met that requirement during the previous period of employment. If an employee did not meet the one-month requirement for the use of WSL prior to separation, the previous period of time the employee worked for Island County will count towards the one-month for purposes of determining the employee's eligibility to use Washington State Paid Sick Leave (WSL).

## **C. REPORTING OF WASHINGTON STATE PAID SICK LEAVE**

1. It is the responsibility of the employee to notify their supervisor in the event of a necessity for any absence, at least fifteen (15) minutes prior to the beginning of the work shift, or as soon thereafter as possible.
2. For WSL use for time off over 3 days, the County may request a medical doctor's statement to verify that the employee was ill or injured and probable date that the employee will be physically capable of resuming the regular duties of their position.

#### **D. SICK LEAVE PAID IN CONJUNCTION WITH L&I TIME LOSS**

1. Any employee who is eligible for worker's compensation for time off through the Department of Labor and Industries (L&I) because of an on-the-job injury shall be paid leave (first WSL, then PTO) in the amount of the difference between their regular pay and that paid by L&I in worker's compensation benefits, after the first three (3) days off the job. In no event shall the accumulation of WSL, PTO and L&I income result in any employee receiving income in excess of 100% of their regular straight-time income for the same period of time.
2. Full amount of leave (first WSL, then PTO) shall be paid the first three (3) days. Should an employee who used leave for the first three (3) days be later paid by L&I for the first three (3) days absence, the amount paid to the employee by L&I for the three (3) days shall be credited to Island County from the money due the employee in the next payroll period.
3. The pro rata part of leave, as determined by the ratio of regular leave and worker's compensation, shall be charged to the employee for time off the job.
4. No employee shall return to work, including light duty, from a disability injury covered by worker's compensation insurance until such time as they are found to be rehabilitated as determined in writing by a physician.
5. If the degree of disability of an employee does not limit the ability to fully perform the activities of another position/job classification at the option of the Elected Official/Department Head, an employee may be temporarily reassigned to such job classification until fully rehabilitated to perform the regular classification assignment.

*See also* IV.3, Reporting of Sick Leave.

An employee who has been injured at work and has submitted a claim to the Department of Labor and Industries must:

- Check-in monthly with their supervisor, manager, department head or designated departmental leader;
- Respond promptly to the employer when a communication is received;
- Perform light duty work when requested to do so by the employer based upon a medical provider's notification of the ability of the employee to perform the designated work;
- Contact HR regarding health benefits upon injury and if absent from work during the annual open enrollment process in October;
- Must pay the employee share of health benefits within 15 days of notification of amount owed.

Any failure to follow these requirements may subject the employee to discipline, up to and including termination.

No employee shall return to work following an injury covered by state worker's compensation insurance until such time as they are found to be rehabilitated as determined in writing by a physician. If the degree of disability of an employee does not limit the ability to fully perform the activities of another position/job classification, an employee may be

temporarily reassigned to such job classification for which they are qualified, at the option of the Elected Official/Department Head, until fully rehabilitated to perform the regular classification assignment.

See also:

[IV.1 – Sick Leave Accrued](#)

### **IV.3 EXEMPT EMPLOYEES REPORTING OF SICK LEAVE**

Exempt Employees may, at the discretion of the Elected Official/Department Head, use unpaid leave or paid leave for a full working day's absence. Exempt Employees will not have to use paid or unpaid leave for any absence of less than one full working day.

See also:

[IV.1 – Paid Time Off](#)

[IV.2 – Washington Sick Leave](#)

[IV.9 - Family Medical Leave](#)

[IV.10 – Maternity Leave](#)

### **IV.4 LEAVES OF ABSENCE WITHOUT PAY**

- A. Leaves of absence without pay may be granted at County discretion where valid reasons exist and with the prior approval of the employee's supervisor and Elected Official/Department Head. Only employees with no accrued paid leave may apply for a leave of absence without pay unless on Washington State Paid Family and Medical Leave. Consideration of the employee's written request for a leave of absence shall include the reason(s) for requesting the leave, the length of time desired, the workload involved, and the need for a replacement employee. Requests for leaves of absence without pay up to thirty (30) days may be approved by the Department Head/Elected Official; absence without pay in excess of thirty (30) days shall be forwarded to the Board of County Commissioners, or its designee, for approval.
- B. Failure to report to work at the end of the approved leave time shall constitute voluntary resignation from County employment.
- C. Unpaid leaves of absence will normally not exceed six (6) months. An employee on unpaid leave of absence status shall continue to accrue continuous service but does not accrue actual credits for purposes of salary step increase, vacation, holidays, sick leave, retirement and related benefit programs. During an unpaid leave of absence, medical insurance premiums for the medical plan shall be paid for by the employee in any month where work hours do not total 120 or more, except when employee is on Family and Medical Leave. Upon actual termination employee will be eligible for federally mandated COBRA coverage. Information on COBRA may be obtained from Human Resources.

See also:

[III.6 – Holidays falling on scheduled day off](#)

III.7 – Unpaid Holidays for Reasons of Faith or Conscience

IV.9 - Family Medical Leave

IV.10 – Maternity Leave

IV.12 – Leave without Pay during Active Duty/Re-employment

RCW 49.76 – Domestic Violence Leave

**IV.5 FEDERAL FAMILY & MEDICAL LEAVE 29 U.S.C. §2601 et seq. AND  
WASHINGTON PAID FAMILY & MEDICAL LEAVE RCW 50.04**

**A. GENERAL PROVISIONS - FEDERAL FAMILY AND MEDICAL LEAVE**

Federal Family and Medical Leave (FML) is available to employees who have been employed for at least twelve (12) months and worked for at least one thousand two hundred fifty (1,250) hours during the twelve (12) month period immediately preceding the commencement of the leave.

Leave for family and medical purposes may be granted for up to twelve (12) weeks in the 12-month period from the commencement of the leave. This is known as the Claim Year. FML is an unpaid leave of absence except when Paid Family and Medical Leave, PTO or paid sick leave is used as described hereafter. Said leave is available to eligible employees:

- a. for birth of a child, and to care for the newborn child;
  - b. for placement with the employee of a child for adoption or foster care;
  - c. to care for the employee's spouse, son, daughter, or parent with a serious health condition;
  - d. because of a serious health condition which lasts for a period of three (3) days or more that makes the employee unable to perform the functions of the employee's job.
1. When an employee has requested leave for one of the foregoing reasons, FML will be taken concurrently with any paid leave granted, unless the employee requests otherwise, in writing.
  2. When FML leave is taken because of a birth or placement of a child for adoption or foster care, an employee may take leave intermittently or on a reduced leave schedule only when the Elected Official/Department Head agrees. Where FML is taken to care for a sick family member or for an employee's own serious health condition, leave may be taken intermittently or on a reduced leave schedule when certified to be medically necessary. Employees who are not covered or exempt from payment of overtime under the Fair Labor Standards Act (FLSA) may be docked for partial days worked on an intermittent or reduced leave schedule as allowed by law.
  3. Employees requesting Family and Medical Leave shall submit their request, in writing, within two (2) days of becoming aware of the necessity for leave, but at least thirty (30) days prior notice for leave related to a new child and at least fourteen (14) days' notice for medical leave must be given, except in extraordinary circumstances when the necessity for leave was not foreseeable, or in case of a medical emergency due to employee's own

serious health condition or to care for an eligible family member with a serious health condition.

4. Requests shall be submitted to the employee's Elected Official/Department Head. Requests for medical leave shall include a doctor's or other Health Care Provider's Certification of the medical reason for the leave and the expected duration. The Request for Family Medical Leave and Physician Certification forms shall be used and are available from the Human Resources Office or on the Human Resources Intranet site. The County may require a second or third medical opinion, at County expense, by a Health Care Provider of the County's choice.
5. The Elected Official/Department Head shall forward the leave request, completed Physicians Certification Form, and statement of their recommendation for approval, disapproval and/or comments to the Human Resources Department for processing. The Human Resources Department will notify the Elected Official/Department Head and employee of final approval or disapproval in writing.
6. If an employee has accrued leave, (i.e., PTO or sick leave) the employee shall use all available paid leave first and take the remainder of the twelve-week Family/Medical Leave as unpaid leave. Any such accrued paid leave shall be used at the beginning of the up to twelve (12) week Family and Medical Leave period. (Example: twelve (12) week request, employee has two (2) weeks' PTO and three (3) weeks sick leave accrued. The balance of unpaid FML authorized is seven (7) weeks). The employee shall not accrue any employee benefits during the unpaid leave period, except continuation of group health plan benefits. Employees on Family/Medical Leave shall not engage in any gainful employment or self-employment while on leave. Employees on FML must pay their portion of health benefit premiums as set forth in these policies.
7. Special Circumstances related to Federal Family and Medical Leave apply:
  - a. When both spouses are employees of the County and both are eligible for the Family and Medical Leave, they are allowed to take a combined total of 12 weeks of leave during any twelve-month period if the leave is taken for the birth of a child, placement of an adoptive or a foster child or to care for a parent with a serious health condition. FML may not be used to care for a parent-in-law.
  - b. When both spouses use a portion of the total 12 week leave entitlement for one of the purposes stated above, each would be entitled to the difference between the amount they have taken individually and 12 weeks of FML to care for a spouse or child, or for the employee's own serious health condition.
  - c. Both parents are allowed to separately take up to 12 weeks of leave to care for a child with a serious health condition.

**B. GENERAL PROVISIONS – WASHINGTON STATE PAID FAMILY AND MEDICAL LEAVE (PFML)**

The Washington Paid Family and Medical Leave (PFML) law (Chapter 50A RCW) and supporting regulations establish a program administered by the Washington Employment Security Department (ESD) to provide paid leave benefits and job protection to eligible employees who need leave for certain family and medical reasons. This policy provides a summary of the PFML program, but employees may obtain additional information at [www.paidleave.wa.gov](http://www.paidleave.wa.gov). To the extent an issue is not addressed in this policy, the County will administer this benefit program consistent with applicable statutes and regulations.

STATE RULES

1. **Payroll Deductions.** The PFML program is funded through premiums collected by the State Employment Security Department (ESD) via payroll deductions and employer contributions. The premium rate and responsibility for payment is established by law.
2. **Eligibility.** Under PFML, employees may be eligible for monetary benefits and job protection when taking leave for covered reasons. Eligibility requirements are as follows:
  - a. **Monetary Benefits:** In order to be eligible for monetary benefits from ESD, an employee must have worked 820 hours in Washington (for any employer or combination of employers) during the year preceding the claim.
  - b. **Job Protection:** In order to be eligible for job protection under PFML, an employee must meet FML eligibility requirements (must have worked for the County for at least 12 months and have worked 1250 hours in the last year).
  - c. An employee is ineligible for PFML benefits during any period of suspension from employment, or during any period in which the employee works for remuneration or profit (*e.g.*, County employment, outside employment or contracting). RCW 50A.15.060.
3. **Leave Entitlement.** Eligible employees are entitled to take up to 12 weeks of medical or family leave, or a combined total of 16 weeks of family and medical leave per claim year; additional leave may be available in the event the employee's leave involves incapacity due to their pregnancy, but the total for combined leave shall not exceed 18 weeks. The claim year begins when the employee files a claim for PFML benefits or upon the birth/placement of the employee's child. PFML leave may be taken for the following reasons:
  - a. **Medical Leave:** Medical leave may be taken due to the employee's own serious health condition, which is an illness, injury, impairment or physical or mental condition that involves inpatient care or continuing treatment by a health care provider, as those terms are defined under the FMLA and RCW 50A.05.010. However, an employee is not eligible for PFML benefits if the employee is receiving time loss benefits under the workers compensation system.



- b. **Family Leave.** Family leave may be taken to care for a covered family member with a serious health condition; for bonding during the first 12 months following the birth of the employee's child or placement of a child under the age of 18 with the employee (through adoption or foster care); or for qualifying military exigencies as defined under the FML. For purposes of family leave, covered family members include the employee's child, grandchild, parent (including in-laws), grandparent (including in-laws), sibling or spouse.

PFML runs concurrently with FML where an absence is covered by both laws, unless the employee requests otherwise, in writing. PFML leave may be taken intermittently, but there is a minimum claim requirement of eight consecutive hours of leave in a week for which benefits are sought.

4. **PFML Application Process.** An employee must submit an application to ESD in order to seek PFML benefits. For guidance on the application process, please refer to the ESD website ([www.paidleave.wa.gov](http://www.paidleave.wa.gov)). Eligibility determinations will be made by ESD. If approved, the employee will need to file weekly benefit claims with ESD to continue receiving benefits.
5. **Notification Requirements.** An employee must provide written notice to the County of the intent to take PFML. If the need for leave is foreseeable (such as the birth or placement of a child or a planned surgery), notice must be given at least 30 days in advance of the leave. For unforeseeable leave, notice must be given as soon as practicable. The employee's written notice must include the type of leave taken (family or medical), as well as the anticipated timing and duration of the leave. If an employee fails to provide this required notice to the County, ESD may temporarily deny PFML benefits or the County may dispute entitlement to the benefits. After receiving the employee's notice of the need for leave, the County will advise the employee whether the employee is eligible for job protection.

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

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

6. **PFML Monetary Benefits.** If ESD approves a claim for PFML benefits, partial wage replacement benefit payments will be made by ESD directly to the employee. The amount of the benefit is based on a statutory formula, which generally results in a benefit in the range of 70-90 percent of an employee's average weekly wage, subject to a maximum per week. ESD's website includes a benefits calculator to assist employees in estimating their weekly benefit amount.

With the exception of leave taken in connection with the birth or placement of a child, monetary PFML benefits are subject to a seven-day waiting period. The waiting period begins on the Sunday of the week in which PFML is first taken. The waiting period is counted for purposes of the overall duration of PFML, but no monetary benefits will be paid by ESD for that week. RCW 50A.15.020.

## COUNTY POLICY

### 7. Supplementation of PFML Benefit With Paid Leave

- a. The County has designated the following accrued leave banks as a “supplemental benefit” under the PFML law: PTO and Washington Sick Leave. Employees may use such accrued leave to make up the difference between the PFML benefit received from ESD and regular standard pay for a week in which PFML is taken.
- b. The use of supplemental leave is contingent on the employee belonging to the non-represented group or a bargaining unit that has agreed to the County PTO policy. The employee must be receiving their weekly PFML benefit and submitting proof of payment to the County. The County will then calculate the amount of accrued leave needed to bring the employee to 100% of their regular pay for the week and issue payment to the employee in the next payroll period.
- c. Additionally, during the first week in which PFML is taken, the employee may use available accrued leave to remain receiving income pending the employee’s application for and receipt of PFML benefits from ESD.
- d. Within 5 business day of receiving PFML benefits, the employee must provide proof of payment to the County. The County will then calculate the overpayment of accrued leave for the week to determine how many hours of accrued leave the employee must buy back. The County will reduce the amount of leave supplemented in the following week or will deduct the amount from an employee’s pay, depending on whether the employee remains on PFML or returns to work.
- e. Under no circumstances will the sum of PFML benefits and supplemental accrued leave be permitted to exceed the employee’s regular base weekly pay.
- f. **Important note:** When submitting a weekly PFML benefit application to ESD, an employee should not report the receipt of supplemental accrued leave to ESD as ESD does not consider it income/pay from the employer. This will ensure that the full PFML benefit is received for the week.

### GROUP HEALTH PLAN BENEFITS

8. Employee's medical, dental, and life insurance, (group health plan) will continue as before the qualifying leave is taken, provided, the employee continues to make any applicable employee share payments to the County. Arrangements for payment should be made with the Auditor's Office. **Employee share payments are due the first of each month unless the coverage is declined in writing.**
9. If an employee on FML/PFML fails to make any required employee share payments, for the employee and/or dependents, on or before the first day of the month or within the 30 day grace period, coverage will be canceled, and the employee and any otherwise covered dependents will no longer be covered during

the FML/PFML period. The County is entitled, by law, to recover from the employee, using FML/PFML, the County's cost of the group health plan benefits the County has paid if the employee fails to promptly pay the employee share or terminates employment or fails to return to work after FML/PFML.

10. For purposes of meeting the hours of work or compensation requirement of the group health plan, each hour of FML/PFML that would have been worked or compensated for, if the employee had not been on FML/PFML, will be considered as an hour of work or compensation in meeting the group health plan eligibility requirements. Such FML/PFML hours will be combined with any actual hours worked or compensated for during any month to provide an employee utilizing FML/PFML the greatest opportunity to meet the eligibility requirement of the group health plan.

### RETURN TO WORK

11. An employee on FML/PFML shall notify the Human Resources Department a minimum of two (2) weeks prior to their returning to work, except in extraordinary circumstances. An employee not intending to return to work shall notify the Human Resources Department immediately upon making the determination. Human Resources will then immediately notify the affected Elected Official/Department Head.
12. Upon completion of the FML/PFML the employee with job protection shall be reinstated to a position that is generally equivalent in content and compensation and within twenty (20) miles of the original workplace. Reinstatement of personnel considered as "Key" employees by the FML/PFML will be handled on a case by case basis as allowed by the Family and Medical Leave Act. An employee who is returning from FML/PFML for their own serious health condition must present documentation in which a Health Care Provider certifies that the employee is fully released to perform all of their essential job duties with or without reasonable accommodation.
13. The County is required to restore an employee with job protection to the employee's same or equivalent job only if the employee would have been continuously employed during the FML/PFML period. In the event the employee's job is eliminated because of a reduction in force during the FML/PFML period, the employee will be provided for according to the County's policy on layoffs.

