



## PERSONNEL (P)

## POLICIES AND PROCEDURES

### SAN JUAN COUNTY PUBLIC HOSPITAL DISTRICT NO. 1

DBA SAN JUAN ISLAND EMS

DBA VILLAGE AT THE HARBOR

DBA VILLAGE AT HOME

APPROVED BY THE SAN JUAN COUNTY PUBLIC  
HOSPITAL DISTRICT BOARD OF COMMISSIONERS  
on December 17, 2025



## Contents

P.1 COMMUNICATIONS EQUIPMENT USE .....	1
P.2 COMPENSATION – WAGES AND BENEFITS .....	3
P.2.1 Applicability and Authority to Set Compensation .....	3
P.2.2 Employee Benefits.....	3
P.2.3 Wages.....	9
P.2.4 Staff Meetings and Training .....	10
P.2.5 Salaried and Exempt Employees .....	10
P.2.6 Hourly Employees .....	11
P.2.7 Time and Attendance Policy .....	12
P.3 COMPENSATION - PAID TIME OFF (PTO).....	12
P.3.1 Introduction .....	12
P.3.2 Definitions .....	13
P.3.3 General Provisions.....	13
P.3.4 PTO - Administrative Division and EMS Outreach Department .....	14
P.3.5 PTO – Village at the Harbor .....	15
P.3.6 PTO - San Juan Island EMS .....	16
P.3.7 Ongoing Eligibility for Paid Time Off .....	16
P.3.8 COVID and Pandemic Leave .....	17
P.3.9 Sick Leave .....	17
P.3.10 Sabbaticals / 5-Year Bonus Policy.....	18
P.4 CONTROLLED SUBSTANCES: “DRUG FREE WORKPLACE” .....	21
P.4.1 Applicability and Covered Workers .....	21
P.4.2 Prohibited Behavior .....	21
P.4.3 Consequences .....	22
P.4.4 Return-to-Work Agreements .....	22
P.4.5 Confidentiality of Drug-free Workplace Program .....	23
P.4.6 Shared Responsibility .....	23
P.4.7 San Juan Island EMS Specific Policies .....	24
P.5 DRESS CODE AND UNIFORMS .....	25
P.5.1 Dress Code .....	25
P.5.2 Village at the Harbor Uniforms .....	25
P.5.3 San Juan Island EMS Dress Code.....	25
P.5.4 Surplus of Uniforms.....	26
P.6 EMPLOYMENT WITH THE HOSPITAL DISTRICT.....	26
P.6.1 Applicability .....	26
P.6.2 Employment At Will .....	26

P.6.3 Employer Rights .....	27
P.6.4 Creation of New Positions .....	27
P.6.5 Application for Employment and Job Descriptions .....	27
P.6.6 Interviews and Testing.....	29
P.6.7 Reference Checks .....	29
P.6.8 Criminal Background Checks – Village at the Harbor .....	29
P.6.9 Motor Vehicle License Check (Driving).....	30
P.6.10 Pre-Employment Physical .....	31
P.6.11 Employee Eligibility Verification and IRS Compliance .....	31
P.6.12 Pre-Employment Requirement Review.....	32
P.6.13 Paramedic Employment Requirements.....	33
P.6.14 EMT Employment Requirements .....	34
P.6.15 Training and Long-term Care Certification Requirements.....	36
P.6.16 Onboarding Requirements .....	36
P.6.17 Children in the Workplace.....	37
P.6.18 Pets in the Workplace .....	37
P.6.16 Professional Behavior .....	37
P.6.17 Hiring Incentives and Bonuses .....	38
P.6.18 Employee Names and Pronouns.....	39
P.6.19 Remote Work.....	39
<b>P.7 FAMILY AND MEDICAL LEAVE ACT/WASHINGTON FAMILY CARE ACT/ WASHINGTON PAID FAMILY LEAVE ACT .....</b>	<b>41</b>
P.7.1 General Statement .....	41
P.7.2 Family Medical Leave Act (FMLA) .....	41
P.7.3 Washington Paid Family and Medical Leave .....	47
P.7.4 Washington Family Care Act .....	50
P.7.5 Other Considerations .....	51
<b>P.8 GRATUITIES AND GIFTS .....</b>	<b>51</b>
P.8.1 General Statement .....	51
P.8.2 Considerations specific to Village at the Harbor.....	52
<b>P.9 HIRING AND EMPLOYMENT: GENERAL POLICIES .....</b>	<b>52</b>
P.9.1 Anti-Discrimination And Anti-Harassment .....	52
P.9.2 Equal Employment Opportunity and Affirmative Action Policy .....	52
P.9.3 Anti-Harassment Policy .....	53
P.9.4 Religious Accommodation .....	54
P.9.5 Americans with Disabilities Act (ADA) and Amendments (ADAAA).....	54
P.9.6 Accommodations for Pregnant Workers and Related Conditions .....	57
P.9.7 Anti-Bullying.....	57
P.9.8 Trafficking Victims Protection Act Of 2000 .....	58

P.9.8 Violence In The Workplace.....	58
P.9.9 Whistleblower Protection.....	59
<b>P.10 INFORMATION TECHNOLOGY APPROPRIATE USE POLICY.....</b>	<b>62</b>
P.10.1 Purpose.....	62
P.10.2 Definitions.....	63
P.10.3 Applicability .....	63
P.10.4 Appropriate Use .....	64
P.10.5 Prohibited Activities.....	65
P.10.6 Political Activity .....	67
P.10.7 Handling Personal/Security Sensitive Information.....	67
P.10.8 Electronic Mail and Voicemail .....	68
P.10.9 Network Login Information and Passwords .....	69
P.10.10 Business Continuity / Disaster Recovery Preparedness .....	70
P.10.11 Loss or Theft of District Information Technology Assets .....	70
P.10.12 No Expectation of Privacy.....	71
P.10.13 Virus Protection .....	72
<b>P.11 DISCIPLINE.....</b>	<b>72</b>
P.11.1 Policy Statement .....	72
P.11.2 Responsibility And Authority .....	73
P.11.3 Disciplinary Action.....	74
P.11.6 Voluntary Termination (Resignation) .....	75
P.11.7 Personnel Evaluation .....	75
P.11.8 Employee Complaint Process .....	75
<b>P.12 PERSONNEL FILES.....</b>	<b>76</b>
P.12.1 Contents .....	76
<b>Appendices .....</b>	<b>79</b>
Appendix A: Pay Scale (2026) for Districtwide Administrative Positions .....	80
Appendix B: Pay Scale (2026) Village at the Harbor.....	81





## SAN JUAN COUNTY Public Hospital District No. 1

### PERSONNEL POLICIES AND PROCEDURES

These personnel policies represent a continuation of the Policies and Procedures as outlined in "Administrative Policies and Procedures" for San Juan County Public Hospital District No. 1. They are separate only for ease of use, but are considered a single and coherent set of Policies and Procedures.