See also:

[Resolution C-18-98: Amending Island County's Policy Regarding The Family Medical Leave Act \(FMLA\)](#)  
[RCW 49.76 – Domestic Violence Leave](#)

## **IV.6 PAID MILITARY LEAVE**

Any employee who is a member of the National Guard or Reserve of the United States and who is ordered to active military duty for purposes of required duty, training, or drills shall be granted military leave of absence with pay for a period not to exceed twenty-one (21) working days during

each year beginning October 1 and ending the following September 30. Any days taken beyond twenty-one (21) working days must be charged as PTO or leave without pay. During the time the employee is on paid military leave, the employee shall receive his/her regular pay. ([RCW 38.40.060](#)).

See also:

[RCW 38.40.060: Military leave for public employees](#)

[IV.12 – Leave without Pay during Active Duty/Re-employment](#)

[V.1 – Equal Employment Opportunity Policy](#)

## **IV.7 LEAVE WITHOUT PAY DURING ACTIVE DUTY/RE-EMPLOYMENT**

### **A. EMPLOYEE’S DEPLOYMENT**

1. Regardless of full-time/part-time status, any employee who voluntarily, or upon demand, leaves a position other than a temporary position to enter upon active duty or training in the Armed Forces of the United States, the Washington National Guard, or the United States Public Health Service, shall be placed on military leave without pay and shall be entitled to be restored to employment upon return, provided they meet the eligibility requirements of [RCW 73.16.035](#).
2. If such person is still qualified to perform the duties of their former position, they shall be restored to that position or to a position of like seniority, status and pay. If they are not so qualified as a result of disability sustained during their service in the uniformed services, but is nevertheless qualified to perform the duties of another Island County position, they shall be reemployed in such other position: PROVIDED, that such position shall provide them with like seniority, status, and pay, or the nearest approximation thereto consistent with the circumstances of the case.
3. Island County will not reemploy a person who was on a military leave of absence if circumstances have so changed such that reemployment would be impossible or unreasonable due to a change in the County’s circumstances, or would impose an undue hardship on the County ([RCW 73.16.033](#)).
4. This section does not apply to a temporary position ([RCW 73.16.033](#)).

### **B. EMPLOYEE’S SPOUSE’S DEPLOYMENT**

1. During a period of military conflict, an employee who is the spouse of a member of the Armed Forces of the United States, National Guard, or Reserves who has been notified of an impending call or order to active duty or has been deployed is entitled to a total of fifteen (15) days of unpaid leave per deployment after the military spouse has been notified of an impending call or order to active duty and before deployment or when the military spouse is on leave from deployment. Employees seeking paid leave under this provision must apply through the State at [paidleave.wa.gov](http://paidleave.wa.gov). The County’s supplemental benefit rules apply (see policy IV.7.B.7).
2. An employee who takes leave under this chapter is entitled to be restored to a position of employment and to continue benefits in the same manner as an employee under Family

and Medical Leave.

3. An employee who seeks to take leave under this chapter must provide Island County with notice, within five business days of receiving official notice of an impending call or order to active duty or of a leave from deployment, of the employee's intention to take leave.
4. An employee who takes Family Military Leave may use their accrued leave for any part of the leave instead of applying for the State Paid Family and Medical Leave benefit.
5. Employees with active military family members may also apply for Paid Family and Medical Leave to:
  - Take leave during their family member's R & R.
  - Spend time together during reintegration.
  - Attend military ceremonies.
  - Deal with short-notice deployments.
  - Take care of a family member injured in combat or as a result of active-duty service.
  - Additional qualifying events as defined in the Federal Family and Medical Leave Act.

Under PFML, this benefit includes dependents like spouses and children, but also:

- Parents, stepparents and in-laws
- Grandparents and grandparent in-laws
- Siblings

For more information on applying for this paid leave for military families, see [paidleave.wa.gov](http://paidleave.wa.gov).

See also:

[Chapter 49.77 RCW Military Family Leave Act](#)

[Chapter 73.16 RCW Employment and Reemployment of Veterans](#)

[IV.9 - Family & Medical Leave and Paid Family & Medical Leave](#)

[IV.11 – Paid Military Leave](#)

[V.1 – Equal Employment Opportunity Policy](#)

[VI.8 - Reasonable Accommodation Policy for Qualified Individuals with a Disability](#)

## **IV.8 EMPLOYEE REPLACEMENT FROM PROMOTION - MILITARY LEAVE**

An employee promoted to fill a vacancy created by a person serving in the Armed Forces shall hold such position subject to the return of the serving employee. The employee affected by the return shall be restored to the position they held previously or any other available equivalent position.

See also:

[Chapter 73.16 RCW Employment and Reemployment of Veterans](#)

[IV.12 – Leave without Pay during Active Duty/Re-employment](#)

#### IV.14 – Employee Replacement from New Hire – Military Leave

### **IV.9 EMPLOYEE REPLACEMENT FROM NEW HIRE—MILITARY LEAVE**

A new employee hired to fill a vacancy created by a person serving in the Armed Forces shall hold such position subject to the return of the serving employee. The employee affected by the return shall be placed in as nearly equal a vacant position as may exist, or if no such position exists, the employee may be subject to layoff.

See also:

[Chapter 73.16 RCW Employment and Reemployment of Veterans](#)

[IV.12 – Leave without Pay during Active Duty/Re-employment](#)

[IV.13 – Employee Replacement from Promotion – Military Leave](#)

### **IV.10 JURY/WITNESS LEAVE**

Any employee who is called for district, superior, municipal, or federal court jury duty or subpoenaed as a witness in matters pertaining to the employee’s official duties shall receive from the County their regular rate of pay for the actual time they are required to be absent from work because of such jury duty or subpoena. Any such absence shall not be counted as sick leave or PTO, provided an employee called for such civil duty and dismissed from such duty reports to work as directed by the Elected Official/Department Head. Any compensation for such duty, other than reimbursed expenses, shall be paid to the County by the employee.

### **IV.11 BEREAVEMENT LEAVE**

In the event of a death in an employee’s immediate family, the employee shall be eligible for not more than five (5) working days or not more than forty (40) working hours of leave with pay to attend to personal matters. An employee is eligible for a one-half (1/2) day of bereavement leave with pay to attend a non-immediate family funeral, subject to the approval of the Elected Official/Department Head. Bereavement leave may be extended by the use of accrued PTO with approval of the Elected Official/Department Head.

See also:

[I.7 – Definitions of Terms \(see “immediate family”\)](#)

## **V. RECRUITMENT, SELECTION & ONBOARDING**

### **V.1 EQUAL EMPLOYMENT OPPORTUNITY POLICY**

It is the policy of Island County to provide equal opportunity for all applicants for employment and Island County does not discriminate on the basis of political affiliation, age (40 or over), sex, marital status, sexual orientation, gender identity, race, creed, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability, unless based upon a bona fide occupational qualification: PROVIDED, that the prohibition against

discrimination because of such disability shall not apply if the particular disability prevents the proper performance of the particular work involved. To ensure that the County has the most efficient employee recruitment, selection and hiring procedures possible, discriminatory practices in any form cannot be condoned. The full cooperation of each Elected Official/Department Head, supervisor and employee is necessary to make certain that Island County remains in fact, as well as policy, an equal opportunity employer.

See also:

[V.2 – Implementation of EEO](#)

[V.3 – Recruitment and Selection Policy](#)

## **V.2 IMPLEMENTATION OF EEO**

Employment opportunities are and shall be open to all qualified applicants solely on the basis of their experience, education, aptitudes and abilities. To accomplish these objectives:

- A. All advertising for employees shall include the statement, “An Equal Opportunity Employer”.
- B. Public and private employment offices used by the County will be advised of the County’s Equal Employment policy.
- C. Promotional opportunities will be made available to all qualified employees by (1) sending regular email notices to all employees and supervisors with County email advising them of open positions at the County, and (2) reviewing the qualifications of all candidates for promotions from within, in light of job-related criteria.
- D. All training and educational programs conducted on the job will be reviewed periodically to be certain that all personnel are given equal opportunity to participate in these programs.
- E. Personnel actions will be made in compliance with the County’s Equal Employment Opportunity Policy.

See also:

[V.1 – Equal Employment Opportunity Policy](#)

[V.3 – Recruitment and Selection Policy](#)

## **V.3 RECRUITMENT AND SELECTION POLICY**

Recruitment and selection of employees shall be based on the relative ability, knowledge and skills required to perform a given position or class of positions. Recruitment efforts shall be directed toward the encouragement and consideration of qualified applicants for initial employment. The procedure for recruiting and selecting applicants for employment shall be in a manner prescribed by the Board of County Commissioners to ensure compliance with Equal Opportunity Employment policy.

See also:

[V.1 – Equal Employment Opportunity Policy](#)

[V.2 – Implementation of EEO](#)

[V.4 – Recruitment Announcements](#)

## **V.4 RECRUITMENT ANNOUNCEMENTS**

All job notices and advertisements will be prepared and posted online by the Human Resources Department for any position vacancies. The following information shall be included in the job vacancy notice:

- A. Title of position.
- B. Brief description of job.
- C. Specific qualifications.
- D. Where to apply.
- E. Salary Range.
- F. Closing date for application.
- G. Island County is an Equal Opportunity Employer.

See also:

[V.1 – Equal Employment Opportunity Policy](#)

[V.2 – Implementation of EEO](#)

[V.3 – Recruitment and Selection Policy](#)

## **V.5 JOB REQUISITIONS AND PERSONNEL STATUS CHANGE FORMS**

### **A. JOB REQUISITIONS**

- 1. Usually, requests for reclassification, new positions or other position actions will be discussed and reviewed by the County Administrator then approved by the Board of Island County Commissioners as per [RCW 36.32.120](#) at the Human Resources staff session.
- 2. The HR Director and Budget Manager are authorized by the Board of Island County Commissioners to approve budgeted replacement positions in circumstances which they deem to be standard and ordinary.
- 3. The method and process of hiring, setting of salaries and other personnel actions pertaining to appointed Department Heads shall be at the discretion of the Board of County Commissioners or its designee, except as provided in Federal and State Laws.



4. When a department has a position opening the following shall be completed, in the order given, by the Elected Official/Department Head.
  - a) If a Class Specification does not currently exist in the recruiting system for the position, contact the Human Resources Department to create one in compliance with EEOC, ADA, and FLSA. If a change in pay grade is requested and HR is unable to price the job using comparable internal positions, obtain a Position Analysis Questionnaire (PAQ) from the Human Resources Department so that HR can review for internal and external equity.
  - b) Create a **Job Requisition** in the recruiting system, using an approved class spec.
  - c) If the position is a replacement, funding for the replacement is available, and no FTE or salary changes are being requested for the replacement, the HR Director and Budget Manager are authorized to approve the replacement on behalf of the Board of Island County Commissioners.
  - d) If the position is new or there is a particular funding need or funding change for the replacement, the Human Resources Department will request review by the Board of County Commissioners or its designee and HR will notify the initiating Elected Official/Department Head of the date and time of the work session where such change will be considered.
  - e) After approval, the Human Resources Department will post and/or advertise the position. Positions will be posted at [www.governmentjobs.com](http://www.governmentjobs.com) and may be advertised in other publications as required. The Civil Service Commission will proceed with posting/advertising for classified Sheriff's office positions. The Sheriff need not post or advertise for unclassified positions allowed under RCW 41.14.070. In the case of an Elected Official's Chief Deputy, posting and/or advertising may not be required but a Job Requisition will be completed and approved prior to the hiring of a Chief Deputy.
  - f) After approval to create a new position, the Department Head/Elected Official will immediately complete an Information Technology Department (IT) help desk ticket, or fill out an IT-approved form, to request purchase of any new equipment or to set up replacement phone/computer equipment.
5. Applications in response to posting/advertisements will be handled as follows:
  - a) All prospective applicants will be directed to Island County's Applicant Online website. No other application forms will be considered.
  - b) Departments are responsible to download their own applications. The Human Resources Department may screen applications for minimum qualifications, if asked to do so by the Elected Official/Department Head. Human Resources should be included in the process of selecting, interviewing and negotiating for prospective management level employees.

## **B. PERSONNEL STATUS CHANGE FORMS**

1. After a hiring decision is made, the Personnel Status Change (PSC) form shall be completed and forwarded to the Human Resources Department for processing at least 1 week, preferably 2 weeks, before the start date. Departments and Offices must make an appointment for employee orientation with HR upon hiring a new employee.
2. The Elected Official/Department Head or their designee shall send notification letters to unsuccessful applicants, with the exception of the Sheriff's Civil Service applicants, using the form available on the recruitment online website. The Human Resources Department will coordinate with the Elected Official/Department Head should they require assistance in completing these notifications.
3. All new hire or rehire actions, salary authorizations, pay changes, transfers, promotions, demotions, lay-offs and terminations must be documented with a PSC form for the official personnel file and must be provided to Human Resources.
4. A department that hires an internal candidate must complete a PSC form and provide a copy to the department that the employee is leaving. There is no requirement that an employee submit a resignation letter to the department they are leaving as the employee in this situation remains an Island County employee.

See also:

[RCW 36.32.120](#)

## **V.6 MEDICAL EXAMINATION**

- A. Any job applicant or employee may be required to take a medical examination prior to placement if there is a bona fide job qualification that requires it. Where a medical examination is required, the applicant must first be conditionally offered appointment subject to successfully passing the medical examination and upon successfully passing the medical examination shall be appointed.
- B. Current employees may be required to submit and pass a job-related medical examination consistent with business necessity.
- C. In cases where a medical examination is required, the County shall pay the cost and the applicant must successfully pass such examination to be considered fit for employment. The County will comply with the Americans with Disabilities Act (ADA) with regard to medical examinations.

See also:

[V.1 – Equal Employment Opportunity Policy](#)

[VI.8 – Reasonable Accommodation Policy for Qualified Individuals with a Disability](#)

## **V.7 ORAL OR WRITTEN EXAMINATION**

Oral or written examinations may be used as a basis for evaluating applicants for a position or class of positions. The format and content of these examinations shall be selected by the Elected Official/Department Head and approved by Human Resources. The examinations shall reflect the skills and knowledge to perform the work of a given position or class of positions. Examinations shall be based on the actual requirements in the job description. Civil Service positions are governed by the Civil Service rules.

## **VI. EMPLOYMENT**

### **VI.1 WORKWEEK**

- A. The normal full-time workweek shall be:
  - 1. 40 hours exclusive of the lunch period.
  - 2. The workweek shall be designated by the Elected Official/ Department Head and shall be placed in the employee's personnel file.
- B. Part-time work schedules shall be established as may be necessary.
- C. Hours of work shall be directed by the Elected Official/Department Head. Reports shall be submitted of overtime hours worked. In addition, the supervisor may occasionally authorize an overtime work schedule if in so doing the efficiency of a work unit will be enhanced and budgeting provisions have been made.
- D. Exempt Employees will be required to work as many hours as necessary to fulfill their duties, as determined by the Elected Official/Department Head.
- E. No employee will receive compensation beyond their authorized workweek unless such compensation is pre-approved and required by law for hours worked.

### **VI.2 REST PERIODS**

- A. REST BREAKS
  - 1. Rest breaks are paid.
  - 2. No employee is required to work more than three (3) hours without a rest break.
  - 3. Employees will receive one rest break of at least fifteen (15) minutes for each 4 hours worked (for example, an 8- or 9-hour shift requires 2 rest breaks while a 12 hour shift requires 3 rest breaks, etc.)
  - 4. Where the nature of the work allows an employee to take intermittent rest breaks equivalent to at least fifteen (15) minutes for each 4 hours worked, scheduled rest breaks are not required.
  - 5. Scheduled rest breaks shall be as near as possible to the midpoint of the work period (for

example, if an employee works from 8 a.m. – 12 p.m. and 1 p.m. – 5 p.m., the employee's scheduled rest breaks should occur as near as possible to 10 a.m. and 3 p.m.)

## B. MEAL PERIODS

1. Employees receive one 30-minute unpaid meal period for each 5 hours worked. Meal periods may be paid as determined on a case-by-case basis if the employee is expected to perform or be available for work during their meal.
2. No employee is required to work more than 5 consecutive hours without a meal period.
3. Employees who work at least 3 hours longer than they are regularly scheduled to work will receive at least one additional 30-minute meal period prior to or during the overtime period.

Upon approval of their Elected Official or Department Head, employees may combine their rest periods with their 30-minute lunch period to extend their lunch break.

See also:

[WAC 296-126-092](#)

## **VI.3 BUSINESS OFFICE HOURS**

### A. USUAL OFFICE HOURS

1. All County offices shall be kept open for the transaction of business during such days and hours as adopted by resolution of the Board of County Commissioners. The courts shall always be open, except on nonjudicial days, for such days and hours as directed by order or directive of the Presiding Judges of Island County Superior and District Courts or other judges so designated by the affected court. County offices and the courts shall not close during the lunch period, from 12:00 noon until 1:00 p.m., unless prior authorization has been obtained from the Board of County Commissioners or its designee, in the case of County offices, or the Presiding Judges of Island County Superior and District Courts or other judges so designated by the affected court, in the case of the courts.
2. There may be occasions when departments or the courts may need to modify their business hours to temporarily accommodate special circumstances. In these instances, prior authorization will be obtained from the Board of County Commissioners or its designee, in the case of County departments, or the Presiding Judges of Island County Superior and District Courts or other judges so designated by the affected court, in the case of the courts, and adequate steps will be taken to provide advance notice to the public.
3. Offices staffed by fewer than four people may need to establish alternate business hours due to staffing coverage exigencies.

### B. TELEWORKING

1. Purpose:

This Telework Policy outlines the guidelines and requirements for all telework arrangements within County offices. All telework arrangements are at the Department Head/Elected Official's sole discretion. The purpose of this policy is to establish uniform standards for implementation, selection, supervision, and evaluation of employees who are authorized to telework. This policy is designed to ensure continuity of operation during an emergency and to provide flexibility to employees during usual business operations.

2. Scope:

This policy applies to all employees who are authorized to work remotely. All employees who are eligible for telework must acknowledge receipt and understanding of this policy.

3. Policy:

- a. Authority of the Department Head/Elected Official to Grant and Terminate Telework Agreements. Telework requires the Department Head/Elected Official's approval. The Department Head/Elected Official retains the right to refuse to make telework available to an employee and to terminate a telework authorization at any time and for any reason. A telework authorization may be terminated immediately based on the business needs of the office, if employee work performance does not meet standards, and/or the employee receives an unsatisfactory performance review.
- b. Eligibility of Employee to Telework. Employees are eligible for teleworking under the following circumstances:
  - i. The employee has job duties that are not required to be performed at the County's facilities.
  - ii. The employee is available by telephone during all telework hours (8:00 a.m. to 4:30 p.m.), not including regular breaks as described in VI.2, and except as expressly noted on the Department Head/Elected Official's calendar.
  - iii. The employee has the technological capability to perform necessary work tasks at the remote location.
  - iv. The employee has worked at Island County for a minimum of 3 months to be eligible for 60% telework and a minimum of 6 months for 100% telework.
  - v. The employee has received approval to telework and has acknowledged in writing receiving and understanding the Human Resources Telework Policy by completing an approved telework agreement form (shown in Appendix A) .
- c. Rules Related to Telework: The following rules apply to any employee engaged in telework:
  - i. The duties, obligations, responsibilities, and conditions of employment are not changed by teleworking.
  - ii. Teleworking employees remain obligated to comply with all County policies and procedures. Violations may result in discontinuance of the employee's teleworking privileges and/or disciplinary action.
  - iii. The teleworking employee must keep all office information and documents secure from family members and others who may access the telework site. Employees are prohibited from sharing any office information, documents, or work product and from downloading such to their personal devices.

- iv. Work hours, overtime compensation, absences and vacation schedules will conform to County policies and procedures and CBAs. Adjustment to work hours requires prior notice to the Department Head/Elected Official. The employee's compensation, benefits, work status and work responsibilities will not change as a result of teleworking. The amount of time the employee is expected to work per day or pay period will not change as a result of engaging in telework.
- v. If the Department Head/Elected Official asks an employee to come into the office on a day they are scheduled to telework, the employee must immediately report to the office within a reasonable amount of time. This may occur at any time, particularly when an employee at the office is out sick or otherwise absent.
- vi. Employees will work at an agreed location during the hours agreed upon and will notify their supervisor if a location change is necessary. Employees are expected to be available to take phone calls and complete tasks the same as if they were physically present at the office.
- vii. The department and the County have no obligation to provide equipment, except a County-owned laptop, or IT support at the teleworking employee's remote location. Employees are solely responsible for providing a safe and productive office environment. This includes, but is not limited to, a high-speed internet connection and a telephone so the employee can communicate effectively.
- viii.
- ix. The teleworking employee is entirely responsible for all costs associated with working remotely, including high speed internet access. Out-of-pocket expenses for office supplies will not be reimbursed unless the employee receives prior approval by the Department Head/Elected Official.
- x. The employee is expected to arrange child-care, dependent care or elder care services as necessary to enable the employee to devote their attention to work.
- xi. Office supervisory personnel retain the right to make on-site visits to the remote work location for the purposes of determining that the site is conducive to working productively, safe and free from hazards, if the employee is not teleworking effectively.

**C. CLOSURE OF COUNTY FACILITIES DUE TO UNUSUAL CIRCUMSTANCES**

1. It is the policy of the County to maintain hours of operation which make the best use of people and resources in serving the needs of the public. During times of inclement weather, natural disaster or other emergency conditions, 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.
2. Employees are encouraged to download the Alert Sense application on their mobile phones in order to receive emergency messages from Island County, when necessary.
3. Inclement weather conditions or other unusual situations may from time to time necessitate the closure of County facilities to the public. Closure of facilities shall be at the discretion of the Board of County Commissioners or its designee. County facilities closed to the public shall remain open to employees for work purposes unless an

emergency closing of County facilities to employees is declared by the Board of County Commissioners or its designee.

4. The Chair of the Board of County Commissioners may close County facilities for up to 24 hours if a quorum of the Board is not available. The Board of County Commissioners may designate a member of the Board to act as the Chair's alternate in this capacity when the Chair is unavailable to fulfill this duty.
5. The Presiding Judges of Island County Superior and District Courts or other judges so designated by the affected court will make the decision to close court in accordance with General Court Rule 21(a) and the courts' own departmental policies and procedures.

**D. EMPLOYEE ABSENCES DUE TO INCLEMENT WEATHER OR AN EMERGENCY CLOSING OF COUNTY FACILITIES TO THE PUBLIC**

1. A Department Head/Elected Official may authorize an individual employee's use of accrued PTO, accrued compensatory time or leave-without-pay for time off during inclement weather or when County facilities are closed to the public if it accommodates the special needs or circumstances of the employee and does not unduly disrupt department operations.
2. Employees shall report their absence in compliance with established procedures, and any policies for reporting time under labor agreements are applicable.

**VI.4 EMPLOYMENT OF RELATIVES**

No spouse, child, or other person financially dependent upon a member of the Board of County Commissioners may be employed by any County official or department. No spouse or person financially dependent upon any other Elected Official/Department Head may be employed by that Elected Official/Department Head.

**VI.5 PERSONNEL RECORDS**

- A. Personnel records and medical files shall be physically located in either the Human Resources office or in the office of the respective Elected Official. In departments led by a Department Head, such records shall be physically located in the Human Resources office. The Director of Human Resources or the Elected Official shall be responsible for the confidentiality of these records. Elected Officials may choose to physically locate personnel files and medical files in the Human Resources office.
- B. All personnel records shall show the employee's name, title or position held, the department to which assigned, salary, change in employment status, FLSA status, training received, and such other information as may be considered pertinent. A separate medical file shall be kept for each employee.

## **VI.6 RELEASE OF EMPLOYEE INFORMATION**

- A. It is the policy of the County to consider an employee's address, telephone number, personal email address and similar information as personal and confidential. Consequently, such information shall not be released to any individual or organization other than the employee's immediate Supervisor/Elected Official/Department Head unless authorized by the employee in writing or required by law.
  
- B. Written requests for the release of information shall be used when information is requested about an employee or former employee. This includes requests by the employee for release of personal information to particular persons or agencies. Without a written waiver and release signed by the employee or former employee, the only information that will be released is the position held, the period of employment, and pay rate. No blanket waivers are allowed. A Release of Information form may be obtained from the Human Resources Department.

A copy of the request for confidential information verified as valid by the employee shall be filed in the employee's permanent personnel record.

## **VI.7 REPORTING IMPROPER GOVERNMENT ACTION—EMPLOYEE PROTECTION AGAINST RETALIATION**

### **A. POLICY STATEMENT**

It is the policy of Island County (1) to encourage reporting by its employees of improper governmental action taken by Island County officers or employees and (2) to protect Island County employees who have reported improper governmental actions in accordance with Island County's policies and procedures.

### **B. DEFINITIONS**

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

1. "Improper governmental action" means any action by an Island County officer or employee:
  - a. That is undertaken in the performance of the officer's or employee's official duties, whether or not the action is within the scope of the employee's employment; and
  - b. That (i) is in violation of any federal, state, or local law or rule, (ii) is an abuse of authority, (iii) is of substantial and specific danger to the public health or safety, or (iv) is a gross waste of public funds.
  - c. "Improper governmental action" does not include personnel actions, including, but not limited to, employee grievances, complaints, hirings, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or civil service laws, alleged violations of labor agreements or reprimands.
  
2. "Retaliatory action" means:



- a. Any unsupported, adverse change in an Island County employee's employment status, or the terms and conditions of employment, including denial of adequate staff to perform duties, frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unwarranted and unsubstantiated letters of reprimand or unsatisfactory performance evaluations, demotion, transfer, reassignment, reduction in pay, denial of promotion, suspension, dismissal, or any other disciplinary action; or
  - b. Hostile actions taken by another employee towards an Island County employee that were encouraged by a supervisor or senior manager or official.
3. "Emergency" means a circumstance that if not immediately changed may cause damage to persons or property.

### **C. PROCEDURES FOR REPORTING**

1. Island County employees who become aware of improper governmental actions should raise the issue first with their supervisor. Where the employee reasonably believes the improper governmental action involves his or her supervisor, the employee may raise the issue directly with his or her Department Head, the Chair of the Board of Island County Commissioners, the County Administrator, the Island County Human Resources Director, the Island County Prosecuting Attorney, or such other person as may be designated by the Chair of the Board of Island County Commissioners to receive reports of improper governmental action. The employee shall submit a written report to whichever of the above-listed persons the employee raised the issue, stating in detail the basis for the employee's belief that an improper governmental action has occurred.
2. 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.
3. The supervisor, the Department Head, the Chair of the Board of Island County Commissioners, the Island County Human Resources Director, the Island County Prosecuting Attorney, or such other person as may be designated by the Chair of the Board of Island County Commissioners, shall take prompt action to assist Island County in properly investigating the report of improper governmental action. Island County officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law, unless the employee authorizes the disclosure of their 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.
4. Island County employees may report information about improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action if the Island County employee reasonably believes that an adequate investigation was not undertaken by Island County to determine whether an improper governmental action occurred, or that insufficient action has been taken by Island

County to address the improper governmental action or that for other reasons the improper governmental action is likely to recur.

5. In order to preserve the integrity of any investigation, no employee will make reports of improper governmental action except as provided in this policy.
6. Island County employees who fail to make a good-faith attempt to follow Island County's procedures in reporting improper governmental action shall not receive the protections provided by Island County in these procedures.

#### **D. PROTECTION AGAINST RETALIATORY ACTION**

1. Island County officials and employees are prohibited from taking any retaliatory action against an Island County employee because they have in good faith reported an improper governmental action in accordance with these policies and procedures.
2. An Island County official and employee may not use their official authority or influence, directly or indirectly, to threaten, intimidate, or coerce an employee for the purpose of interfering with that employee's right to disclose information concerning an improper governmental action in accordance with the provisions of this policy.
3. Nothing in this policy authorizes an individual to disclose information prohibited by law.
4. Employees who believe that they have been retaliated against for reporting an improper governmental action should advise their supervisor, their Department Head, the Chair of the Board of Island County Commissioners, the County Administrator, the Island County Human Resources Director, the Island County Prosecuting Attorney, or such other person as may be designated by the Chair of the Board of Island County Commissioners. Island County officials and supervisors shall take appropriate action to investigate and address complaints of retaliation.
5. If the employee's supervisor, the Department Head, the Chair of the Board of Island County Commissioners, the Island County Human Resources Director, the Island County Prosecuting Attorney, or such other person as may be designated by the Chair of the Board of Island County Commissioners, as the case may be, does not satisfactorily resolve an Island County employee's complaint that they have been retaliated against in violation of this policy, the Island County employee may obtain protection under this policy and pursuant to state law by providing a written notice to the Board of Island County Commissioners which:
  - a. Specifies the alleged retaliatory action, and
  - b. Specifies the relief requested.
6. Island County employees shall provide a copy of their written charge to the Chair of the Board of Island County Commissioners no later than thirty (30) days after the occurrence of the alleged retaliatory action. The Board of County Commissioners shall respond within thirty (30) days to the charge of retaliatory action.
7. After receiving either the response of Island County or thirty (30) days after the delivery of

the charge to the Chair of the Board of Island County Commissioners, the Island 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 Chair of the Board of Island County Commissioners within the earlier of either fifteen (15) days of delivery of Island County's response to the charge of retaliatory action, or forty-five (45) days of delivery of the charge of retaliation to Island County for response.

8. Upon receipt of request for hearing, Island County shall apply within five (5) working days to the State Office of Administrative Hearing for an adjudicative proceeding before an administrative law judge.
9. Island County will consider any recommendation provided by the administrative law judge that the retaliator be suspended with or without pay or dismissed.

#### **E. RESPONSIBILITIES**

1. The Island County Human Resources Director is responsible for implementing Island 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. Officers, managers and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility.
2. Employees having questions about agencies responsible for enforcing federal, state and local laws and investigating other issues involving improper governmental action, or the procedures for reporting improper governmental action, are encouraged to contact the Island County Human Resources Department.

See also:

Resolution C-52-94: Establishing Policy Regarding Reporting Improper Government Action And Protecting Employees Against Retaliation

### **VI.8 REASONABLE ACCOMMODATION POLICY AND GRIEVANCE PROCEDURE FOR QUALIFIED INDIVIDUALS WITH A DISABILITY**

It is the policy of Island County to provide reasonable accommodations to job applicants and employees with disabilities who are qualified to perform the job, unless doing so would result in undue hardship to the County. To this end all decisions relating to employment including, but not limited to recruitment, selection, training, assignment, promotion, compensation, transfer, benefits, and education will be determined based upon the applicant's or employee's ability to perform the job with consideration of any requested reasonable accommodation for qualified individuals with a disability. This Policy is applicable to all employment policies and practices. This Policy is not intended to expand the protection of qualified individuals with disabilities beyond applicable federal and/or state law. In the event of any conflict between this policy and federal or state law, the federal or state law shall govern.

**A. DEFINITION OF REASONABLE ACCOMMODATION:**

1. Reasonable accommodation may include, but is not limited to, an adjustment to job duties, performance methods, and/or work setting or service delivery to meet the individualized need of an applicant or employee with a disability.
2. The provision of a reasonable accommodation removes barriers in a specific situation, which prevent or limit the application process, recruitment, employment and upward mobility of a qualified person with a disability or prevents their participation in a program, activity or event.

**B. EXAMPLES OF REASONABLE ACCOMMODATION ARE:**

- Making facilities readily accessible and usable by individuals with a disability;
- Job restructuring;
- Modifying work schedules;
- Implementing flexible leave policies;
- Reassigning to a vacant position;
- Providing assistive equipment at County facilities;
- Modifying test, training materials and policies;
- Providing qualified readers or interpreters; or
- Providing screen protectors.

**C. SCOPE AND PURPOSE**

1. Scope: This Policy provides guidance and the procedure through which qualified individuals with a disability may request reasonable accommodation; and the manner in which County Elected Officials and Department Heads should consider and review those requests.
2. Purpose: This Policy is intended to assist qualified applicants for employment who have disabilities and current qualified employees with disabilities in requesting accommodation and Elected Officials and Department Heads in processing reasonable accommodation requests. It covers the following:
  - Applicable Definitions
  - Guidelines for filing a Request for Reasonable Accommodation
  - Guidelines for considering and evaluating a Request of Reasonable Accommodation

**D. DEFINITIONS:** As used in this policy, the following terms have the indicated meaning in relation to the American with Disabilities Act (ADA) and the Washington Law Against Discrimination (WLAD).

- “Disability” means "the presence of a sensory, mental, or physical impairment that: (1) is medically cognizable or diagnosable; or (2) exists as a record or history; or (3) is perceived to exist whether or not it exists in fact." A disability exists whether it is temporary or permanent, common or uncommon, mitigated or unmitigated, or whether it limits the ability to work generally or work at a particular job.

- "Impairment" includes, but is not limited to: (1) any physiological disorder, or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitor-urinary, heroic and lymphatic, skin, and endocrine; or (2) any mental, developmental, traumatic, or psychological disorder, including but not limited to cognitive limitation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. A "qualified individual with a disability" means an individual with a disability who satisfies the requisite skill, experience, education, and other job-related requirements of the employment position and who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for.
- "Qualified" means an individual has the necessary knowledge and skills to perform the job.
- "Reasonable accommodation" means modifications or adjustments: (1) to a job application process that enable a qualified applicant with a disability to be considered for the position; (2) to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position; and (3) that enable a current employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by other similarly situated employees without disabilities.
- "Undue hardship" means an action requiring significant difficulty or expense by the employer. The factors to be considered in determining an undue hardship include but are not limited to: (1) the nature and cost of the accommodation; (2) the overall financial resources of the County office or department in which the reasonable accommodation is to be made; (3) the number of persons employed at that office or department; (4) the effect on expenses and resources or other impact upon that office or department; (5) the overall financial resources of the County; (6) the overall number of employees, offices and departments; (7) the operations of the particular office or department as well as the entire County; and (8) the relationship of the particular office or department to the County. This is not an exhaustive list but merely examples.
- "Essential functions" means the fundamental job duties of the employment position the individual with a disability holds or desires. The term "essential functions" does not include the marginal functions of the position.

## **E. FILING A REQUEST FOR REASONABLE ACCOMMODATION**

1. Any applicant for employment or any current employee may request reasonable accommodation as an individual with a disability. The applicable County office or department shall provide persons requesting accommodation a Reasonable Accommodation Request Form. It is the responsibility of the requester to complete the form in full and submit it to the appropriate Elected Official or Department Head.
  - a. Individuals may seek and Elected Officials/Department Heads may approve a

reasonable accommodation on an informal basis. A formal request would follow if the informal request was either rejected or could not be properly processed.

- b. Although the responsibility for requesting the reasonable accommodation rests primarily with the applicant or employee, the Human Resources Department is available as a resource to applicants, employees and Elected Officials/Department Heads in the preparation, explanation, and dissemination of reasonable accommodation information or technical assistance.
2. All requests for accommodation must include the following:
    - a. Name, address, and telephone number of the person requesting accommodation.
    - b. The specific disability limitation, the type of accommodation requested, with an explanation of how the accommodation will allow: (a) an applicant to be considered for the position; and/or (b) an applicant or current employee to perform the essential functions of the position; and/or (c) a current employee to enjoy equal benefits and privileges as other non-disabled employees.
    - c. Verification of the disability by the requester's physician, medical provider or vocational/rehabilitation counselor may be required. (If medical verification is required the person requesting accommodation must sign the Authorization for the Release of Medical Information form.)