#### **P.1 COMMUNICATIONS EQUIPMENT USE**

The purpose of this policy is to improve communications and continue to give the best standard of care possible, as well as, to provide a higher level of service to the community and ensure personnel and patient/resident safety. To additionally identify the safe and appropriate use of mobile devices in and around aircraft and during mission operation.

See also P.10 Information Technology Appropriate Use Policy.

##### Procedures for "Communications Equipment Use"

###### **General**

Where possible, workplace communications should take place on devices issued by the District and follow the District's public records policy (see Administrative Policies and Procedures).

Personnel will provide protection and care for District issued communications devices. This includes safeguarding from damage, loss, and misuse.

In the event of malfunction, damage, and/or loss of District owned communication devices, personnel shall notify their Supervisor as necessary, and assure continued effective communications with quick exchange, repair, or replacement of communications equipment.

As stated in the P.10 Information Technology Appropriate Use Policy, Employees utilizing workplace equipment or electronics have no expectation of privacy on those devices.

###### **Unacceptable Uses**

- By personnel in the presence of other sensitive electronic equipment sensitive to interference such as pacemakers, IV pumps, etc.
- By personnel actively driving, operating, or captaining ground vessels except for essential communication. When possible, another individual in the ambulance or boat should operate communication devices whenever possible.
- At any other time when the operation of the electronic device would pose a health or safety risk to the patient/resident, staff, or the affected device.

## **Mobile Phone Use**

Personal phone use is subject to the following constraints:

- Personal cell phones are permitted to be carried while at work, but personal calls shall not be answered while on an aid call (EMS) or when caring for patients or residents.
- Messages may be checked on “down time” when not actively involved in work and use should be kept to a minimum.
- Personal mobile phone use must never be cause for delay in performing the duties of the employee.
- Personal phone use must not unduly interrupt administrative tasks or meetings.
- While attending to a patient or while operating a company vehicle, personnel shall not, under any circumstances, respond to (or make) a personal cellular phone call, send text messages, or check electronic mail on PDAs or other such devices.

An employee who is on duty for 24 hours or more, such as a staff EMT or Paramedic, has somewhat more leeway for personal calls than an office employee or employee who works 8, 10, or 12 hour shifts. However, all employees at work are expected to work, and excessive personal phone calls are not permissible.

## **Camera Use**

Personnel are permitted to use cameras or other picture taking or image generating devices authorized and issued by the District while on duty for agency purposes. The agency issued devices are intended to be used for medical purposes only such as to document the position of vehicles and patients at the scene of an accident or to document mechanism of injury for use by the receiving facility to assist in guiding treatment.

- All photography shall be for clinical, documentation, education, and quality assurance or research purposes only and conducted only at the direction of personnel in charge at the scene or by a supervisor
- An authorized and trained Public Information Officer may create and use pictures for public relations under the direction of the Superintendent or agency head
- Any photographs containing individually identifiable information are covered by the HIPAA Privacy Rule and must be protected in the same manner as patient care reports and other such documentation.
- Any on-scene (EMS) or in-facility (Village) images and any other images taken by an employee in the course and scope of their employment/volunteering are solely the property of the District and not the property of the individual staff member. This includes any image purposefully or inadvertently taken with a staff member's personally owned cell phone camera or other digital imaging device.
- No images taken by personnel in the course and scope of their activities may be used, printed, copied, scanned, e-mailed, posted, shared or distributed in any manner without the express, written approval of the agency head. Example: This prohibition includes posting photos on personal web sites, such as Facebook, or on other public safety agency web sites, or e-mailing images to friends, colleagues or others in the EMS industry.
- If any images or records were taken intentionally or inadvertently at an EMS scene, they are to be immediately erased from the device following the call

### **Social Media Use**

All personnel should keep in mind that social media speech is not different from other forms of speech. If a statement would be insubordination in person, it's insubordination on social media. If it is hateful, defamatory, or discriminatory to say in person or write it in a newspaper, then it is on social media as well.

Social media is a medium for communication similar to sending a letter, speaking verbally with another person, or making a phone call, and is subject to all the same constraints and rules. Just as with these other mediums, social media may be broadcast to many people or few people and still be grounds for discipline.

## **P.2 COMPENSATION – WAGES AND BENEFITS**

### **P.2.1 Applicability and Authority to Set Compensation**

Compensation, including benefits and wages, are set by the Board through the approved budget, and administered by the Superintendent within the constraints and goals set by the Board. This authority may be further delegated through a “delegated powers document” to agency heads created and approved by the Superintendent.

The District is bound by Collective Bargaining Agreements and contracts. Personnel on a contract will receive wages and compensation, including benefits, per the terms of their contract. The District sometimes offers benefits beyond the Collective Bargaining Agreement, which may be extended to union employees, but the District reserves the right to remove these benefits at its discretion.

### **P.2.2 Employee Benefits**

It is the desire of the organization to provide a comprehensive compensation and benefit package to the employees within the budgetary feasibility of the organization. Eligibility for medical insurance and other benefits is negotiated with the insurers and imposes specific requirements. For instance, when an employee can make changes to their healthcare plan is regulated by the insurer.

When an employee is enrolled, management will do their best to educate the new employee on the rules for how benefits work, but it is the employee's responsibility to ensure that they obtain the correct coverage and to work with the insurer to get any questions answered.

The District reserves the right to alter the benefit package, and/or cost sharing, as required based on budgetary constraints and subject to limitations set by contracts such as the Collective Bargaining Agreement. Each benefit carries with it various restrictions and requirements, many of which are not listed here. The purpose of this policy is to identify available benefits for personnel, but conditions can and often do apply even within each agency.

Benefits are designated on the employee's job description, which are approved by the Superintendent.

## Procedures for “Employee Benefits”

Following is an explanation regarding employee benefits.

### **Holiday Overtime – VATH only.**

For Village at the Harbor employees (excluding admin and nurses), holiday pay is equal to overtime pay for working on holidays.

Approved holidays are New Year’s Day (January), Martin Luther King Day (January), Presidents Day (February), Memorial Day (May), Juneteenth (June), Independence Day (July), Labor Day (September), Thanksgiving Day, and Christmas Day (December).

### **Paid Time Off – All employees 30+ hours**

See PTO Policy. Amount of PTO varies by employee class and years of service. It is only available to full-time employees.

### **Medical and Dental – All employees 30+ hours**

The District provides medical and dental insurance through Public Employee Benefits Board (PEBB) to all eligible employees. Rates and percentage paid by the employee may vary.

An employee must meet the insurer’s requirements to maintain benefits such as healthcare insurance. Currently, that means an employee must work 30 hours or more per week.