## **F. REVIEW OF REQUESTS FOR REASONABLE ACCOMMODATION**

1. Confidentiality of Medical Information: Applications for reasonable accommodation and related material shall be placed in a medical file separate from general personnel records and be treated as a confidential medical record by the Elected Official/Department Head and Human Resources Director, except on a need-to-know basis:
  - Supervisors and managers may be informed regarding the necessary restrictions on the work or duties of the employee and necessary accommodations;
  - First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment; and
  - Government officials investigating compliance shall be provided relevant information.
2. Because of the personal nature of some disability issues every reasonable effort should be taken to ensure confidentiality during the entire review process.
  - a. The determination whether to provide an accommodation is made on a case-by-case basis. This is an individual process through which the Elected Official/Department Head and the individual with a disability, with the assistance of Human Resources and Risk Management where necessary, discuss and arrange for the necessary and reasonable adjustments or modifications. The Elected Official/Department Head must make a reasonable effort to determine the

appropriate accommodation. Primary consideration should be given to the preferences of the individual when deciding on an accommodation, however, the Elected Official/Department Head has the ultimate discretion to choose between effective accommodations.

- b. A qualified individual with a disability is not required to accept an offered accommodation. However, if such an individual rejects a reasonable accommodation necessary to enable the individual to perform the essential functions of the job position, the individual will not be considered a qualified individual with a disability.
3. In considering a request for accommodation an Elected Official/Department Head, or their designated supervisor/manager, will complete the applicable portion of the Reasonable Accommodation Request Review Form. The following factors must be considered when reviewing a request for accommodation:
- a. Analyze the job or activity to determine the essential functions.
  - b. In consultation (interactive discussion) with the employee or applicant, find out their physical or mental abilities and limitations as they relate to performance of the job's essential functions.
  - c. The Elected Official/Department Head, in conjunction with HR, determines if the individual has a disability covered by the ADA/WLAD, and whether the individual is qualified with or without a reasonable accommodation.
  - d. The Elected Official/Department Head makes an individualized determination, based upon objective medical or other evidence, as to whether a person with a disability poses a direct threat of harm to that individual or others and whether the threat may be removed by a reasonable accommodation.
  - e. The Elected Official/Department Head identifies potential accommodations. The Elected Official/Department Head shall consult with Human Resources and Risk Management when dealing with accommodation issues involving injured workers and workers compensation claims. Other experts may be consulted as the Elected Official/Department Head deems necessary on accommodating individuals with disabilities.
  - f. If more than one accommodation would be effective, the individual's preference should be considered, but the Elected Official/Department Head may choose one that is less expensive or easier to provide.
  - g. The Elected Official/Department Head should consider, on a case-by-case basis, whether a reasonable accommodation would impose an undue hardship on that office/department and the County. If a particular accommodation would impose an undue hardship, it is not required, but the Elected Official/Department Head should consider whether an alternative accommodation would not impose a hardship.
  - h. If a reasonable accommodation is available, the Elected Official/Department

Head selects it and reasonably accommodates the individual.

4. If the request is approved, the department will notify the requester and make the necessary implementation arrangements. The Elected Official/Department Head will consult with the Human Resources Director before denying a request.
5. The review process concluding with the approval or denial should ordinarily be completed in fifteen (15) working days from the date when the request and all supporting information have been furnished to the Elected Official/Department Head, unless the requester and the Elected Official/Department Head agree to an extension of time.
6. If an Elected Official/Department Head reviews and approves the request for accommodation, it shall provide the accommodation without undue delay.

## **G. APPLICATIONS AND FORMS**

See Human Resources for related applications and forms.

See also:

Resolution C-08-08 Amending the Policy Regarding Reasonable Accommodation Policy for Qualified Individuals with a Disability

## **VI.9 DISCRIMINATION AND HARASSMENT PROHIBITED IN THE WORKPLACE (Title VII of U.S. Code and Washington Law Against Discrimination)**

Discrimination, unless based upon a bona fide occupational qualification or a business necessity, or harassment of an employee or a member of the public on the basis of race, creed, color, national origin, age (for those 40 years of age or older), honorably discharged veteran or military status, sex, marital status, sexual orientation, gender identity, or the presence of a physical, sensory or mental disability or the use of a trained dog guide or service animal by a person with a disability is a violation of Island County policy. Prohibited harassment includes comments, slurs, jokes, innuendos, cartoons, pranks, physical harassment, etc., which are derogatory and based on the protected class membership of the employee or member of the public. Harassment also includes negative actions based upon an employee's participation in activities identified with or promoting the interests of a protected group. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. An employee has the right to use a language other than English for discussions that are not related to official County business and for discussions during breaks, lunches, etc. and to adhere to cultural and ethnic customs, without being subjected to harassment.

Employees have the right to be free from such discrimination or harassment on the job, whether from co-workers, supervisors, managers, or non-employees. Discrimination and harassment is prohibited by state and federal anti-discrimination laws where (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of interfering with an individual's



work performance or creating an intimidating, hostile, or offensive working environment. All employees are prohibited from engaging in, permitting or tolerating discrimination or harassment of any employee or member of the public in the workplace.

It is the policy of Island County that intimate relationships between direct supervisory and subordinate employees are prohibited regardless to the sex or gender of the employees.

#### **A. GRIEVANCE PROCEDURE**

1. Any employee who perceives that they are being discriminated against or harassed by co-workers, supervisors, or non-employees in the workplace in violation of this policy should notify their supervisor, Department Head, or the Human Resources Director. If the complaint is made to an employee's supervisor, the Department Head and the Human Resources Director shall both be notified that a complaint was made. If the complaint is made to an employee's Department Head, the Human Resources Director shall be notified that a complaint was made. The Human Resources Director shall notify the County Risk Manager that a complaint has been filed.
2. No employee will be retaliated against in any way for reporting discrimination or harassment. Nor will any witness be retaliated against in any way for providing information pertaining to a grievance or investigation of discrimination or harassment. Retaliation against either a grievant or a witness will be grounds for discipline, including possible termination of the retaliating employee.
3. Each report must include as many details as possible concerning the behavior at issue and its context, including the names of other persons who may have been present or who may have observed interactions between the complainant, the accused employee, and other employees. The grievant shall be advised that the person(s) conducting the interview may question such persons regarding material information they might have.

#### **B. INVESTIGATION OF GRIEVANCES**

When a supervisor, Department Head, or the Human Resources Director is notified of alleged discrimination or harassment, the Human Resources Director shall promptly notify the Risk Manager and Prosecuting Attorney. The Human Resources Director will promptly and thoroughly investigate the complaint. Whenever possible, the investigation will be conducted by two (2) investigators. The investigator(s) shall attempt to obtain a written statement or complaint from the complainant. The complainant is expected to cooperate with the investigating parties. The investigation will include interviews with the directly involved parties and, where necessary, employees who may have observed the alleged discrimination or harassment or who may be similarly situated with the complaining employee (and therefore may be able to testify to their experiences with the accused employee), and the collection of any exhibits.

The investigating party will document the specifics of all discrimination or harassment claims, the details of the investigation, and the nature of the corrective action taken, or lack of action with an explanation.

### C. DISCIPLINARY ACTION

1. If the investigation shows that the accused employee did engage in discrimination or harassment, the accused employee's Department Head will be informed of that fact. The Department Head will take appropriate action, which may include a verbal and/or written reprimand, a letter in the employee's file, an employee transfer, suspension or termination of the employee. If the employee is not terminated, the Department Head shall issue them a warning that any continued discrimination or harassment might result in a negative employment action, such as suspension or termination.
2. A summary of the results of the investigation shall be forwarded to the grievant.
3. Where the grievance cannot be substantiated, a general warning shall be made to all employees involved regarding the possible ramifications of substantiated discrimination or harassment reports.
4. In all instances, the grievance and investigation will be handled in a confidential manner, to the extent permitted by law. The grievant shall be informed that the information the grievant provides shall not be revealed, except as is necessary to investigate the report or as required by law. **Provided**, that an employee who reported discrimination or harassment and/or an employee who was allegedly affected by discrimination or harassment may request that the County provide information to another person regarding the investigation. On a case-by-case basis, the County, in its own discretion, may agree to release specified information. **Provided further**, that whenever the County would provide general information from the County's personnel file of an employee or former employee to persons who are not officers or employees of the County, and the employee's personnel file reflects a finding of reasonable cause for disciplinary action, the County may, with the employee's written consent, pursuant to the policy on providing information to prospective future employers of former Island County employees (see August 20, 1991, memorandum from Board of County Commissioners to all Island County elected and appointed Department Heads), also send information regarding the investigation of discrimination or harassment; **except** that no readily identifiable reference to other parties involved may be included, and any statement which the employee had requested be held in the file will accompany the disclosure.
5. The Human Resources Department will retain confidential documentation of all records relating to discrimination or harassment in a sealed file. There will be a cross-reference to the sealed file of the grievant and of the accused employee. Records relating to sexual discrimination or harassment will be retained by the County for a minimum of six (6) years. The Sheriff's Office may retain separate sealed files regarding such reports as it relates to law enforcement and jail personnel.
6. This policy will be distributed to all current employees and to new employees during orientation.
7. The Human Resources Department shall be responsible for educating and training all County employees about the existence of this policy, the grievance procedure, investigation of reports, and possible disciplinary action. Copies of this policy shall be posted in conspicuous places in the offices of each department.

See also:

Resolution C-09-08 Amendment of the Island County Policy Prohibiting Discrimination and Harassment in the Workplace

## **VI.10 EMPLOYEE OF THE MONTH PROGRAM**

The Employee-of-the-Month Program recognizes one Island County employee each month. Any employee may be nominated by another employee or by a member of the public for this award. Nominations should be made in writing with an explanation as to what the employee has done that merits them Employee of the Month status. Nominations for the award may be submitted by anyone using the Employee of the Month Nomination form and submitting it by email or in the designate drop box on the first floor of the Administration Building. Nomination forms are available from the Human Resources intranet forms database or from Human Resources. Nominations are based on any of the following:

- a. Initiative
- b. Reliability
- c. Teamwork
- d. Service to Citizens
- e. Going Above and Beyond Typical Duties

Completed nomination forms may be submitted electronically or in hard copy to Human Resources starting the 20th of each month until the last working day of the month for that month's award. During the first week of the following month, the Employee-of-the-Month Selection Committee, a cross-section of Island County employees selected by Human Resources, meets to review the nominations and to select the Employee of the Month. The Human Resources office announces the selection and the award is presented at the Board of Commissioners meeting scheduled for the second Monday of the month.

The selected employee of the month will receive use of a reserved parking space for the month and an Island County t-shirt.

If you have questions or need assistance with this policy, you are encouraged to check with your immediate supervisor or Human Resources.

See also:

Resolution C-96-08 Employee of the Month Program

## **VI.11 CHILDREN IN THE WORKPLACE**

1. Children are permitted at the workplace only for authorized events, such as Awards Programs, Bring Your Children to Work Day, and family-friendly office gatherings in which children are explicitly welcome, including office parties and picnics.

2. Children are not permitted at the worksite as a result of daycare difficulties during normal business hours because of the legal liability of permitting such a practice. Managers should be liberal in granting leave to employees who need to make emergency day care arrangements when unforeseen problems arise.
3. No ill children are permitted to accompany any employee to work.
4. If an employee brings their child to an authorized event, the employee:
  - Must be sensitive to, and respectful of the needs of other employees and customers.
  - Must not expect other employees to care for their children.
  - Must supervise and take responsibility for the safety of their children at all times.
  - Ensure their children behave appropriately while in the workplace.
  - Ensure their children stay within visual range at all times.
  - Be responsible for any damage caused by their children.
5. Department Heads and Elected Officials may allow employees with a childcare emergency to bring their children to work for no more than 2 hours. Employees receiving this exception must follow the requirements in paragraph 4. above.
6. The definition of “child” is: any person who is under the age of legal competence (generally 18 years) for whom an employee has assumed either temporary or permanent responsibility. In this policy, children may include nieces, nephews, foster children, or the children of friends or neighbors.

**VI.12 ANIMALS PROHIBITED IN COUNTY FACILITIES--EXCEPTIONS**

Animals are prohibited from being inside every Island County government building, whether owned, leased, or rented by the County, and within ten (10) feet of any entrance to such buildings, except as follows:

1. A “dog guide” or “service animal,” as defined in [RCW 70.84.020](#) and [RCW 70.84.021](#), for a totally or partially blind, hearing impaired, or otherwise physically disabled person allowed in County buildings under the provisions of [Chapter 70.84 RCW](#);
2. Animals housed in or taken to Island County Animal Shelters;
3. Animals participating in authorized activities at the Island County Fairgrounds; and
4. Animals used by law enforcement authorities for law enforcement activities.

See also:

[Island County Code Chapter 1.24.040 Animals Prohibited in County Facilities - Exceptions](#)  
[RCW 70.84.020 “Dog Guide” Defined](#)  
[Chapter 70.84 RCW “White Cane Law”](#)

**VI.13 SUPPORTING NURSING MOTHERS**

Island County recognizes the many benefits associated with breastfeeding to promote optimum growth and development of infants, and that more women are electing to continue breastfeeding after returning to work. Island County is committed to supporting breastfeeding mothers in order to help them make the transition back to work easier, and encourages employees and management to have a positive, accepting attitude toward working women who choose to nurse their infant after

returning to work.

Public Health's WIC department, 240-5554, is available to provide support and educational information to breastfeeding employees.

**A. LACTATION TIME:**

1. The County encourages managers and supervisors to allow for a flexible work schedule for nursing mothers. The County understands that on average nursing mothers will need to express milk two to three times in an eight-hour shift. Most nursing mothers typically require reasonable breaks (i.e. 15 to 30 minutes duration) to express milk. These breaks should coincide with the employee's regularly scheduled break if possible, with brief extensions as needed. An employee needing break time to express milk should engage in a discussion with their supervisor to determine the appropriate location and the estimated number and duration of breaks.
2. **Flexible Work Schedule** - employees may request a flexible work schedule subject to approval by their manager or supervisor. The lunch hour may be modified or the beginning and/or ending of the workday may be adjusted to accommodate longer breaks to ensure a full workday.
3. **Use of Paid Leave** – to cover the extra time needed, employees may use their PTO, comp time, or unpaid time if accrued leave time is not available.

**B. LACTATION ROOM LOCATIONS** – several rooms in the County are available for use as lactation rooms. The use of these rooms must be scheduled. In addition, there may be a space available closer to an employee's work location that can be temporarily converted for this purpose by using curtains or dividers.

- Admin Building, Coupeville, HR Director's Office, room 200. The HR Office has a sink available, and a refrigerator to store expressed milk. Contact HR to schedule, ext. 5584.
- Annex Building, Coupeville, Environmental Health wing, room 118. Closest sink is in the public restroom down the hall. Contact Public Health to schedule.
- Community and Family Health Building, Coupeville, Examination Room. Closest sink is in the public restroom down the hall. Contact Public Health to schedule.
- South Whidbey Family Resource Center, Langley. WIC Room, availability varies. Closest sink is in the public restroom down the hall. Contact Public Health to schedule.
- North Whidbey Family Resource Center, Oak Harbor. Former WIC peer counselor office. Closest sink is in the public restroom down the hall. Contact Public Health to schedule.
- Camano Family Resource Center, WIC room when not in use by staff. Closest sink is in the public restroom down the hall. Contact Public Health to schedule.

**C. STORAGE OF BREAST MILK**

1. Nursing mothers are encouraged to use their department's refrigerators to store expressed milk. They may also use the refrigerators in the Human Resources and Commissioners' offices. Containers must be clearly marked and dated. Milk left for more than four (4)

days may be discarded.

2. Nursing mothers must provide their own breast pump and other supplies.

## **VI.14 KEY CONTROL FOR ISLAND COUNTY GOVERNMENT BUILDINGS**

### **A. PURPOSE**

The purpose of the Key Control Policy (metal and electronic keys) is to establish a key numbering system and to maintain an active listing of County employees who have an authorized key to County government administration buildings under the jurisdiction of the Facilities Department, in order to prevent loss and reproduction of authorized keys. Buildings which are accessed strictly by the Island County Sheriff, Parks, or Public Works department employees are excluded from this policy, and key control for their facilities will remain the responsibility of those departments.

### **B. POLICY/GUIDELINES**

1. In order for Island County government officials, employees, volunteers, or any other authorized person to receive a key the following conditions must be met:
  - a. Prior approval from Department Head or Elected Official to receive key;
  - b. Receive the "Key Control Policy";
  - c. Sign an acknowledgment statement as to having received the "Key Control Policy" and agreeing to its terms; and
  - d. Sign a "key registration card" with the Island County Facilities Department.
2. Island County government officials, employees, volunteers, and anyone authorized to have a key to Island County facilities shall not reproduce an assigned key or possess an unauthorized key.
3. In the event that a key is lost or stolen, the person responsible for that key shall notify their Department Head or Elected Official immediately, and if stolen, file a police report. A written statement as to how and where the key was lost or stolen, and any circumstances involved shall be submitted to the Facilities Department. Replacement key will not be issued until the written explanation has been received by the Facilities Department. If at any time a lost, stolen, or reproduced key enters the Island County keying system, disciplinary actions may be imposed.
4. Upon termination of employment or any other circumstances where the authorized key is no longer needed, the key shall be returned immediately to the Department Head or the Island County Facilities Department. Failure to return the key in a timely manner will result in further actions and will be treated as theft of Island County property.
5. Any government official or employee that feels they have a need for a Master Key shall submit a written outline to the Board of Island County Commissioners on why it is necessary to possess a Master Key. The Board of Island County Commissioners, or its designee, and the Facilities Director will then determine whether the individual shall be issued a Master Key.

## C. VIOLATIONS/DISCIPLINE

Violations of the above policy will be treated as follows:

1. Failure to return a key as set forth in the guidelines above will result in the final paycheck being withheld until the key is returned; and
2. Key reproduction is unauthorized and could be considered as grounds for employee dismissal.

See also:

[Island County Code Chapter 1.32 Key Control for Island County Government Buildings](#)  
[Resolution C-100-95 Key Control for Island County Government Buildings](#)

## VI.15 USE OF ELECTRONIC SIGNATURES AND AUTHORIZATIONS FOR INTERNAL AND EXTERNAL PROCESSES

RCW 1.80.170 allows local governments to permit the use of electronic signature technologies, and to establish a method and process for such use by policy.

Island County authorizes the use and acceptance of electronic signatures and authorizations for internal and external County processes in anticipation of implementation of the electronic content management system. The electronic content management system (ECM) will save time, money and resources associated with printing and distributing paper forms to employees and elected officials. ECM will provide a convenient option for employees and elected officials to complete forms when performing County business other than at their normal workplace save time and resource costs associated with the manual entry of information and filing of paper forms. It is anticipated that the use of electronic signatures and authorizations will allow the County to continue to streamline its processes in the future.

### A. Policy

1. Internal processes and authorizations, when required to be in writing and signed by an employee or official, are considered to have been signed, and therefore authorized by the signing employee or official, when the signing person's name is electronically affixed to the document using the person's Island County Account (as defined in the Information Technology Usage Policies) in accordance with this policy, along with the computer system date and time such authorization occurred.
2. Electronic, digital and facsimile signatures may only be used to conduct external County business when there is a reasonable assurance of the integrity, authenticity, and nonrepudiation of the associated electronic documents and submissions.
3. If a law prohibits a transaction from occurring electronically, the transaction must occur in the manner specified by law.
4. Each department will conduct its own evaluation of the relevant requirements, business assessment and risk analysis of its electronic transactions to determine if electronic signatures and approvals are appropriate and identify the applicable internal processes and

controls.

5. Electronic internal approvals must demonstrate effective internal controls satisfactory to the Board of Island County Commissioners and Island County Auditor.

**B. Authorization**

1. Use of signatures other than “wet” (non-electronic, digital or facsimile) signatures for County employees or other parties must be approved in advance. The County is under no obligation to approve any such request. If such request is denied, the signatory must use a wet signature. Requests to use electronic, digital and/or facsimile signatures shall be evaluated as follows:
  - a) Approval authority:
    - i) A Department Head or Elected Official, or designee, may approve the use of a digital, facsimile or electronic signature;
  - b) Any approval to use an electronic, digital or facsimile signature should consider the risk to the County of such use and should be granted only when the risk is minimized to the greatest extent possible.

**C. Technical Standards**

1. The Information Technology Director or designee proposes to the Board or its designee technical standards for electronic and digital signatures. Any approved use of an electronic signature must comply with these technical standards and software solutions. At a minimum, the software solutions shall:
  - a. Provide for security, authentication, record integrity, record retention, and nonrepudiation of the electronic communication;
  - b. Verify the signer is who they represent themselves to be because the signer has proven their identity to a certificate authority to obtain the digital signature;
  - c. Confirm the signature was applied to the document and not copied from another document because the signature file is cryptographically bound to the document;
  - d. Ensure the document was not altered after it was signed; and
  - e. Provide for validation of incoming electronic signatures.

**D. Work Rules**

1. County employees may sign County documents electronically if such an option is available, provided the following:
  - a. The County employee is authorized by County policy, the Board of County Commissioners or its designee, or a Department Head or Elected Official to sign the document;
  - b. The digital certificate utilized by the County employee in connection with the electronic signature is a method approved as specified under Section C - “Technical Standards”;
  - c. The electronic signature is that of the County employee electronically signing the document;
  - d. The electronic signature is not expired when the authorized County employee signs the document electronically; and



- e. The County employee does not provide information they know to be untrue.
2. If an electronic signature is used for interstate transactions or for documents required by the United States government, the electronic signature shall comply with the requirements of the Electronic Signatures in Global and National Commerce Act.

## **VII. TERMINATION OF EMPLOYMENT**

### **VII.1 RESIGNATION**

An employee wishing to leave County service in good standing shall provide their Elected Official/Department Head with a written statement as to the reasons for leaving and the effective date of leaving at least two (2) weeks before leaving. The time limit of the resignation may be waived at the discretion of the Elected Official/Department Head.

Employees who plan on a holiday being their final workday will not be paid for the holiday; their termination date will be the day before the holiday.

Employees leaving County employment may not extend their employment beyond the month which includes the last day of work (not on leave). This negates the use of what is known at “terminal leave.”

### **VII.2 EXIT CHECKLIST**

All employees terminating employment with the County whether by resignation, discharge or retirement shall complete an exit checklist, available at the Human Resources Department intranet site. All employees shall be offered an opportunity to participate in a personal exit interview with the Human Resources Department. A copy of the Exit Interview Summary may be submitted to the Elected Official/Department Head concerned, and the Board of Island County Commissioners may request and receive a copy of exit interviews sent to Department Heads.

### **VII.3 LAYOFF**

The County may lay off regular employees for lack of work, budgetary restrictions, or other changes that have taken place. The employee is to be given ten (10) working days’ notice, except in cases of emergency, before such layoff is to take place. Temporary employees may be laid off without prior notice.

## **VIII. PERFORMANCE and EXPECTATIONS REGARDING THE BEHAVIOR OF PUBLIC EMPLOYEES**

### **VIII.1 RULES OF CONDUCT DEFINED**

Violation of the following listed “unacceptable conduct” may result in corrective and/or disciplinary action. The following list should not be considered as all-inclusive. The County retains the right to

discipline or discharge employees at-will for any reason not prohibited by contract, state or federal law.

1. Any criminal act committed during the workday, including, but not limited to, criminal acts of theft, embezzlement, fraud, forgery, vandalism, assault, harassment, hate crimes (malicious harassment), driving under the influence, violations of the controlled substances act, etc. Conduct committed during the workday that meets the definition of a criminal act shall be grounds for immediate disciplinary action, regardless of whether or not criminal charges are filed, and regardless of whether or not a criminal conviction is obtained in a court of law.
2. Abusiveness toward a fellow employee, supervisor or citizen, including verbal and physical abuse.
3. Insubordination, including but not limited to refusal to obey a reasonable order from proper authority, questioning the authority of management or speaking disrespectfully to or about a supervisor, manager or department head/elected official.
4. Unauthorized absence from duty without prior notice to the employee's supervisor and subsequent approval. The unreasonable failure to report to work during a natural disaster or emergency will be considered job abandonment and may subject the employee to termination.
5. Any use of intoxicating substances or the use of illegal drugs on the job or arriving on the job under the influence of intoxicating substances or illegal drugs.
6. Abuse of prescribed drugs on the job.
7. Unauthorized use, possession, removal, neglect or willful damage to any County property, equipment or materials.
8. Malicious or careless acts which result in personal injury, property damage or expense.
9. Falsification of County records and reports, including time records.
10. Repeated absence or tardiness for any reason.
11. Accepting gifts, or other valuable items for performance of the employee's duties for the County, except as provided herein.
12. Neglect of duties, including carelessness.
13. Use of personal mobile devices during business hours, except on rest or meal breaks and if allowed by the Elected Official/Department Head due to an emergency or anticipated vital call, such as if expecting the birth of a child.

Within their own department, Elected Officials/Department Heads may make rules to supplement these rules.

## VIII.2 ETHICS and CONFLICTS OF INTEREST

Employees including those who are defined by state law as “municipal officers”, are expected to use good judgment, adhere to high ethical standards, abide by the law and avoid situations that create an actual or perceived conflict between their personal interests and those of the organization.

The tenets in this policy outline some basic guidelines for ethical behavior at Island County. Whenever employees are in doubt, they should consult with the appropriate Elected Official or Department Head.

Employees who are defined by State law as “municipal officers”, are expected to meet the standards stated in [Chapter 42.23 RCW](#), Code of Ethics for Municipal Officers. All non-municipal officer employees are also expected to meet these standards. That chapter prohibits the following conduct:

1. Using one’s position to secure special privileges or exemptions for themselves or others; and
2. Directly or indirectly, giving, receiving or agreeing to receive any compensation, gift, reward, or gratuity from a source except the employing municipality, for a matter connected with or related to their services unless otherwise provided for by law; and
3. Accepting employment or engaging in business or professional activity that the officer might reasonably expect would require or induce them to disclose confidential information acquired by reason of their official position; and
4. Disclosing confidential information gained by reason of the officer’s position, nor may the officer otherwise use such information for their own personal gain or benefit; and
5. Being beneficially interested directly or indirectly, in any contract which may be made by, through or under the supervision of such officer, in whole or in part, or which may be made for the benefit of their office, nor shall they accept a contract from another person beneficially interested therein except as allowed pursuant to [RCW 42.23.030](#) and [RCW 42.23.040](#).

Accessing, copying or distributing Island County records for use outside of their County scope of work.

Removing County documents, or records from County premises without the written permission of the appropriate Elected Official or Department Head.

Seeking documents unrelated to their scope of work outside of the Public Records Act request procedures.

Employees are encouraged to seek assistance from their Department Head or Elected Official with any legal or ethical concerns. However, in the event employees feel uncomfortable approaching their Department Head or Elected Official, they may contact a Human Resources representative to report

anything that they cannot discuss with their Department Head or Elected Official.

See also:

[Chapter 42.23 RCW – Code of Ethics for Municipal Officers](#)  
[VIII.3 – Outside Employment](#)

### **VIII.3 OUTSIDE EMPLOYMENT**

While Island County does not prohibit employees from having a second job (including owning a business/self-employment), that job must not affect the employee's work hours, performance, interfere or conflict with the employee's regular duties, raise any ethics concerns, or necessitate long hours that may have an impact on the employee's working effectiveness. A conflict of interest shall exist if an employee benefits or it reasonably appears that an employee benefits in any way from outside employment because of their position with Island County. Current employees are not permitted to perform contract work for the County, or any of its associate agencies where compensation would be made from County funds. In the event the employee does not comply, they may be terminated.

Working a second job is prohibited while on any kind of leave of absence from Island County and could result in revocation of the leave of absence and/or termination of employment. An exemption may be permitted where outside employment occurs for the purposes of obtaining internship or certification for education or training with prior written approval of the Department Head or Elected Official.

This Policy shall not apply to the retention of fees by Official Court Reporters and Court Recorders of the Superior Court for transcription services (including the preparation of written transcripts and copies of tape recordings of Superior Court proceedings) performed on their own private equipment at any time. (See RCW [2.32.240](#); AGO 1994 No.23; Superior Court Civil Rule 80(b).)

#### **A. Procedure**

Employees who currently have or are contemplating secondary employment or self-employment are required to submit a written request for approval to their Department Head or Elected Official. The written request should identify the secondary employer or self-employer, the nature of the duties to be performed, and the anticipated hours the employee will be working. This request will be promptly answered by the Department Head or Elected Official in writing and a copy of the request and the answer will be placed in the employee's personnel file with acknowledgement signatures of both parties.

See also:

[Chapter 42.23 RCW – Code of Ethics for Municipal Officers](#)  
[RCW 2.32.240: Transcript of testimony — Fee — Forma pauperis](#)  
[VIII.2 – Ethics and Conflicts of Interest](#)

## VIII.4 PERFORMANCE APPRAISALS

Performance appraisals will be performed by the Elected Official/Department Head, or immediate supervisor, if designated by the Elected Official/Department Head.

**EMPLOYMENT WITH ISLAND COUNTY IS AT-WILL. ISLAND COUNTY AND ITS OFFICIALS MAY TERMINATE ANY EMPLOYEES EMPLOYMENT AT ANY TIME, FOR ANY OR NO REASON. NO PROVISION OF THIS MANUAL SHALL BE INTERPRETED OR CONSTRUED AS A PROMISE OF PERMANENT OR CONTINUED EMPLOYMENT. THE ADOPTION OF THE PERFORMANCE APPRAISAL POLICY AND PROCEDURES SECTION VIII.4 AND THE PROPORTIONAL DISCIPLINE POLICY AND DISCHARGE PROCEDURES SECTION VIII.6 DO NOT CONSTITUTE A PROMISE THAT THE COUNTY WILL FOLLOW SUCH POLICIES AND PROCEDURES. EMPLOYEES HAVE THE RIGHT TO TERMINATE THEIR EMPLOYMENT WITH ISLAND COUNTY AT ANY TIME.**

The employee has the option to request in advance that a Human Resources representative be present at the appraisal meeting.

- A. Annual Appraisal  
All regular full-time and regular part-time County employees will be evaluated once per year on or near their anniversary date. Documentation shall be placed in the employee's official personnel file. More frequent evaluations may be conducted at the Department Head's discretion.
- B. Contents of Performance Appraisal  
Human Resources shall provide Department Heads and Elected Officials with performance appraisal templates specific to job classification and training on how to conduct appraisals. The performance appraisal shall be in writing and shall consist of the following:
  - 1. Evaluation of the employee's work performance, job related attitude, and other job-related factors during the time period since the last review.
  - 2. Establishment of work-related goals and objectives for the upcoming year. This may include training and educational objectives.
  - 3. Recommendation for performance increase, if applicable due to merit and increase eligibility.
  - 4. Certification by the supervisor and the employee that they have discussed the evaluation.
- C. Failure to Perform Satisfactorily  
Employees who fail to perform their work satisfactorily will be denied a merit increase. In addition, a performance improvement plan shall be developed, and corrective actions identified.
- D. Promotions & Demotions

The decision to promote or demote an employee for performance must be substantiated with a performance appraisal documenting the reasons for the decision.

## **VIII.5 EMPLOYEE DISCIPLINE POLICY STATEMENT**

The success of the County is dependent upon our providing the public with the highest possible level of service. The continued success of the County to maintain this effort is dependent upon all employees working effectively and productively together. While the County will strive to take necessary corrective action in a fair and consistent manner, the County must reserve full discretion to take any and all disciplinary actions which it determines are necessary to ensure that the highest level of service is provided.

See also:

[VIII.6 - Proportional Discipline](#)

## **VIII.6 PROPORTIONAL DISCIPLINE**

**EMPLOYMENT WITH ISLAND COUNTY IS AT-WILL AND ISLAND COUNTY AND ITS OFFICIALS MAY TERMINATE ANY EMPLOYEE'S EMPLOYMENT AT ANY TIME, FOR ANY OR NO REASON. NO PROVISION OF THIS MANUAL SHALL BE INTERPRETED OR CONSTRUED AS A PROMISE OF PERMANENT OR CONTINUED EMPLOYMENT. THE ADOPTION OF THIS PROPORTIONAL DISCIPLINE POLICY AND DISCHARGE PROCEDURES DOES NOT CONSTITUTE A PROMISE THAT THE COUNTY WILL FOLLOW SUCH POLICY AND PROCEDURES. EMPLOYEES HAVE THE RIGHT TO TERMINATE THEIR EMPLOYMENT WITH ISLAND COUNTY AT ANY TIME.**

### A. Proportional Discipline:

Department Heads and Elected Officials are encouraged to use principles of proportional discipline with the employees they supervise and manage. Under these principles, employee discipline is usually imposed starting from the least severe discipline and progressing to more severe discipline, when necessary, in order to correct problems. However, for serious infractions, more severe discipline may be taken. Starting with the least severe, these steps may include oral warnings, written warnings, suspension without pay, demotion, and finally termination of employment. It is within the sole discretion of each Department Head and Elected Official on a case-by-case basis to determine which proportional discipline step should be imposed based upon a particular employee's conduct.

### B. Termination Procedures:

1. Prior to a Department Head or Elected Official taking action to terminate an employee, they shall discuss such action with the Human Resources Director.
2. After supplying the employee with a written list of alleged unsatisfactory conduct,

the Elected Official/Department Head shall conduct an informal meeting and review of the circumstances with the employee involved in an effort to allow them to explain their side of the issue prior to any final decision being made regarding the discharge of the employee.

3. If, in the opinion of the Elected Official/Department Head, immediate action is necessary prior to taking the steps outlined in paragraphs 1 and 2 above, the Elected Official/Department Head should place the employee on administrative leave for not more than thirty (30) days, until all circumstances are reviewed.

See also:

[VIII.5 - Employee Discipline Policy Statement](#)

### **VIII.7 PROHIBITION ON MAKING COMMENTS REGARDING COMPETENCE/QUALIFICATIONS**

Department Heads and employees, while in the course and scope of their employment with the County, are prohibited from making comments to members of the public regarding the competence or qualifications of fellow employees, any contractor, engineer, planning consultant, surveyor or any other person in a similar profession or vocation. This prohibition does not apply to reporting whether the person has or does not have any license, permit or certification required to do the work in question.

### **VIII.8 POLITICAL ACTIVITY**

- A. Employees shall have the right to vote and to express their opinions on all political subjects and candidates and to hold any political party office or participate in the management of a partisan or non-partisan, political campaign. Nothing in this section shall prohibit an employee, outside of working hours, from participating fully in campaigns relating to constitutional amendments, referendums, initiatives and issues of a similar character and for partisan and non-partisan offices.
- B. No person shall solicit, on County property, any contribution to be used for partisan political purposes, whether individual offices or ballot initiatives and propositions.
- C. No County Elected Official, appointed Department Head or employee may use any County facility, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition or initiative. County facilities include, but are not limited to, County stationery, postage, machines, equipment, County employees and volunteers during working hours, vehicles, office space, County publications and lists of persons served by the County.