If an employee does not meet this requirement, benefits are terminated for the following month. Paid time off counts towards hours worked for the sake of benefits, but PFML and FLMA do not.

### **San Juan Island EMS**

The District covers 100% of the employee’s medical and dental cost and 90% of the dependent’s cost. The District offers medical insurance through Public Employees Benefits Board (PEBB). For 2026, the plans available to employees include the UMP High-Deductible Health Plan (HDHP) and UMP Select. Detailed information on available plans can be found on PEBB’s website at: [Home | Washington State Health Care Authority](#)

Dental and vision insurance is included as a part of PEBB’s medical insurance.

Employees may elect any of the available dental or vision plans through PEBB during open enrollment.

### **Hospital District Administration/Village at Home/Village at the Harbor (Employees on Fund 6521)**

The District offers medical and dental insurance through Public Employees Benefits Board (PEBB). For 2026, the plans available to employees include the UMP High-Deductible Health Plan (HDHP), UMP Select, and UMP Classic. The District covers 80% of the cost for the UMP High-Deductible Health Plan (HDHP). Employees who choose an alternative health plan are responsible for paying the additional cost difference

between the UMP HDHP and their selected plan, as well as the remaining 20% of the base premium. Detailed information on available plans can be found on PEBB's website at: [Home | Washington State Health Care Authority](#)

Dental and vision insurance is included as a part of PEBB's medical insurance. Employees may elect any of the available dental or vision plans through PEBB during open enrollment.

### **COBRA Coverage – All PEBB eligible employees**

As an entity with 20+ benefit-qualifying employees, San Juan County Public Hospital District No. 1 is required by law under the Consolidated Omnibus Budget Reconciliation Act (COBRA) to offer a continuation of health coverage program to all employees.

San Juan County Public Hospital District No. 1 is obligated to provide a notice to every qualifying individual of their rights under COBRA. The qualifying individual will receive a notice in the mail informing them that they are eligible for apply for a temporary continuation of their benefits under COBRA, which will include a Summary Plan Description (SPD).

Employees (and their dependents) become eligible to apply for COBRA after a qualifying event, such as:

- Departing from service with the Hospital District under any circumstance other than termination with cause
- Becoming ineligible to receive benefits as part of their total compensation through the Hospital District due to a reduction in total hours worked.
- Dependents alone become eligible for COBRA if they lose their insurance benefits through the Hospital District due to situational circumstances, such as:
- Death of the covered employee
- Divorce from the covered employee
- Legal separation from the covered employee
- Age limit restrictions of a dependent child
- The covered employee becoming Medicare eligible

Each COBRA qualifying individual has 60 days after being disqualified from benefits through the Hospital District to apply for a temporary continuation of their benefits. Benefits covered under COBRA include:

- PEBB Benefits, as directed by Washington State Health Care Authority
- PEBB Plans

The Health Care Authority administers PEBB Continuation Coverage (COBRA), a temporary extension of PEBB medical, and/or dental, and/or vision coverage, for eligible members (employees and dependents) who lose eligibility for the employer contribution toward PEBB benefits.

The length of the benefits continuation under COBRA is dependent upon the circumstances surrounding the departure of the employee or the dependent and should

be asked at the time of enrollment. COBRA benefits can extend anywhere from 18 to 36 months.

A qualifying employee under COBRA may be terminated from their continuation coverage earlier than the maximum period for the following reasons:

- Neglecting to pay the insurance premiums
- The Hospital District ceasing to provide any health insurance or HRA coverage
- A beneficiary begins coverage under another healthcare plan
- A beneficiary becomes eligible for Medicare
- A covered individual participates in conduct that could disqualify them for coverage under the health insurance plan, such as fraud

### **Health Savings Account (HSA)- Available to employees who enroll in a High Deductible Health Plan through the District**

HSAs are designed to help employees save for qualified medical expenses on a tax-advantaged basis. Contributions to HSAs may be made by the employee, the employer, or both, within the limits established by federal law.

Employees may choose to contribute to their HSA as a payroll deduction by submitting the appropriate form to Human Resources.

### **San Juan Island EMS**

Eligible employees can choose between two distinct health plans, one of which qualifies for HSA participation. For employees enrolled in the HSA-eligible plan, the District provides a contribution of \$75.00 per month to their HSA beyond the base PEBB contribution. Employees are encouraged to review the detailed information provided in the health plan materials to fully understand the benefits and requirements of the HSA program.

### **Administration, Village at the Harbor, Village at Home**

Eligible employees who choose to enroll in PEBB's High-Deductible Health Plan (HDHP) will have access to an HSA. Employees are encouraged to review the detailed information provided in the health plan materials to fully understand the benefits and requirements of the HSA program.

### **Public Employees Retirement System (PERS) – Eligible by Employer Designation**

Employees working 70 hours or more per month for five months during each of two consecutive years in a permanent position are eligible for PERS. PERS enrollment is mandatory for qualifying District employees.

The District offers PERS retirement for all eligible positions. It is the District's Policy to comply with Department of Retirement Services (DRS) regulations on this matter. DRS releases a worksheet that allows the employer to determine eligibility, and a version current should be used. The correct, current guidelines should be consulted when determining

PERS eligibility, and if a more up-to-date version is available from DRS then that should be used.

An annual review should be conducted on all positions not receiving PERS to determine if they have become eligible for PERS. This eligibility audit should be saved in a consistent place.

### **Law Enforcement Officers' and Fire Fighters' Retirement System (LEOFF) – EMS Fulltime only**

First responders who are full-time employees may qualify for LEOFF. This retirement is offered to all qualifying employees consistent with current Department of Retirement Systems guidelines.

### **Deferred Compensation – All employees**

All employees have access to deferred compensation.

Full-time EMS employees, salaried employees who are exempt from the FLSA, and employees who work in the administrative offices or an approved districtwide role receive a monthly contribution of \$100 from the District.

### **Life Insurance – PEBB Eligible Employees Only**

All employees who are eligible for PEBB are automatically enrolled in life insurance, even if you waive medical coverage. You do not need to provide evidence of insurability as a new enrollee (proof of good health). The level of coverage is based on what is provided by default from PEBB at no additional expense to the employer. Employees may “buy up” to better insurance coverage but are responsible for paying for the increased coverage at their own expense.

### **Medivac Memberships – All Employees**

Airlift NW, Life Flight, and Island Air memberships are provided to all personnel who request membership.

### **Short Term Disability**

Most employees are covered by PFML and FMLA; reference P.7 Family Medical Leave Act/ Paid Family Medical Leave

### **Long Term Disability – PEBB Eligible Employees Only**

All employees who are eligible for PEBB are automatically enrolled in employer-sponsored long term disability insurance (minimum benefit of \$100 and a maximum benefit of \$240 per month), even if they waive medical coverage. Employees do not need to provide evidence of insurability (proof of good health). There is no cost for this coverage.