The foregoing provisions of this section shall not apply to the following activities:

1. Action taken by members of the Board of County Commissioners at an open public meeting to express a collective decision or vote upon a motion,

proposal, resolution, order, ordinance, or to support or oppose a ballot proposition:

- Any required notice of the meeting must include the title and number of the ballot proposition, and members of the public and members of the Board of County Commissioners in opposition must be afforded an approximately equal opportunity for expression of that opposing view;
2. A statement by an Elected Official in support of or in opposition to a ballot proposition at an open press conference or in response to a specific inquiry; and
  3. Activities which are part of the usual and regular conduct of a County office.

## **VIII.9 SOLICITATIONS AND DISTRIBUTIONS BY EMPLOYEES**

Solicitation of funds, sales of tickets, or other items, unauthorized posting of notices, distribution of literature and solicitation of membership in organizations in County facilities or at County work locations during working time by employees are prohibited unless authorized by the Board of County Commissioners or its designee.

## **VIII.10 INFORMATION TECHNOLOGY USAGE POLICIES**

### **1. INTRODUCTION**

- a. The Information Technology Usage Policies (IT Usage Policies) establish the acceptable use of technology for Island County to ensure that the County complies with all legally mandated requirements. The IT Usage Policies outline the responsibilities of all employees, contractors, temporary employees, volunteers and other individuals who are provided access to Island County's information technology resources. These policies are consistent with the intent and requirements of the County's policies and rules.
- b. The policies do not supersede or negate policies that may be in effect by Federal or State agencies or by an Island County department, and, in the case of a conflict, the more restrictive policy shall apply.

### **2. PURPOSE**

- a. The primary purposes of the County's information technology resources are to facilitate the timely and efficient conduct of County business. The IT Usage Policies are provided to encourage and facilitate the exchange of business-related communications and ideas between ICNet (defined below) users efficiently and securely. The provisions of these policies address the use of the electronic mail and voicemail systems (email and vmail), faxes, Internet, Intranet and other electronic media that generate, store, transmit and display correspondence for internal and external business communication purposes.



### **3. SCOPE**

- a. The IT Usage Policies provide for the oversight, use and protection of Island County Government's computing, networking, communications and data storage systems that collectively comprise the Island County Government Network (ICNet). This includes the acquisition, access and use of software, hardware and shared communication services, whether connected to the network, not connected to the network (standalone), or as a mobile device.
- b. The IT Usage Policies apply to all users who work on behalf of the County, including all personnel affiliated with third parties that access the ICNet and its resources. Users must be familiar with current policy regarding the acceptable use of these resources and must review these policy documents prior to accessing County information technology equipment and services.
- c. The IT Usage Policies apply to all information technology resources used by the County, regardless of funding source.

### **4. DEFINITION OF TERMS**

- a. **ACCOUNT** – In the context of the IT Usage Policies, “account” refers to a login account which permits computer users to access the County's ICNet facilities.
- b. **ACCOUNT LOCK** – A process used to temporarily disable access to ICNet resources by a computer otherwise connected to ICNet. Lockout may be accomplished in several ways including:
  - i. Depressing keyboard Windows key and the L key simultaneously.
  - ii. Depressing keyboard keys CONTROL, ALT and DELETE simultaneously and then selecting LOCK from the pop-up screen
  - iii. Enabling a timed inactivity screensaver. The default inactive timeout is set by ITD at 15 minutes.
- c. **CLIENT COMPUTERS** – Desktop, laptop, tablet and other computers that are or may be connected to ICNet via a wired network cable or by a wireless connection.
- d. **COMPUTING EQUIPMENT** – Hardware that is used in some or all of the processes of accepting and storing data, performing calculations, printing, displaying or otherwise communicating results to the user or to other devices.
- e. **CONFIDENTIAL** – As provided in RCW 42.56.420(4) and for purposes of IT Usage Policies, confidential means information regarding the infrastructure and security of computer and telecommunications networks, consisting of security passwords, security access codes and programs, access codes for secure software applications, security and service recovery plans, security risk assessments, security test results to the extent that they identify specific system vulnerabilities and other such information the release of which may increase risk of the confidentiality, integrity, or availability of agency security, information technology infrastructure, or

assets.

- f. COUNTY BUSINESS - A message sent or received by an ICNet User relating to the work of the ICNet User or the business of the County.
- g. COUNTY EMPLOYEE - Elected officials, full and part-time employees, seasonal/temporary employees, volunteers, interns, or a person hired by the County through a temporary placement agency to perform work that otherwise would be performed by a regular employee.
- h. ENCRYPTION – A process by which data is converted into a form that cannot be easily understood by unauthorized access. It is generally accepted doctrine that encryption is the final layer of data protection since it assumes the device on which the data is stored has already been compromised. Unless the perpetrator has the encryption key, they cannot decode any of the data stored there.
- i. FTP (File Transfer Protocol) – a communications protocol that is used to connect two computers over the Internet so that the user of one computer can transfer files and perform file commands on the other computer.
- j. FREeware / SHAREWARE – Freeware is copyrighted computer software, which is made available for use free of charge, for an unlimited time. Shareware generally requires the user to pay for software use after a designated trial period.
- k. FUNDING SOURCE – The various ways the County receives revenue and how it is used.
- l. HIPAA - The Health Insurance Portability and Accountability Act (HIPAA) of 1996, Public Law 104-191.
- m. ICNet - The Island County Government data and voice networks, equipment, software that provides computing, communications, audiovisual and data storage activities in support of County business activities, whether networked or standalone. ICNet is administered by ITD.
- n. ICNET USER – A COUNTY EMPLOYEE, volunteer, contractor, consultant, appointee of Island County or member of a County board or commission that also has an active ICNet ACCOUNT.
- o. ITD – The Island County Information Technology Department.
- p. INFORMATION TECHNOLOGY RESOURCES – In the context of these policies, this term refers to ICNet. See above.
- q. MESSAGE TO <List Name> - ITD maintains email distribution lists that are targeted to specific groups of ICNet Users, generally by location or building. Examples are Message to All, Message to Camano, Message to Annex Building.
- r. MOBILE DEVICE – A multimedia-capable portable device that provides wireless Internet access. 2-way communication is allowed and may include entertainment, information and location-based services.
- s. MULTI-FACTOR AUTHENTICATION (MFA) – A method of computer access

- control in which a user is granted access only after successfully presenting more than one means of identifying them as a permitted user.
- t. PCI / DSS – (Payment Card Industry/Data Security Standard). A set of policies and processes developed by the major credit card companies as a requirement to help organizations that process credit card payments to prevent fraud, hacking and various other security issues.
  - u. PERIPHERAL DEVICE or PERIPHERAL – equipment that can physically or wirelessly connect to a computer in order to expand its functionality. Some of the more common peripheral devices are printers, scanners, disk drives, tape drives, microphones, speakers, cameras, thumb drives, MP3 players, or other devices with accessible flash memory, etc. For purposes of this policy, the word “device” also includes removable devices such as USB devices, cellular phones, etc.
  - v. PERSONAL IDENTIFYING INFORMATION (PII) - [NIST Special Publication 800-122](#) defines Personal Identifying Information (PII) as "any information about an individual maintained by an agency, including (1) any information that can be used to distinguish or trace an individual's identity, such as name, social security number, date and place of birth, mother's maiden name, or biometric records; and (2) any other information that is linked or linkable to an individual, such as medical, educational, financial, and employment information."
  - w. PERSONAL TEXT MESSAGE - A text message sent or received by an ICNet User which does not discuss a matter of County business.
  - x. PHISHING – The fraudulent practice of sending emails purporting to be from a reputable person or company in order to induce individuals to reveal personal information, such as passwords and credit card numbers.
  - y. PUBLIC DISCLOSURE - Island County is required by chapter 42.56 RCW to follow specific guidelines in the management of its public records. These guidelines include adhering to retention schedules and the specific handling of requests for public records. The guidelines include definitions of what must be disclosed and what may not.
  - z. REMOVEABLE DEVICE – Any storage device that can be detached or removed from a computer, laptop or network with or without administrative privileges to the device. Examples include but are not limited to removable hard drives; smart phones; streaming devices; cameras; memory cards, flash drives (aka “thumb drives”), CD/DVD drives, etc.
  - aa. SENSITIVE – For purposes of this policy, the term “sensitive” refers to information that relate to a person's employment, including personnel matters, disciplinary actions, health issues and employee evaluation documentation. Sensitive information is intended only for the parties who are directly involved or impacted by it. It is not freely shared with others unless specifically warranted by permission or legal mandates.
  - bb. SMS or SHORT MESSAGING SERVICE - A communication protocol

commonly used in mobile devices.

- cc. TEXT, TEXT MESSAGE, TEXTING - The act of composing and sending brief, electronic messages between two or more mobile devices over a cellular network, commonly using the Short Messaging Service (SMS) communications protocol.
- dd. TRANSITORY TEXT or TRANSITORY MESSAGE - A message that only documents information of temporary, short-term value, and that is not needed as evidence of a business transaction.
- ee. INSTANT MESSAGING - A form of online chat that transmits short messages in real-time over a network. Messages are transmitted bi-directionally between two or more parties, with each participant being able to receive, compose and send messages.

## **5. OWNERSHIP OF ELECTRONIC RECORDS**

- a. All electronic data are the property of Island County and may be considered public records under the Public Records Act, chapter 42.56 RCW.
- b. The County owns all data stored on ICNet and County-owned devices and reserves the right to inspect and monitor any and all ICNet use at any time.
- c. The County may conduct audits in order to ensure compliance with its policies and requirements, to respond to public records requests, investigate suspicious activities or security threats, or to fulfill legally mandated requirements. Island County cannot guarantee the privacy of any records, including personal records, of any employee.

## **6. ACQUISITION OF INFORMATION TECHNOLOGY RESOURCES**

Acquisition of technology resources conforms to the provisions as defined in Island County Resolution C-15-11 and Chapter 36.92 RCW.

- i. The IT Director must approve purchases of hardware, software, peripherals, telecommunications or any software or device that will be used on the County's network or owned equipment per Resolution C-15-11.
- c. Before acquisition, ITD must review and concur with all software, hardware, removable device and related maintenance and support contracts, whether the selected products or solution will be on the network or off, used by one or many people, and regardless of program and funding sources.
- d. Most ICNet hardware has a pre-determined lifecycle replacement period and must be surrendered for replacement on a 1:1 basis or retired, according to that schedule. Such technology may not be redeployed without the concurrence of ITD.
- e. Every employee who has job responsibilities requiring a PC is issued a single computer (desktop or laptop). Exceptions may be granted due to technology requirements and will require a recommendation from the employee's Director or Elected Official to the IT Director.

- f. ICNet technology assets issued to an employee must be returned to IT upon employee exit.

## **7. ACCESSING INFORMATION TECHNOLOGY RESOURCES**

Based on the employee's job, necessary technology will be provided by ITD.

- a. Users are responsible to establish and maintain passwords consistent with the County's standard as defined in the Password Policy.
- b. ITD must approve connection of any and all devices to ICNet infrastructure.
- c. ITD must approve and install ALL software, including shareware, freeware and software.
- d. No one may connect or install personally owned hardware, software or portable storage devices (thumb drives, flash drives, DVD, CD, USB external disk drives, etc.) to the County-provided infrastructure.
- e. ITD will provide access to data shares created by terminated employees to their supervisor.

### **Password Policy**

#### **a. Overview**

All users, including contractors and vendors with access to Island County systems, are responsible for taking the appropriate steps, as outlined below, to select and secure their passwords. Employees must create, and frequently change, strong passwords. Employees are also required to use Multi-factor Authentication (MFA) to access ICNet. Employees with County-provided cellphones must use an Authenticator application. Employees may choose to use a personal device with Authenticator application or receive text messages from MFA. Employees who choose not to use their personal device will be provided a means of completing MFA by ITD.

- b. Always use different passwords for Island County accounts from non-Island County accounts. Requirements, standards and procedures pertaining to passwords can be found on the ITD intranet site.

#### **c. SECURITY, STORAGE AND PROTECTION**

Effective security requires the participation and support of every user in the organization. The County employs enterprise tools to manage, monitor and protect the organization from internal and external security threats and data loss. In addition to these measures, it is the responsibility of ICNet users to remain vigilant in their awareness and protection of the County's resources, including equipment and data they have access to and while it is in their possession. Specific requirements are outlined below:

1. County computing equipment that is connected to ICNet must be logged out or "locked" when unattended. This may be done by the user by depressing the keyboard's Windows key and the "L" key simultaneously.

1. Where it is determined that the time-based automated screen lock interferes with productivity and there is minimal probability of exposure to unauthorized access by another party, the time interval may be 30 minutes.
2. User accounts and passwords are not to be shared with anyone other than the assigned owner and the assigned owner's supervisor, if required by the supervisor. Passwords may also be shared with a Department Head or Elected Official's designated employee to have such access.
3. The individual logged onto the County ICNET must be present while logon credentials are being used to access network resources.
4. Intruding or attempting to intrude into any gap in ICNet security is prohibited. Sharing of information with others that facilitates their unauthorized access to the County's data, network or devices, or their exploitation of a security gap, is also prohibited.
5. The master ("original") copies of essential electronic files must be saved to ICNet storage systems which do not include PCs, laptops and mobile devices.
6. It is the responsibility of each ICNet User to prevent unauthorized and indiscriminate access to personal information that could pose the threat of identity theft, thus placing at risk a person's privacy, financial security and other interests.
7. It is not permissible to download personal information to any ICNet resource, unless access to that information is within the scope of the ICNet User's job function.
8. Removable devices such as USB drives, portable external drives, etc., must be password protected using a tool such as Microsoft BitLocker, which is included with versions of the Windows Operating System installed on County PCs and laptops.
9. Email should not be used to transmit confidential data or other encrypted medium.
10. Leaving personal, sensitive or confidential information exposed to view while unattended, either on paper or on screen, is prohibited.
  4. When not in use, County owned laptops and tablets must be physically secured to prevent the loss of the devices.
11. When not in use, County owned cellular phones must be physically secured and must be password protected to restrict unauthorized access.
12. Stolen County computing equipment (computers, laptops, tablets, cellular phones, data storage devices, etc.) must be reported immediately to the Sheriff's Department and the IT Director. Lost County computing equipment must be reported to the IT Director.
13. The use of copyrighted material in violation of the Copyright Act is prohibited.

**d. VMAIL AND EMAIL COMMUNICATIONS**

1. The County provides ICNet Users with email and telephone systems and components when these services are required for job function.

2. Vmail and email messages (including attachments) are not to be regarded as private communications.
3. Vmail and email messages that fall within the definition of “public record” as defined in RCW 42.56.010(3) and as amended, are subject to public disclosure requirements as stated in Chapter 42.56 RCW (PRA) and should be maintained per the PRA.
4. Use of any email system other than the ICNet Email system to conduct County-related correspondence is prohibited.
5. Vmail and Email communications shall conform to the same professional standards as with written and oral business correspondence.
6. Managing individual email storage and retention is the responsibility of each ICNet User, consistent with the document and records-retention guidelines established by either the County or the department of the ICNet User.
  1. Restrict unnecessary email traffic, including minimizing the size of attachment files.
  2. Limit copies of email to only those with a need to be informed.
  3. The use of the Bcc (Blind carbon copy) option is prohibited for County email.
7. The Message to All-email distribution list should be used for critical and time-sensitive County business information Other than for use in an actual emergency, use of the Message to All list is restricted to the Board of County Commissioners, County Administrator, HR Director, IT Director or with prior permission from one of the above.
8. Any attempt to misrepresent one’s identity via email is prohibited, except where it is necessary for carrying out the duties of the ICNet User’s job and has the written approval of the ICNet User’s Department Head/Elected Official.
9. ICNet Users are not to delete files (email or other files) that do not belong to them.
10. Electronic mail to or from the County's attorneys (both the in-house legal staff and special counsel retained to represent the County) for the purposes of obtaining legal advice or handling pending or threatened lawsuits should be marked both in the subject header and in the body of the message as "Privileged Attorney-Client Communication
  1. Any person who receives privileged email that was not an intended recipient should immediately contact the sender, and the Prosecuting Attorney for instructions on the disposition of the email.

**e. TEXT MESSAGING (Texting)**

Some text messages regarding County business constitute public records that must be retained. Consult the Public Records Officer if you are unsure about retaining Texts.

## COUNTY OWNED MOBILE DEVICES

- a. County owned mobile devices shall be used for County business and may include incidental personal use, including personal text messages. ICNet Users have no right to privacy when using County-owned cell phones or devices.
- b. Personal text messages that do not relate to County business, are not public records, and need not be retained on a County-owned mobile device.

## PERSONALLY OWNED MOBILE DEVICES

- a. Personal mobile devices are the private property of County employees. Text messages sent using a personal mobile device that pertain to non-transient County business are public records and must be retained.
- b. An employee who uses his or her personal mobile device to send or receive text messages related to County business is required to produce, transcribe, or note in another document texts relating to County business in accordance with this policy.
- c. County employees are also required to cooperate with the County and provide their fullest assistance in fulfilling the County's duties and obligations under the Public Records Act.

## TRANSITORY v. NON-TRANSITORY MESSAGES

- a. Texting should be limited to transitory texts that should be deleted by both the sender and receiver once the message has served its purpose and there are no pending Public Records Requests regarding the message.
- b. Non-transitory texts may not be deleted from a mobile device until they have been produced, transcribed, or retained in some other manner.
- c. If an employee is notified of a Public Records Request that may require production of texts, the employee shall not delete any text messages from any mobile device, even if such text is transitory or personal.