If an employee is eligible for employer-paid LTD, they will be automatically enrolled in an employee-sponsored plan that covers 60 percent of their predisability earnings (up to

\$16,667). **Employees must pay for this coverage.** At any time, employees can reduce to a lower-cost 50-percent coverage level or decline the coverage using [Benefits 24/7](#).

Further information can be found on PEBB's website at: [Long-term disability insurance | Washington State Health Care Authority](#)

### **Tax-Free Meal at Village at the Harbor**

Staff at Village at the Harbor may receive breakfast, lunch, or dinner if it occurs during their shift and food is available.

When filling responsibilities with Village at the Harbor and functioning as Village at the Harbor employees, leadership and administrative staff may also be given a meal. It is positive for staff to see leadership and administrative staff and this can be a useful way to do that. Once to twice a week is sufficient.

### **Annual Cost of Living Increase (COLA)**

A COLA does not automatically apply to non-union members and must be approved by the agency head and the Board of Commissioners. Typically, the Superintendent will submit a budget with a planned COLA in it for non-union members, which may or may not reflect the union contract.

### **Continuing Education**

Medical providers receiving ongoing education to maintain their credential will have the cost of the training paid for by the District.

Optional trainings must be approved by the agency head or the direct supervisor to be eligible for pay.

The District may often provide food consistent with the budget, such as for OTEP at San Juan Island EMS.

### **Jury Duty**

The District will recognize jury service as a working day (typically by utilizing Administrative Leave) at the employee's regular salary rate for a maximum of 10 days in a year, provided that the employee executes an agreement to turn over any payment received from service to the District.

Reimbursements for travel, meals, and/or lodging will not be reimbursed, but per diems paid by the court are to be used for this purpose and do not need to be turned over to the District.

The employee must notify their supervisor within one week of receipt of the jury summons.

On any day the employee is not required to serve, the employee is expected to perform their normal duties, unless their service was required off-island and the employee traveled off-island to perform the service (e.g. a federal grand jury). In order to receive jury service pay,

the employee must present a statement of jury service and pay to their supervisor. This document is issued by the court.

### **Paid Exercise Time**

EMS employees who are paid hourly and assigned to an ambulance are encouraged and authorized to exercise while on duty. The amount of time shouldn't be in excess of 1.5 hours per day and should not leave the employee fatigued such that their ability to respond to emergencies is impaired.

Salaried, exempt employees who respond to 911 calls and are licensed as an EMT or paramedic are authorized to exercise up to 3 hours per week while on the clock.

Employees should be cautious to avoid injuries and ensure that they are appropriately trained for the exercise being performed.

### **Gym Memberships**

All employees are eligible for a discounted or fully-paid gym memberships based on the criteria below. This voluntary wellness benefit is optional, and the District may modify or discontinue it at any time. Based on the District's current agreement with The Rec, employees may choose to sign up for land (gym) or sea (pool) memberships, or both.

PHD, VATH, VAH (Budget 6521): Full-time employees, as defined in their job descriptions, are eligible for a District-paid membership to The Rec (land only), which is treated as a taxable benefit and processed through payroll deduction. Part-time employees may participate at the contracted discounted rate but are responsible for the full cost of their membership.

EMS (Budget 6511): All employees and volunteers (who are eligible for stipends and fully enrolled with the District through human resources) are eligible for a District-paid membership to The Rec (land only), which is treated as a taxable benefit and processed through payroll deduction.

### **P.2.3 Wages**

All employees that are not exempt from the FLSA are paid overtime for hours in a week that exceed 40 at 150% of their standard salary.

Pay may be set by a written employment agreement, Collective Bargaining Agreement, , a pay scale such as the Village at the Harbor pay scale found in the appendix of these policies , or set by the agency head based on an approved job description and pay range.

Wages for salaried employees and job description wage ranges are set at the discretion of the superintendent using budget funds approved by the Board. Employee agreements that differ from policies and procedures require Superintendent approval. In all matters, the Superintendent oversees all wages except his own, which is overseen by the Board of Commissioners.

#### Procedures for “Wages”

1. The agency head will assign a step level based on experience for all non-union employees and new hires (typically not more than 2-3 years).
2. Pay Ranges - job descriptions established by the Superintendent establish pay ranges, as does the Collective Bargaining Agreement and various employment agreements, such as the Assistant Chief contract, as do pay scales. All pay scales are discretionary.
3. Agency heads and supervisors are encouraged to do employee reviews.
4. Pay scale advancements, if any, are discretionary, based on merit, and shall be based on performance reviews where possible, except for employees under a Collective Bargaining Agreement. When following an annual review an employee is not awarded a step increase the agency head will give specific objectives and timeline for employee to receive pay step increase.

#### **P.2.4 Staff Meetings and Training**

It is expected that employment with the District is the employee’s priority. Staff meetings, as well as trainings necessary to maintain a provider’s credential or license are mandatory. Attendance may be excused by the agency head or the employee’s supervisor, but 75% attendance in a year is the minimum expected attendance.

Staff meetings should be regularly scheduled and consistent to make it easier for employees to attend but may be called on an emergency basis as well.

#### **P.2.5 Salaried and Exempt Employees**

Salaried Employees who are exempt from the FLSA and the Washington State Minimum Wage Act may work irregular hours where it is in the District’s interest and as approved by supervisors. The Superintendent is not considered to have a supervisor for the purposes of this policy.

Exempt employees are classified in accordance with federal law by Human Resources and the Superintendent. The hire or termination of a salaried/exempt employee requires Superintendent approval, and compensation changes must be approved by the Superintendent.

#### Procedures for “Salaried Employees”

##### **Tracking of Hours**

Exempt employees do not submit a timesheet. They are expected to work whatever time is needed to fulfill their responsibilities. They do have assigned schedules and hours of work.

The District seeks to allow flexibility for its exempt employees to help reduce the impact on employees. This must be balanced against the District’s needs for consistent leadership from its senior employees.

Employees are expected to generally be available during regular office hours, which may vary by agency. An exempt employee may coordinate schedule adjustments with their supervisor.

Any full day not worked requires use of PTO unless the employee’s supervisor has approved a scheduled adjustment (For example, if the salaried employee works Saturday to attend a

training, the employee's supervisor may allow taking another day off). A full day off is approved by the employee's supervisor, even if the employee performs minor, incidental work at the discretion of the employee.

Ultimately, it is the employee's responsibility to manage their time such that they are able to be available to their staff, coworkers, and the people we serve in a consistent and professional manner.

The District cannot specify every situation where this policy may need adaptation or may prove insufficiently detailed. Exceptions may be necessary at times. Agency heads may approve deviations as may be necessary for their staff, and the Superintendent for the Agency heads. However, all exempt employees are reviewed based in part on their performance and dedication. Exempt employees are the leaders of the District and should show strong work ethic and be a good example to their team.

### **On Call Time**

Many Salaried/Exempt employees are required to spend time on call, such as an EMS Chief, who is "on call" to backfill the ambulance in the event of high acuity calls or concurrent calls. Employee job descriptions that require on call time take this into account when setting employee compensation. On call hours don't count as hours worked, but once the on call employee starts working (for instance, responds to an aid call), these are hours worked and can be tracked.

The District wants employees to recover time where on call time has resulted in many extra hours of work. When an employee finds that they have worked many extra hours (not been on call), the employee may request reduced office hours during the same pay period subject to approval from their supervisor. This may not be a 1-for-1 hour trade of hours for hour, but where possible, supervisors should try to support employees who end up working many extra hours.

### **P.2.6 Hourly Employees**

Employees who are eligible for overtime are referred to as "non-exempt employees," referencing the fact that they are not exempt from the Fair Labor and Standards Act. They may also be referred to as "hourly employees."

#### Procedures for "Hourly Employees"

Employees who are not exempt from the FLSA, "non-exempt employees," are responsible for accurately recording their time, entering it into the District's timekeeping system, and submitting it for manager approval at the end of each pay period. Hourly employees should enter their time worked into the District's timekeeping system on a daily basis. PTO must be approved by the employee's supervisor. PTO is not guaranteed, but approved based on budget, staff availability, and other constraints.

All overtime must be approved in advance by a supervisor. Unauthorized overtime will be compensated accordingly, but may result in disciplinary action.

Failure to comply with this policy, including falsifying time records or failing to report time accurately may result in disciplinary action, up to and including termination of employment.

Employees who are not exempt from the FLSA, “non-exempt employees,” are responsible for checking the posted schedule or scheduling system and are expected to know their assigned shifts or schedule. Management will do their best to accommodate employee scheduling requests; however, business necessity always comes first, and requested shifts are not guaranteed.

### **P.2.7 Time and Attendance Policy**

Employees are expected to be ready to work at their scheduled start time. Regular attendance is a key part of each employee’s job performance. Nothing in this policy should be construed to diminish rights under collective bargaining agreements that the District has agreed to.

#### Procedures for “Time and Attendance Policy”

Absences, tardiness, and early departures must be reported to the employee’s supervisor as soon as possible. Notification should be made by **phone call or in person** directly to the supervisor (not through a coworker or a text). Employees are responsible for providing the following information regarding their absences, tardiness, or early departure: reason, expected duration, required documentation (such as a medical note). Repeated absences, tardiness, or early departures, without a qualifying reason, may result in disciplinary action, up to and including termination of employment.

*Note: Please reference policies: P.3. PTO, P.3.9. Sick Leave, P.2.7. Hourly Employees, and P.2.6. Salaried Employees policies for further information on time and attendance requirements and use of leave for cover absences.*

## **P.3 COMPENSATION - PAID TIME OFF (PTO)**

### **P.3.1 Introduction**

The District believes that it is important for employees to take time off for the success and well-being of all personnel.

This policy and the benefits described herein may be modified or discontinued from time to time. San Juan County Public Hospital District No. 1 reserves the rights to amend, modify, rescind, delete, supplement, or add to the provisions of this Policy as it deems appropriate from time to time in its sole discretion, except where limited by a specific contract or Collective Bargaining Agreement.

Paid Time Off (PTO) is offered to full-time employees only (32 hours or more per week, for the entire month). This is only accrued if the employee worked full-time the entire month. Paid time off (PTO) counts towards hours worked for the sake of PTO accrual, but PFML and FLMA do not unless PTO is used concurrently for the entire month.

Part-time employees are eligible for sick leave ((reference P.3.9 for further information).

### **P.3.2 Definitions**

PTO – Paid Time-Off

Cash Out – Payment for PTO taken as an extra day

Capped – Not allowed to increase in value

PTO – Paid Time Off granted as a benefit for employee use. This is a single pool that includes all of the employee's PTO.

End of Service – Resignation, retirement, or termination which results in the cessation of employment

Years of Service – For the purpose of PTO, employees hired before January 1<sup>st</sup>, 2024, will advance to the next year of service on January 01, unless hired after October 1<sup>st</sup> of that year. Employees hired after January 1<sup>st</sup>, 2024 will advance on the PTO scale on their work anniversary, based on the appropriate PTO scheduled outlined in P.3 PTO per the employee's job description. The District reserves the right to track all employees based on date of hire, or, alternately, to roll over all employees on January 1<sup>st</sup>.

### **P.3.3 General Provisions**

Although the District has many kinds of employees working different kinds of shifts, the following apply to all full-time employees, unless otherwise specified in a contract or Collective Bargaining Agreement.

Part-Time Staff do not receive PTO time

Specific PTO awarded is described separately (see below).

#### Procedures for “General Provisions”

1. General Provisions
2. PTO will accrue each pay period based on the yearly allotment. For instance, if the pay period is half a month, and the employee accrues 240 hours per year, they will accrue 10 hours each pay period.
3. Employees may “cash-out” PTO at 100% of value subject to budgetary constraints. The Agency head must approve cashouts. The employee may be asked to break up large PTO cashout requests over multiple months. Employees should maintain enough PTO to cover unexpected illness, and cashout requests that would drain PTO excessively may be denied for this reason.
4. A maximum of 400 hours may be rolled over at the end of the year for use in the next year. If exceeded, the days are considered forfeited.
5. An employee may borrow PTO from the District with written permission from their agency head. This should be avoided and is intended for emergencies. An employee who separates from the District before accruing enough PTO to break even will be required to repay the value of the PTO.
6. Non-scheduled PTO and leave for sickness and personal emergencies may be utilized on the following basis, subject to supervisor approval:

- a. Up to 40 hours of PTO may be used without a physician note, or 48 hours for EMS personnel assigned to ambulance shifts. Extended illness or injury must generally be approved by a physician.
- b. Any full-time employee is eligible for paid bereavement leave, up to 40 hours, or 48 hours for EMS personnel assigned to ambulance shifts. This applies to immediate family: parents, children, siblings, and spouses or partner. Bereavement leave should be taken within one year of the qualifying event and must be taken all at once (it may not be spread out). As with any leave, approval for specific time off must be approved by an employee's supervisor.
- 7. Scheduled PTO for vacations and holidays must be approved in advance by the employee's supervisor.. This time will be granted on a seniority basis with community staffing needs as a priority. Scheduled PTO must not interfere with the safe and adequate functioning of the District.
- 8. Given staffing needs, the agency head may direct use of an employee's PTO for the safe and effective operation of the District, due to financial constraints, or mandated time-off.
- 9. If an employee changes classification, they will be switched to the appropriate equivalent schedule.
- 10. An employee may not take a time off except with permission of their supervisor.