## **f. INTERNET AND INTRANET USAGE**

- 1. Use of the Internet should be consistent with County policies and work rules. Incidental personal use of County resources is allowed as provided in Policy No. 14 – Permissible Internet Use.
- 2. Content and images posted on the County's Intranet, Internet FTP, Social Media sites or sent via Twitter or similar text communication products should be consistent with the County's policies and practices and should conform to professional standards in tone and format.
- 3. All information that is posted, copied or shared, either on the County's Intranet, servers and desktops or on the County's Internet or Social Media sites, must be done so in accordance with the laws that govern copyrighted materials including, but not limited to, photographs, magazines, books, music, videos and software.
- 4. Web usage that significantly impacts network bandwidth may be restricted.



5. The County's Intranet communications facilities are to be used to disseminate information, employee news, programs and events that are pertinent to County employees.
6. Any attempt to misrepresent one's identity on the Internet is prohibited except where required by job functions.

**g. USER INFORMATION SECURITY TRAINING PROGRAM**

1. The IT department will enroll all ICNet users in security awareness training. All employees must complete the training within the timeframe prescribed.
2. Failures of training exercises will result in remedial training and/or coaching. Users who do not participate in training may only receive text-based email messages and will have restricted data access.

**h. SOCIAL MEDIA POLICY**

1. Social media presents opportunity and risk to individual County agencies, departments, employees and the County as a whole. Island County has a business need to augment traditional communication methods with the use of social media channels.
2. Island County limits the use of social media by its offices, departments, and employees for the purpose of informing the public about the services and activities of Island County.
- iii. There are three modes of social media employee interaction allowed at Island County:
  - Postings of official information on County-authorized social media accounts for the purpose of informing the public about the services and activities of Island County.
  - Employee use of Island County property for the posting and/or viewing of non-work information on non-County social media pages.
  - Employee use of Island County time for the posting or viewing of non-work information on social media pages, using employee-owned electronic devices.

**DEFINITIONS:**

The following definitions apply to the Social Media policy only.

1. **Social Media:** Internet-based technologies that facilitate communications, social interactions and dialogue between individuals, communities and organizations.
2. **Official Social Media Account:** An account established on a commercial social media website, or other web-based communication platform on behalf of an Island County department or office for the exclusive purpose of conducting official County business.

3. **Administrator:** The employee responsible for establishing and/or maintaining an Official Social Media Account.
4. **Official County Information:** Information relating to the conduct of County government or the performance of any governmental or proprietary function that is created, prepared, gathered, owned, used, or retained by Island County. “Information” is to be construed broadly, and includes any communication, data, or knowledge that can be shared with others.
5. **Offensive Language:** Communication that would shock or offend an ordinary person in a dignified setting, including lewd, lascivious, or vulgar language. A good guide for non-offensive language would be language permissible on over-the-air broadcast television in the hours after school, or language permissible in G-rated movies.
6. **Confidential Information:** Information that would be exempt from public disclosure by the Washington Public Disclosure Act, and information that is considered to be “confidential” or “private” under any other applicable Federal, State, or County code or Court Rule, and information that would violate an individual’s right to privacy, and any other information that was gathered, produced or discussed under circumstances where it would reasonably be expected to remain confidential. The definition of “Confidential Information” shall be construed very broadly for purposes of publication via social media.
7. **Libelous Communication:** In addition to its ordinary meaning, means any false communication tending to expose another person or entity to hatred, contempt, or ridicule, or otherwise tend to harm a person’s or entity’s reputation.
8. **Publish:** In addition to its ordinary meaning, means to make information available to others, regardless of the means of communication.

**PROCEDURE FOR USING SOCIAL MEDIA FOR OFFICIAL COUNTY BUSINESS:**

1. Authorized Social Media sites

Island County supports Twitter and Facebook only. An alternate site may be authorized by the Board of Island County Commissioners.

2. Authorization for Use of Social Media By An Employee

Establishing an Official Social Media Account or publishing Official County Information on any existing non-County Social Media site requires obtaining written approval by the employee’s Department Head or Elected Official.

3. Use of Social Media By An Elected Official or Department Head

Elected Officials and Department Heads must notify ID for access to one or more specific Social Media sites in order to create an official Social Media Account.

#### 4. Responsibilities of Information Technology Department

- a. ITD will create consistent-naming conventions for all Official Social Media Accounts that identifies the account as an official Island County Account, and provides for efficient, user-friendly access to the Account for both employees and the general public
- b. ITD will provide technical assistance to departments desiring to use Social Media.

#### 5. Basic Usage Standards For Official Social Media Accounts

- a. An Official Social Media Account shall only be used for the specific purposes for which it was created.
- b. An Official Social Media Account shall only be used for the posting of Official County Information and in most cases is intended to be one-way communication.
- c. In general, only Official County Information that is likely to be of interest to groups of people should be published on an Official Social Media Account.
- d. Employees shall not publish anonymously, using pseudonyms, or using another employee's username, except that the Administrator may publish under a username or handle that identifies the department or program that has created the Official Social Media Account.
- e. Employees shall not use Offensive Language in any posting to an Official Social Media Account.
- f. Employees shall not post any Libelous Communication, or anything that has the potential to be a Libelous Communication;
- g. Employees shall not publish any Confidential Information to an Official Social Media Account.
- h. Any employee who observes content on any Official Social Media Account that appears to be in violation of these Basic Usage Standards, shall immediately report the content to their supervisor, Department Head, or Elected Official, and "flag" the content as inappropriate.
- i. Employees shall not, when acting in their capacity as Island County employees, post or publish any County information on any Social Media site other than an Official Social Media Account for which they are authorized to publish information.
- j. Any Social Media web page must include an alternative means of contacting the Administrator (such as via email or telephone) and include links to the County's home page.
- k. All employees authorized to publish on the Official Social Media Account must comply with this policy.
- l. All official County information made available to the public must be current and accurate.

#### 6. Social Media Account Administration

The Official Social Media Account Administrator shall:

- a. Ensure that any Official Social Media Account clearly and obviously indicates that it is an official site or account of Island County, Washington by following the

- naming convention, and, where possible, prominently displaying the official Island County logo;
- b. Ensure the maintenance of an archival record of the Official Social Media Account that includes every post published, including the ability to reproduce any original or intermediate post that was edited or deleted after having been previously published. The archival record shall permit easy access for inspection and reproduction;
  - c. Provide a degree of monitoring consistent with the Basic Usage Standards;
  - d. Upon learning of any content on the Official Social Media Account that violates Basic Usage Standards, immediately remove the offending content and notify their Department Head or Elected Official, and the County Risk Manager if appropriate.

### **USE OF SOCIAL MEDIA FOR NON-WORK RELATED PURPOSES**

1. Use of County resources to access social media accounts/sites is governed by state law and County policies concerning appropriate and prohibited uses. (See RCW 42.52.160 and PPPM VIII.2; see also the “Electronics Communications” policy.)
2. Employees are not to use County email or other accounts to establish or maintain personal social networking accounts.

### **PERMISSABLE INCIDENTAL USE**

1. ICNet Users have no right to privacy when using the County’s ICNet resources, whether conducting County business or for incidental personal use.
2. When circumstances warrant, ICNet Users are allowed incidental personal use of ICNet communication devices. Such incidental use must conform to the following:
  - a. Use does not compromise the security or integrity of County data or ICNet.
  - b. Use does not result in a cost to the County.
  - c. Use does not interfere with the responsibilities and fulfillment of job duties.
  - d. Use is brief in duration and frequency.
  - e. Use does not distract from the conduct of County business.
  - f. Personal email must conform to permissible use standards and may not be related to activities listed below in Policy No. 14.
3. Apart from the provisions above, this rule does not sanction or permit the use of County computers for unofficial purposes.

### **PROHIBITED USE**

The following usage of ICNet devices is prohibited:

1. Visiting Internet sites that are inappropriate for a work environment, or referencing,

downloading and/or storing materials that are inappropriate in a work environment unless such activity is specifically related to the ICNet User's job responsibilities and has been authorized by the Department Head/Elected Official and IT Director.

2. ITD is responsible for installing software on ICNet equipment. Installation of software, including complete applications, upgrades and patches requires the use of special administrative rights that are issued only to ITD Staff. Accordingly, users may not download or install software on ICNet equipment unless such activity is specifically related to the ICNet User's job responsibilities and has been authorized by the Department Head/Elected Official and IT Director.
  - i. In those cases where such software, upgrades or patches are urgently required, submit an IT Help Desk ticket requesting immediate assistance.
3. Conducting of outside business or commercial enterprise.
4. Supporting, promoting, or soliciting monetary or material contributions for any non- County sponsored organization or group.
5. Religious activity.
6. Political Campaign activity.
7. Posting to or buying from online auction or sales sites unless such activity is in support of County business.
8. Conducting illegal activities
9. Entertainment or online gaming activity.
10. Any use that results in the County being placed on blacklisted electronic mailing lists.

**j. IT HELP DESK**

Employees requiring ITD products and services must submit a help ticket to the IT Help Desk. IDD products and services include:

1. Resolving service interruptions of any type that affects ICNet operations.
2. Computer, network and voice communications hardware, hardware or software consultations.
3. Problem escalation and resolution.
4. Purchases of computer or communications hardware, software and services.
5. Need for upgraded or new software, hardware or peripherals.
6. Existing or new system investigation or studies such as evaluating new or existing software, hardware or line-of-business applications.

**HELP DESK REQUESTS**

7. Help Desk requests are to be submitted via the online IT Help Desk System that is accessible from County PCs and laptops. This will ensure that the request is provided in written form and will be accessible by all ITD staff and will be assigned and routed to the appropriate ITD

staff.

8. If the Help Desk is not online, send an email to [ITHelpDesk@islandcountywa.gov](mailto:ITHelpDesk@islandcountywa.gov) with a description of the problem and what services are affected.
9. In those cases where the user's PC is not useable or available, the telephone may be used to place the request. Call extension 7305 (360.679.7305).

#### SUPPORTED SOFTWARE

10. ITD maintains lists of software that are installed on County client computers. The lists are generally maintained by department and organizational units within departments that perform similar or related work and have a need of a common software suite. This list will be posted on the IT Help Desk section of the County's Intranet.
11. Changes to the Supported Software lists may be requested using a Help Desk ticket submitted by a supervisor, Department Head or Elected Official. The request will be processed by the IT Director.
12. Software installed on County computers must be legally licensed.

#### **k. USE OF ELECTRONIC SIGNATURES AND AUTHORIZATIONS FOR INTERNAL PROCESSES**

- i. This policy authorizes Island County to use and accept electronic signatures and authorizations for internal County processes and sets forth policies and procedures governing their use. Internal processes are those processes between Island County employees, Department Heads, Elected Officials or their designees. Such processes are commonly known as "in-house" processes. Examples of internal processes are approval of employee leave slips, purchase orders, payroll and personnel authorizations.
- ii. The Electronic Signature policy applies to all employees and officials. It governs all uses of electronic signatures and authorizations used to conduct county business for internal processes and approvals.
- iii. Internal processes and authorizations, when required to be in writing and signed by an employee or official, are considered to have been signed, and therefore authorized by the signing employee or official, when the signing person's name is electronically affixed to the document using the person's Island County Account along with the computer system date and time evidencing such authorization occurred.
- iv. If a law prohibits a transaction from occurring electronically, the transaction must occur in the manner specified by law.
- v. Each department will conduct its own evaluation of the relevant requirements, business assessment and risk analysis of its electronic transactions to determine if electronic signatures and approvals are appropriate and identify the applicable internal processes and controls.
- vi. Electronic internal approvals must demonstrate effective internal controls satisfactory to the Island County Board of County Commissioners and Island County Auditor.

## **IX. ALCOHOL, TOBACCO, DRUGS AND FIREARMS**

### **IX.1 WORKPLACE FREE OF ALCOHOL AND DRUGS**

#### **A. POLICY/GUIDELINES**

1. Island County government officials, employees and volunteers shall refrain from the following actions in County workplaces: Unlawful manufacture, distribution, dispensing, possession or use of a controlled substance as defined by Federal law at 21 U.S.C. Section 812, and possession, use or intoxication by an alcoholic beverage.
2. Officials, employees and volunteers shall notify their supervisors whenever they are advised by a physician, pharmacist or other medical professional that a drug the employee is using may cause physical impairment or altered moods.
3. Officials, employees and volunteers shall notify their supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days following such conviction.

#### **B. VIOLATIONS/DISCIPLINE**

Violations of the above policy will be treated as follows:

1. Impairment from alcohol or other drug while on duty will result in relief from duty and possible discipline.
2. Every official, employee or volunteer found in violation of the above provisions or convicted of an alcohol or criminal drug offense occurring in the workplace shall be subject to discipline which may include termination.

#### **C. REHABILITATION**

Island County encourages any official, employee or volunteer who uses alcohol or other drugs in violation of this policy, or in excess, to seek assistance through the County's Employee Assistance Program or through their own medical provider.

#### **D. GENERAL INFORMATION**

1. Island County does not endorse any particular treatment agency or program and makes no guarantee of success or of continued employment of the official, employee or volunteer.
2. Officials, employees and volunteers covered by Medical Insurance should check their policy handbook for information as to coverage for outpatient and inpatient treatment for chemical dependency or psychological medical care.
3. Alcohol and other Drug-Free Awareness -- Information, pamphlets and programs regarding alcohol and other drug abuse will be available from the Island County Health Department or

as otherwise designated by the Board of County Commissioners.

See also:

Resolution C-164-91: Workplace Free of Alcohol and Drugs

## **IX.2 TOBACCO PRODUCTS**

This policy is in effect for all Island County government public buildings and immediate surroundings, whether the buildings are owned, leased, or rented.

### **A. DEFINITIONS: SMOKE--SMOKING**

**Smoke** or **smoking** means the carrying or smoking of any kind of e-cigarette/vaping device, lighted pipe, cigar, cigarette, or any other lighted smoking equipment.

### **B. SMOKING IN ISLAND COUNTY GOVERNMENT BUILDINGS PROHIBITED**

No person may smoke in an Island County government building or outside such building closer than twenty-five (25) feet from entrances, exits, windows that open, and ventilation intakes, whether the building is owned, leased, or rented by the County.

### **C. VIOLATION--PENALTY**

Any person intentionally violating the provisions of Chapter 70.160 RCW and this policy by intentionally smoking where smoking is prohibited and any person removing, defacing, or destroying a no smoking sign shall be subject to a civil fine of up to one-hundred dollars (\$100.00) as set forth in RCW 70.160.070.

See also:

[Island County Code Chapter 1.28 Smoking in Island County Government Buildings](#)  
[Chapter 70.160 RCW Smoking in public places \(formerly Washington Clean Indoor Air Act\)](#)

[IX.3 Smoking in Island County Government Buildings](#)

## **IX.3 SMOKING IN ISLAND COUNTY GOVERNMENT BUILDINGS**

1. Smoking and use of smokeless tobacco are prohibited inside all Island County facilities, including County owned buildings, vehicles, offices or other facilities rented or leased by the County, including individual employee offices.
2. Because the law prohibits any person from smoking at a place of employment, members of work crews are prohibited from smoking at any worksite locations. While at a worksite, an employee may only smoke while on their break, and the employee must be at least twenty-five (25) feet from other working County employees.
3. Smoking and the use of smokeless tobacco products is allowed during an employee's two 15 minute breaks and at lunchtime in designated areas outside of County facilities and away from worksite locations. Employees are expected to exercise common courtesy and to



respect the needs and sensitivities of co-workers with regard to their use of tobacco products. Users of tobacco products have a special obligation to keep smoking areas litter-free and not to abuse break and work rules. Complaints about smoking issues should be resolved at the lowest level possible. Employees who violate the policy may be subject to disciplinary action up to and including termination.

4. As part of Island County's health benefits program, employees are encouraged to seek counseling and treatment regarding smoking cessation. Although the decision to seek such assistance is voluntary, the County encourages employees to utilize the benefits available. Employees may contact Human Resources to find out the benefits available to them.

See also:

Chapter 70.160 RCW Smoking in public places (formerly Washington Clean Indoor Air Act)  
[IX.3 – Tobacco Products](#)

## **IX.4 POSSESSION OF FIREARMS**

In order to ensure the safety of Island County employees and members of the public that access Island County facilities and services, firearms are prohibited in County buildings and on County property, whether owned, leased, rented or used for parking by County employees. This policy does not apply to law enforcement personnel who are required to be armed when on County property or in County buildings.

Island County Department Heads shall not carry a firearm while performing County business without express written permission of the Board of County Commissioners. County employees shall not carry firearms while performing County business without express written permission of their Elected Official/Department Head, except those employees whose jobs require the carrying of firearms. Department Heads who authorize employees to carry firearms shall each year provide the Risk Manager with a firearms plan. All State and Federal statutes shall be complied with including obtaining a concealed firearms permit when required by law.

# **X. COUNTY VEHICLES**

## **X.1 USE OF COUNTY VEHICLES AND PRIVATE VEHICLES**

### **A. COUNTY VEHICLES**

1. The employee to whom a County vehicle is entrusted is responsible for its proper operation and upkeep. Automotive service shall be authorized by Elected Officials/Department Heads. The employee to whom the vehicle is entrusted shall be responsible for seeing that servicing is authorized and obtained, unless such servicing is directed and implemented by the Fleet Manager.
2. Mechanical defects or damage shall be called to the attention of the Department Head/Elected Official as soon as possible in order that the proper repairs can be arranged.
3. County vehicles are for County business, not for personal use. Whenever possible, two (2) or more employees should share rides and a driver should call other departments to notify them of the transportation available to outlying areas of the County. Employees using a County

vehicle for County business may make limited personal use of that vehicle (such as to purchase lunch or to stop at a grocery store on the way home).