#### **San Juan Island EMS Specific General Provisions**

These provisions apply only to EMS:

- 1. Earned and banked PTO may be gifted to another employee for the purposes of emergencies and illness/injury. The PTO gift must be in writing from the gifting employee to the Chief and approved by the Chief. That time will then be taken from the gifting employee's PTO bank and deposited into the gifted employee's bank. Gifted PTO may not be cashed out, and is only available for use for actual paid time off. Unused gifted time may be returned to original gifting employee in writing to the agency head for approval.

#### **P.3.4 PTO - Administrative Division and EMS Outreach Department**

The Administrative Division and EMS Outreach Department (who are clearly identified as such in their job description) are given holidays off. Holidays are as follows:

##### Procedures “Finance Department and EMS Outreach Department”

##### **Holidays (Admin Department, EMS Outreach Department)**

Employees of the Administrative Division who don't have a separate employee agreement, and the EMS Outreach Department (who are clearly identified as such in their job description) will receive eleven holidays, which may not be cashed out and are not exchangeable for different days (except as may benefit the District and as approved by the applicable agency head). If a holiday falls on a weekend, it shall be observed on the same day as federal employees. Holidays are in 8-hour increments, so employees who work four-day workweeks will need to supplement with PTO or work extra hours elsewhere in the week.

- New Year's Day (January)
- Martin Luther King Day (January)
- Presidents Day (February)
- Memorial Day (May)
- Juneteenth (June)
- Independence Day (July)
- Labor Day (September)
- Thanksgiving Day and the day after Thanksgiving (November)
- Christmas Day (December)
- New Year's Eve (December)

#### **PTO Time (Administrative Division, EMS Outreach Department)**

In addition to holidays, employees of the Administrative Division and EMS Outreach Department (who are clearly identified as such in their job description) will receive seventeen days (or 136 hours) of PTO with 1 day (8 hours) added for each year of service up to ten years. Afterward, an additional 1 day (8 hours) will be added every two years, to a maximum of 28 days (224 hours). This is intended to cover sick leave as well as vacation time but may be used for any purpose.

YEARS	DAYS OF PTO	YEARS	DAYS OF PTO
1	17	11	26
2	18	12	27
3	19	13	27
4	20	14	28
5	21	15+	28
6	22		
7	23		
8	24		
9	25		
10	26		

#### **P.3.5 PTO – Village at the Harbor**

Full-time Village at the Harbor staff receive PTO time consistent with all limitations, policies, and procedures as laid out in these Policies and Procedures. This is intended to cover sick leave as well as vacation time.

##### Procedures for “PTO – Village at the Harbor”

Designated management staff (salaried, and marked on their job description) will receive twenty-four days (or 192 hours) of PTO with 1 day (8 hours) added for each year of service up to ten years. All others will begin with twenty-one days (or 168 hours) of PTO, with 1 day (8 hours) added for each year of service up to ten years.

Years served are counted from the year San Juan County Public Hospital District No. 1 acquired Village at the Harbor.

YEARS	DAYS OF PTO	DAYS OF PTO (MANAGEMENT)
1	21	24
2	22	25
3	23	26
4	24	27
5	25	28
6	26	29
7	27	30
8	28	31
9	29	32
10+	30	33

### **P.3.6 PTO - San Juan Island EMS**

Union EMS Employees are given Paid Time Off consistent with the Collective Bargaining Agreement (CBA). They are subject to all policies and procedures herein except where they conflict with the CBA, in such cases the CBA may be preferred.

Likewise, all full-time employees with an employment agreement are likewise subject to all policies and procedures detailed herein, except where they differ from the agreement. Where they differ with the agreement, the agreement may prevail.

Hires outside of these categories, employees are given leave equivalent to Policy “P.3.4 PTO - Finance Division, PR/HR Specialist, EMS Outreach Department.” Currently there are no employees to whom this would apply.

### **P.3.7 Ongoing Eligibility for Paid Time Off**

Accruals such as Paid Time Off are benefits given to full-time employees and are subject to ongoing eligibility requirements.

#### Procedures for “Ongoing Eligibility for Paid Time Off”

##### **Failure to Work Scheduled Hours**

An employee must work the number of hours in their job description. If that is 40 hours, then the employee must work those 40 hours. Employees must also work the assigned shift. An employee who does not work full-time the entire month (which, generally is defined by the number of days the employee would have worked, e.g. all Mondays through Friday 9 am – 5:30 pm) does not qualify for PTO in the affected month.

Any time off must be approved. Generally, only paid time off will be accommodated, however, the agency head may approve unpaid time-off in unusual circumstances. However, this is strongly dispreferred, and employees should have no expectation that such time off will be awarded.

Any shift changes must be approved by the employee’s supervisor.

Missing a shift without giving approval is grounds for dismissal, as is repeatedly missing shifts with short notice.

For PFML and FMLA leave please reference P.7 Family and Medical Leave Act/ Washington Family Care Act/ Washington Paid Family Leave Act.

#### **Full-time less than 32 Hours**

An employee who is scheduled to work less than 40 hours per week on a permanent basis, but who still works full-time (i.e. 32 or more hours per week), accrues PTO at a ratio equal to the percent full-time that they work. For instance, if the employee works 32 hours per week, they receive 80% of the PTO of an employee who works 40 hours per week.

When the employee takes time off, only 32 hours of PTO are required to take a week off, or 6 hours per day.

In other words, the employee accrues less PTO, but also needs less PTO to take time off. If the employee receives holidays they are worth the same amount as PTO.

### **P.3.8 COVID and Pandemic Leave**

The District has at times offered COVID and pandemic leave. The District does not currently offer pandemic or covid leave, and any leave of this type is discontinued as of the date of adoption for these policies and procedures.

### **P.3.9 Sick Leave**

Sick leave is part of Washington State Law and requires employers to provide paid sick leave to all employees. According to Washington State Labor & Industries, as part of initiative 1433 approved in 2016, employers must provide, at minimum, 1 hour of sick leave for every 40 hours an employee worked.

Beginning on the 90th calendar day after an employee begins with San Juan County Public Hospital District No. 1, employees may request to use their sick leave for a qualifying event. Up to 40 hours of sick leave may be carried over to the next year every year.

Sick leave is a benefit available to employees who are not eligible for paid time off. All part-time employees of San Juan County Public Hospital District No. 1 will be eligible for sick leave and start accruing at their first hour of work, at the accrual rates listed in the policy.

Part-Time employees may utilize sick leave for the following reasons:

- For a mental or physical illness or injury, including treatment and care
- To care for family members experiencing a mental or physical illness or injury, including treatment and care; family members are classified as: Child, Parent, Spouse, Legally Registered Domestic Partner, Grandparent, Grandchild, Sibling
- If your workplace closes for health-related concerns or by public order, or to care for a child after their school or daycare closes for health-related concerns or by public order
- For reasons pertaining to the Domestic Violence Leave Act (DVLA)

No disciplinary action will be taken against an employee for using their sick leave, but employees are responsible for notifying their employer of their intent to utilize sick leave. Unless there are extenuating circumstances, failure to notify the employer of absence from work due to sick leave may result in disciplinary action.

In the event that an employee moves from part-time to full-time, the sick leave bank will be rolled into the PTO bank of the employee.

### **P.3.10 Sabbaticals / 5-Year Bonus Policy**

San Juan County Public Hospital District No. 1 supports employee work-life balance. In an initiative to ensure employee retention, productivity, and work satisfaction, the District has elected to provide certain employees with a 3-month (8 weeks paid, and an optional 4 weeks unpaid) sabbatical subsequent to their fifth full year of consecutive, full-time employment with the District.

The District reserves the right to retire this policy without penalty. This policy depends in part on the desire of employees to help support each other while on sabbatical, and requires the ongoing support of employees to keep this policy in effect.

#### **Eligibility for Sabbatical**

Eligibility is tracked from the date of hire, and may or may not be equal to years of service for other purposes, such as PTO or pay scale as applicable. (*For instance: “Ellen” was hired on January 1, 2025. She works all of 2025, 2026, 2027, 2028, and 2029. She is eligible on January 1, 2030.*)

This policy applies to employees classified as sabbatical-eligible per their job description (approved by the Superintendent) for *at least* five consecutive years; employees must be in a sabbatical-eligible role for all five years. Any leave through FMLA, PFML and the ADA exceeding one month total will not be included in the five-year calculations.

This policy does not apply to eligible employees who have waived their right to their sabbatical contractually. It also does not apply to union employees with their own Collective Bargaining Agreement, and this is generally intended for exempt administrative and leadership employees (generally all non-union exempt staff). Rare non-exempt employees who will have to spend a lot of time covering for employees on sabbatical may be eligible, such as an Administrative Specialist in the Administrative division, but in general, hourly employees are not eligible.

Eligibility begins on the date an employee is placed into a role that is eligible for the sabbatical, not the date of hire. (*For instance, if “Ellen” is hired as a Resident Assistant in March 2025, and later is hired in April 2027 as the Executive Director, Ellen does not begin to accrue years for the purposes of the sabbatical until April 2027*)

Superintendent Butler is eligible for sabbatical, however, sabbatical eligibility may not accrue prior to January 1, 2023, and must be approved by the Board both in terms of timing and length. The Board may opt to shorten the sabbatical and/or cash out whatever remains consistent with the rest of this policy.

As positions are added and the District grows, the Superintendent is authorized to add sabbatical eligible positions for salaried/exempt employees.

Current positions, by eligibility date include:

Last Name	First Name	DOH	Date Eligible for Sabbatical
Perrollaz	Evan	3/1/2022	3/1/2027
Levasheff	Tina	3/1/2022	3/1/2027
Lynch	Kelsey	3/7/2022	3/7/2027
Bishop	TJ	6/1/2022	6/1/2027
Jack	Laura	10/18/2023	10/18/2028
Williamson	Samantha	1/1/2025	1/1/2030
DeLaZerda	Robin	8/1/2025	8/1/2030
Ward	Teresa	8/22/2025	8/22/2030
Butler	Nathan	4/1/2018	1/1/2028**
Johnson	Hannah	10/8/2021	10/6/2028*
Wambsganss	Steve	3/26/2021	3/26/2028*

\*2 yr education delay

\*\*Delay by policy (see above)

#### Procedure for “Sabbaticals / 5-Year Bonus Policy”

The ability to schedule sabbatical leave is dependent upon the District’s current and ongoing projects, budgetary constraints, and other scheduled sabbaticals:

- Date of the sabbatical must be cleared through the Superintendent to minimize impacts on the District. Just because an employee is eligible, it does not mean the employee may immediately take their sabbatical. Coordination of a sabbatical must be planned well in advance with the Superintendent.
- In specific circumstances, the Superintendent may delay an employee’s sabbatical due to budgetary constraints, major projects, or other reasons. EMS eligible employees may have one month between June, July, and August, but not all three, and splitting the sabbatical may be reasonable in this instance. This may be waived upon Superintendent approval.
- When many employees cluster together on a sabbatical calendar, the Superintendent may also move up a sabbatical date in order to spread dates out. The section below on “employment after sabbatical” still applies, with the one year of employment starting from the date of return from the sabbatical.
- Upon request from an employee, or at the option of the Superintendent, the Superintendent may opt to cash out the value of the paid portion of the sabbatical at 100% of the PTO value of the sabbatical (for instance, 8 weeks of PTO at 100% value). This may be part or all of the sabbatical time.
- Sabbatical leave and any PTO used to cover unpaid time off, must be taken consecutively unless requested or approved by the Superintendent, or in the case of the Superintendent, unless requested or approved by the Board of Commissioners.
- How each sabbatical is implemented will depend on the specific employee, for instance, some may have to check in periodically, or have other rules in order to make the sabbatical possible without paralyzing the District

Non standard options, such as a part-time work hours for the duration of the sabbatical instead of a trip, or taking four two-week vacations spread through the year instead of a sabbatical, may be considered on a case-by-case basis and require approval by the Superintendent. Employees are allowed and encouraged to utilize their accrued PTO to cover the optional 4 weeks of unpaid leave.

### **Future Sabbaticals**

The District will review, upon completion of the first cycle of sabbaticals, whether this policy was efficacious and useful. However, it is the intention of the District that eligible employees will eventually continue to receive 3-month (12 week) sabbaticals every five years until their employment with the District ends, subject to the same terms and conditions as their initial sabbatical with the District. As of this writing, the District officially only extends one sabbatical after five years of service in an employee's career.

Multiple sabbatical leaves cannot be accrued or combined, with 3 months out being the upper limit. For example, the first sabbatical must be taken before an employee completes their 10<sup>th</sup> year, otherwise, upon reaching year 10, the first sabbatical would be forfeit.

### **Benefits and compensation while on sabbatical**

Sabbaticals are treated as PTO time and Employees will remain benefits and retirement contribution-eligible while on sabbatical leave unless prohibited by law. Benefits offered through the District prior to sabbatical leave will be maintained throughout the entirety of an employee's leave (unless the District changes benefits for all employees), except that employees **will not** accrue additional PTO while on sabbatical leave.

Should an employee opt to take the third month of leave, at minimum, an employee must use enough PTO to cover the cost of their benefits contributions.