4. Employees who are on call and whose duty may require a physical response may take County vehicles home, with direction from the Elected Official or upon recommendation of the Department Head and approval of the Board of County Commissioners or its designee. Limited personal use of the County vehicle may be made (such as shopping at a grocery store on the way home). Employees commuting in County vehicles will have income imputed pursuant to *Reg. § 1.61-21(c)(2)* of the Internal Revenue Code.
5. Each driver/department must keep a log of mileage and records of all expenditures.

## **B. PRIVATE VEHICLES**

1. The policy of the Board of County Commissioners is that an appropriate County vehicle should be made available for use by a County employee for all County business.
2. If an appropriate County vehicle is not available, the affected Department Head may approve the use of a private vehicle by an employee provided that the following conditions are met:
  - a) The Elected Official/Department Head has been assured the driver and vehicle to be used is insured by not less than the minimum amount of liability insurance required by the laws of the State of Washington;
  - b) The driver has a valid Washington State driver's license;
  - c) The private vehicle is being used to go directly to and from the assigned job site and is used for official County business;
  - d) That any excess mileage for personal use will not be reimbursed by the County;
  - e) The vehicle operator pays all costs for the use of the vehicle; such costs shall include but not be limited to insurance premiums, insurance deductibles, fuel, oil, storage, repairs, and maintenance.

See also:

[X.1 – Identification of County Vehicles](#)

[X.3 – Driver Requirements](#)

[X.4 – Responsibility of Drivers](#)

[XI.2 – Travel Expenses](#)

## **X.2 DRIVER REQUIREMENTS**

Any person who drives a County vehicle must possess a valid Washington State Motor Vehicle Operator's License and "endorsement" or validations, if required, for special equipment. Motor Vehicle Department driving records showing accidents or tickets may affect an employee's right to drive a County vehicle. In addition, any person who drives a County vehicle or a private vehicle on County business must comply with the driver qualifications as set forth in the Island County Safety Manual.

The County's liability insurer requires the monitoring of the driving activity of those employees who both operate a County vehicle or their own vehicle for County business. To comply with such requirements, the County participates in a driver monitoring program which provides near real time DOL information.

See also:

[XI.2 – Travel Expenses](#)

[X.2 – Use of County Vehicles and Private Vehicles](#)

[X.4 – Responsibility of Drivers](#)

### **X.3 RESPONSIBILITY OF DRIVERS**

An employee who drives a County vehicle has responsibility:

1. To operate the vehicle in a safe manner that will comply with local and state traffic laws.
2. To use the vehicle for official business only.
3. To transport passengers only in connection with official County business.
4. To take reasonable precautions to protect the vehicle from damage or theft.
5. Employees involved in accidents while driving private vehicles on County business or while driving County vehicles shall report and follow the procedures as prescribed in the Island County Safety Manual adopted by the Board of County Commissioners.
6. Mechanical defects or damage shall be called to the attention of the Elected Official/Department Head as soon as possible in order that the proper repairs may be arranged.
7. To keep the interior and exterior of the vehicle clean.
8. To keep necessary records of mileage, minor repairs and gas usage, if required.
9. To be responsible for any fines related to violations while operating the vehicle.
10. To comply with all applicable State and Federal laws, including but not limited to use of seat belts by all occupants.
11. Smoking is not permitted in County vehicles (see Section X.5).

See also:

[XI.2 – Travel Expenses](#)

[X.1 – Identification of County Vehicles](#)

[X.2 – Use of County Vehicles and Private Vehicles](#)

[X.3 – Driver Requirements](#)

## **XI. EXPENSES**

### **XI.1 CLAIM FOR REIMBURSEMENT PROCEDURES-CERTIFICATION- ACCOMPANIED BY RECEIPT**

Claim for reimbursement shall be certified by the officer or employee submitting such claim on a form and in the manner prescribed by the Division of Municipal Corporations of the office of the State Auditor. Claims shall be accompanied by receipt, excluding per diem reimbursement, but the Board of County Commissioners, or its designee, may approve a claim unaccompanied by a receipt if the claimant certifies in writing that a receipt could not be conveniently obtained.

No claim shall be allowed without the approval of the Elected Official/Department Head, or their designee. Department Head Reimbursement requests must be approved/reviewed by someone other than the claimant.

All claims for reimbursement shall be paid through check or other means as directed by the Island County Auditor's Office.

### **XI.2 TRAVEL EXPENSES**

#### **A. POLICY**

It is the policy of Island County to reimburse allowable travel expenses when reasonable, necessary, and directly related to conducting business for the County. This includes conferences, training, etc. for all employees and elected officials. All expenditures of County funds must comply with this policy regardless of the source of funding, such as grant funding.

1. The County reimburses the following travel expenses:
  - Transportation, including airline tickets, ferry and gasoline purchase
  - Meals
  - Lodging when the destination is in excess of seventy-five (75) miles one way from the employee's regular workplace. If the destination is less than seventy-five (75) miles advance approval is required by the Elected Official/Department Head.
  - Parking
  - Registration fees for conventions, conferences, and training.
  - Expenses for required educational material which remains the property of the County
  - Incidental business expenses (i.e. copies, faxes, telephone, etc.)
  
2. The County does not reimburse the following expenses:
  - Liquor
  - Theft, loss or damage to personal property
  - Expenses of family or other persons not authorized to receive reimbursement under this policy
  - Airline or other trip insurance
  - Medical or hospital expenses



- Lunch
- Dinner

Noon  
6:00 PM

4. Actual meal cost may be reimbursed when it is included in the registration fee as a part of a regularly scheduled business event such as training, conference, professional meeting or other business meeting and the employee paid the registration and meal fee.
5. Per Diem will not be paid for meals included in the registration fee, hotel accommodations, or airline ticket (including continental breakfast, box lunch or buffet).
6. Per Diem will not be paid for time spent in travel status due to personal business, or other non-County business.
7. Per Diem will not be paid for travel between County offices
8. Lodging is reimbursed for actual costs; a detailed receipt is required for reimbursement. Lodging must be reserved at the government rate or at the least costly room rate.
9. Travel Mileage for approved use of a personal vehicle, when a County vehicle is unavailable, is paid at the State of Washington approved automobile or motorcycle rate.

- Roundtrip mileage is calculated from the workplace to the destination.
- Mileage is only paid to one employee if two or more employees are traveling in the same vehicle.

When use of a personal vehicle is approved because of another reason, employees will be reimbursed for the actual cost of gasoline purchased for the work-related portion of the trip.

10. Rental Vehicles will be reimbursed for actual costs of a mid-size vehicle rental when used for business purposes only if a less costly alternative is unavailable and the vehicle rental is approved in advance. Actual fuel costs required to conduct official business while driving a rental vehicle will be reimbursed. The County does not pay for supplemental car rental insurance.
11. Incidental expenses must be itemized, they must clearly be identified as necessary costs of business travel that are not expenses one would incur whether traveling or at home. Personal expenses or services will not be reimbursed.
12. Each employee must submit their own reimbursement request and certify an itemized travel expense report upon return from travel. The report shall be on a form approved by the Board of County Commissioners, or its designee, and the Auditor and include a certification under penalty of perjury that the employee is familiar with this policy and is entitled to the reimbursements claimed, and that no other entity provided goods, services or reimbursements for the items claimed. Original itemized receipts are required for any item other than meals, for which direct reimbursement is claimed. No employee may receive reimbursements for other employees.

13. Approval by the Elected Official or Department Head is required for department staff travel. Department Head Travel must be approved by the Chair of the Board or their designee. Should a Department Head fail to receive this approval and travel, the Department Head will be responsible for payments incurred in the travel. Failure to follow this policy may also result in discipline, up to and including termination.
14. Participation on professional association boards or other organizations requiring travel or extensive amounts of work must have prior Elected Official/Department Head approval.
15. Staff travel costs when acting as instructors or participating on a panel, etc. at conferences or training should be borne by the sponsoring organization. Prior Elected Official/Department Head approval must be obtained if the County is to reimburse any of these costs.
16. Employees shall not receive monetary reimbursement or per diem for any travel related expenses from the County if they are eligible for reimbursement from another agency or entity, regardless of the rate of reimbursement.
17. This policy pertains to travel reimbursements not covered in bargaining agreements.

See also:

[X.2 – Use of County Vehicles and Private Vehicles](#)

[X.3 – Driver Requirements](#)

[X.4 – Responsibility of Drivers](#)

[XI.4 – Light Refreshments and Meals](#)

[XI.5 – Reimbursements for Volunteers](#)

### **XI.3 CREDIT CARDS**

Credit cards may be issued by Island County and used by County Officials and authorized employees for purchasing goods, supplies and other items from vendors or incurring registration and training in connection with the performance of their duties.

The GSA Director is authorized to obtain credit cards under the following system:

- A. Credit cards and modifications to credit limits will be requested through the Budget Director and require Board of County Commissioners' or its designee's approval.
- B. The GSA Director will maintain a list of card numbers issued, authorized users of the cards including employee signatures, and a credit card user agreement. As a condition of use, each user of a credit card will sign a credit card user agreement between the employee and Island County. The GSA Director will be notified of any user changes. With the exception of Public Works, IT, Facilities, the Prosecuting Attorney and the Sheriff, who are authorized a higher limit due to the cost of purchasing items through their departments, the maximum transaction amount is \$5,000. Each single purchase may be comprised of multiple items, but the total must not exceed the \$5,000 transaction limit. Purchases may not be split to circumvent the transaction limit.

- C. Any expenditure of County funds must fall within County policies. Use of the credit card does not relieve the cardholder from complying with County and departmental policies and procedures. All purchases of materials, equipment and supplies shall comply with the advertising and competitive bidding requirements set forth in Island County Code Chapter 2.29 and 2.30A.
- D. The least expensive item that meets the needs of the department should be sought. Sufficient budgeted funds must be available for the purchase.
- E. The Budget Director and GSA Director will establish a procedure and implement accounting controls to ensure the proper use of credit cards.
- F. Cardholders will process their credit card batch, including full documentation, to the Auditor's office within three (3) business days of receiving their monthly credit card statement. Full documentation includes the credit card statement, itemized receipts and approved credit card batch reports.
- G. The Auditor will review the statements prior to payment, pay the bills promptly and submit the vouchers for Board approval at the next regularly scheduled Board meeting. The amount of any bill disallowed by the Board will be repaid to the County by the card holder with the County having the right to withhold funds.
- H. Credit cards may **not** be used to cover the following purchases:
  - 1. Cash advances or cash refunds.
  - 2. Personal use of any kind is not allowed even if the person pays off the card prior to the date that the bill becomes due.
  - 3. For any non-County purchase.
  - 4. Items stocked in County Stores (unless required in an emergency).
  - 5. Goods or services on County contracts (unless payment by credit card was contracted).
  - 6. Services (i.e. consultant fees, window washing, temporary help, equipment repair, etc.).
  - 7. For payment of other invoices or statements, without Budget Director approval.
  - 8. Leases and/or rentals.
  - 9. Approval by the Elected Official or Department Head is required for using a County credit card to purchase airline tickets for staff travel. Use of a County credit card to purchase airline tickets for Department Head travel is approved by the Chair of the Board or their designee. Use of a County credit card to purchase airline tickets for Board travel is approved by the Presiding Superior Court Judge.
- I. The credit cards may be cancelled at any time for any of the following reasons:
  - 1. The card is lost or stolen.
  - 2. The Department Head requests cancellation for any reason.
  - 3. Interest or late fees incurred on purchases.
  - 4. Failure to send timely purchase documentation.
  - 5. Unauthorized use of the credit card.
  - 6. Use of the card for non-County expenditures.
  - 7. An internal or state audit finds misuse of a credit card by the department.
  - 8. By order of the Board of County Commissioners.



See also:

[Resolution C-59-13](#)

[RCW 43.09.2855 Local governments—Use of credit cards](#)

[Chapter 43.19 RCW Department of Enterprise Services](#)

[I.C.C. Ch 2.29 and 2.30A](#)

[Appendix E Schedule of BOCC approved credit cards](#)

#### **XI.4 LIGHT REFRESHMENTS and MEALS**

Generally, the County will not incur costs for refreshments or meals while not in travel status and will also not incur costs for other related items for meetings or functions held in the normal course of business that are attended solely by County employees.

- A. Light refreshments and beverages. Light refreshments, coffee, non-alcoholic beverages and utensils may be provided for uncompensated members of boards, committees, councils, volunteers, and others in a similar category under the following terms:
1. When the meeting, Civil Service testing or training they are attending is anticipated to exceed two (2) hours in length, the cost of these refreshments shall not exceed \$7.00 per participant. When the meeting, testing or training exceeds 4 hours in length, the cost of the refreshments shall not exceed \$10.00 per participant.
  2. When the circumstances of the meeting, Civil Service testing or training clearly dictate that it will be conducted away from Island County or the use of County-owned facilities is not appropriate, suitable facilities may be rented for the meeting, Civil Service testing or training.
  3. The provision of these items shall be authorized in writing in advance by the Department Head and the cost of these items shall be an expense of the sponsoring department.
- B. Refreshments during business meetings or training. Payment may be authorized for the actual cost of refreshments for County employees, County officials and elected officials, regardless of travel status for business meetings or training sessions where attendance is advantageous to the County and all the following requirements are met:
1. The meeting or training is a special situation or occasion outside of the normal daily business of County employees. County funds may not be used to provide refreshments for staff parties, routine staff meetings, routine departmental or informational meetings, or any event deemed to be social in nature.
  2. The purpose of the meeting is to conduct official County business or to provide training to County employees, volunteers or County officials.
  3. When the meeting or training they are attending is anticipated to exceed two (2) hours in length, the cost of these refreshments shall not exceed \$7.00 per participant. When the meeting or training exceeds 4 hours in length, the cost of the refreshments shall not exceed \$10.00 per participant.

4. When the circumstances of the meeting or training clearly dictate that it will be conducted away from Island County or the use of County-owned facilities is not appropriate, suitable facilities may be rented for the meeting or training.
  5. The provision of these items shall be authorized in writing in advance by the Department Head
- C. Meals during emergency situations. Meals may be provided for employees, who are not entitled to “meal pay” under a collective bargaining agreement, during major emergency situations. Reimbursement shall be limited to the lesser of the actual cost of the meal provided or the applicable meal per diem amount authorized in Section XI.2.
- D. Drug Court Graduations. Light refreshments and beverages for Drug Court graduations are authorized up to \$100.00 per event and will be funded through drug court participant fees.
- E. Annual Island County Employee Recognition Event. An annual employee recognition event may be held in which Elected officials and all County employees are invited to celebrate the outstanding contributions and accomplishments of all Island County employees. Board of Commissioners’ or its designee’s approval must be obtained in advance. The cost of refreshments shall not exceed \$7.00 per Elected Official or County employee whose attendance is anticipated at said event. Costs associated with individual department or special office recognition events are not considered eligible for reimbursement.
- F. Ceremonies and Celebrations. Light refreshments and beverages associated with commemorations, dedications or an unveiling that is recognized as serving a public purpose are legitimate County expenditures. Private celebrations rather than public celebrations are not considered as serving a public purpose. Support of a local “event” or celebration may not take the form of a gratuitous contribution of public funds to a private person, committee or organization. Expenditure of public funds on a publicly sponsored event requires (1) the existence of a recognizable public or municipal purpose that directly relates to County business, (2) proper authorization in advance from the Board of County Commissioners, (3) a reasonable relationship between the amount of the County’s expenditure and the “public” nature of the event, and (4) the event, ceremony or celebration must be open to the public to attend.
- G. Alcoholic beverages prohibited. Under no circumstances may alcohol be provided at County expense.

**THIS POLICY DOES NOT OBLIGATE OR REQUIRE THE COUNTY TO PROVIDE LIGHT REFRESHMENTS, BEVERAGES, OR MEALS TO COUNTY EMPLOYEES, OFFICIALS OR VOLUNTEERS UNDER ANY CIRCUMSTANCES.**

## **XI.5 REIMBURSEMENTS FOR VOLUNTEERS**

### **A. Mileage, meal and travel reimbursements for volunteers serving on Island County boards and committees.**

1. Absent provisions of law to the contrary, members of Island County boards, committees, councils, and others in a similar category, who serve without compensation, may be reimbursed for reasonable and necessary travel expenses while conducting official County business, at the same rates and under the same requirements applicable to County employees. Provision for such reimbursement shall be included in the document establishing said boards, committees and councils or approved in advance by the Board of County Commissioners.

# APPENDIX A – TELEWORK AGREEMENT

## Work from Home Arrangement [Dates]

Employee  
Position  
Island County Department

This letter is to outline the expectations for your new arrangement working from home beginning [date] until [date].

You should make sure you have all electronic equipment and internet access necessary to perform your job duties. This includes the permitted use of a County-assigned laptop.

It is expected that your time working from home will be devoted to [specify work to be performed].  
[Identify any prioritized work]

Although [assigned work] will be your main priority, you will still be required to attend to your regular calls and voicemails. You will need to ensure you utilize Mitel to set up call forwarding to your personal phone. To check your voicemail while working remotely, call (360)-678-5111 and dial...

General expectations for working from home include the following items.

- Maintaining your regular schedule by logging into your computer by 8am and logging off at 4:30pm, unless pre-approved for Comp Time.
- Taking your regular breaks and lunches as you would when working in the office.
- Please send your supervisor a quick email when you login for work in the morning, when you log off for lunch, and when you log out at the end of the day. This is for the office's benefit but also for your own, as a record of when you are on the job.
- If you need to take time off to attend to personal matters, please request time off and let your supervisor know ahead of time.
- If you are sick, please take your sick time and follow your department's procedure for letting them know you are ill.

ITEM	ASSET ID
Laptop	
Monitor	
Docking Station	

\_\_\_\_\_  
[Employee]

\_\_\_\_\_  
Date

\_\_\_\_\_  
[Department Head]

\_\_\_\_\_  
Date