### **Employment after sabbatical leave**

If an employee does not intend to return to employment after the sabbatical, the employee must tender notice before leaving on sabbatical, otherwise employees are required to complete one year of full-time employment with the District after taking sabbatical leave. Failure to return to work or complete the required employment (unless fired, furloughed, or laid-off) after sabbatical will result in the employee being required to reimburse the **total wage compensation amount** of the sabbatical to the District. In extenuating circumstances, such as disability, death of a spouse/partner, or chronic illness the Superintendent may opt to waive part or all of this fee. Forfeiture of current available PTO and banked PTO may be utilized to assist in repayment to the District. Employees who have received an Education Reimbursement:

If an employee has received education reimbursement for an accredited degree costing the District more than \$20,000 during the five-year period of eligibility for a sabbatical, a two-year delay will be applied to the employee's sabbatical eligibility. Except that this will not apply to Nathan Butler, who took a several year penalty on the sabbatical policy already at the time of the policy's creation.

## **P.4 CONTROLLED SUBSTANCES: “DRUG FREE WORKPLACE”**

### **P.4.1 Applicability and Covered Workers**

The District is committed to protecting the safety, health and well-being of all employees and other individuals in our workplace. We recognize that alcohol abuse and drug use or misuse may pose a significant threat to employees as well as the District's operating goals. The District has established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment. The District encourages employees to voluntarily seek assistance for any alcohol, substance abuse or chemical dependency problems.

Any individual who conducts business for the District or is conducting business on District property is covered by our drug-free workplace policy. This policy includes, but is not limited to officials, supervisors, full-time employees, part-time employees, volunteers, contractors and vendors while on District property.

The District's drug-free workplace policy is intended to apply whenever an employee or official is representing or conducting business for the District.

For union members, if there is a conflict between this policy and the Collective Bargaining Agreement (CBA), then the CBA may followed.

### **P.4.2 Prohibited Behavior**

It is a violation of the drug-free workplace policy to use, sell, trade, and/or offer for sale alcohol, marijuana, illegal drugs or intoxicants while performing work for the District and/or while on District premises. However, this does not prohibit Village at the Harbor specific policies for resident use of alcohol.

Cannabis, while legal in small amounts in Washington State for personal use, is for the purposes of our District, considered an illegal drug as it is still considered federally controlled and deemed illegal to possess this drug. Any amount of this drug found in a personnel's blood, urine, etc., is considered a violation of this policy.

Any employee coming to work reasonably suspected to be under the influence of a mind-altering substance will be asked to take a test and will be sent home. The employee will need to meet with the agency head before returning to work.

The District performs drug testing anytime there is a safety incident such as (but not limited to) a workplace injury, injury to a resident or patient, or vehicle accident. This is to ensure that illegal substance use did not contribute to the incident. The District also tests at the time of hire.

Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his or her job. If the use of a medication could compromise the safety of the employee, fellow employees or the public, or the ability to perform work, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty, notify supervisor) to avoid unsafe workplace

practices. At all times, the employee must be able to meet the legal requirements for their job duties, which include specific provisions based on role set by regulatory authorities regardless of the employee's medical need.

The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of the District drug-free workplace policy to intentionally misuse and/or abuse prescription medications.

#### **P.4.3 Consequences**

One of the goals of the drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious.

If an employee violates the policy, the employee will be subject to disciplinary action, up to and including termination, and may be required to enter rehabilitation. An employee required to enter rehabilitation who fails to successfully complete it and/or repeatedly violates the policy will be terminated from employment. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.

The individual employee is responsible for deciding whether to request diagnosis and accept treatment for drug dependence. Individuals who refuse to accept referral for diagnosis or treatment will be handled just like any other employee whose job performance is declining.

Any employee convicted or arrested for any violation of any criminal drug statute occurring on company property or during working time shall notify their agency head (i.e. Executive Director or Chief Administrator) within 5 days of the date of conviction or arrest. If an employee is convicted for a drug offense that occurs in the workplace, the agency head will notify the Superintendent in writing of the conviction or arrest within 10 days of receiving notice of the conviction. The agency head will take appropriate disciplinary action against a convicted employee up to and including discharge.

If a District contractor or vendor violates the policy, all work on District property must cease and any contracts between the contractor or vendor and the District may be voided.

Nothing in this policy obligates the employer to accommodate the employee's need for treatment or to engage in progressive discipline. Any behavior that risks the safety of those we serve, or coworkers, can be grounds for the full range of discipline, including immediate termination.

#### **P.4.4 Return-to-Work Agreements**

Following a violation of the drug-free workplace policy, an employee may be offered an opportunity to participate in rehabilitation. In such cases, the employee must sign and abide by the terms set forth in a Return-to-Work Agreement as a condition of continued employment.

Any employee who asks for treatment or who is diagnosed as being drug-dependent will be given the same consideration and offer of assistance presently given to all employees with any kind of disease or medical problem.

#### Procedures for “Return-to-work Agreements”

A Return-to-Work Agreement is a written document that explains the expectations that the District and the employee’s assistance/medical professional have of an employee who has completed mandated treatment for a substance abuse problem. The consequences if the expectations are not met are also outlined.

Developing a Return-to-Work Agreement requires:

- Coordination between the employee, the District and the employee’s treatment professionals.
- Compliance with the District’s policies and legal obligations as well as with the treatment professional’s medical recommendations.
- Prior notification through company policy documents that a Return-to-Work Agreement would be expected as a condition of continued employment.
- The District recognizes that alcohol and drug addiction are treatable illnesses. The District also realizes that early intervention and support improve the success of rehabilitation. To support employees, the drug-free workplace policy:
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
- Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

#### **P.4.5 Confidentiality of Drug-free Workplace Program**

All information received by the District through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

#### **P.4.6 Shared Responsibility**

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

All employees are prohibited from reporting to work while their ability to perform job duties is impaired by on or off-duty use of alcohol or other drugs.

In addition, employees are encouraged to:

- Be concerned about working in a safe environment.
- Support fellow workers in seeking help.
- Report dangerous behavior to their supervisor.

It is management’s responsibility to investigate reports of dangerous practices and activities that affect the ability to perform work.

#### **P.4.7 San Juan Island EMS Specific Policies**

San Juan Island EMS requires the highest level of compliance with substance abuse precautions. The District has a substantial interest in the health and well-being of its personnel in high-risk, hazardous positions, and to ensure safe and competent operations.

All new EMS providers are drug tested upon hire.

Compliance with Department of Health regulations and Medical Program Director guidelines for prescription drug and alcohol use is mandatory.

Personnel are considered to be under the influence of a controlled substance when, in the judgment of the person in charge, (Chief, On-call Paramedic, Incident Commander, Assistant Chief, or Director) when the ability to perform assigned duties safely and efficiently appears impaired.

Prescribed medications which may impair performance include, but are not limited to: antihistamines, narcotic pain medications, tranquilizers, sleeping pills, muscle relaxants, and amphetamines must be approved by the Supervising Physician prior to responding.

##### Procedures for “San Juan Island EMS Specific Policies”

The following procedures will be followed:

1. Personnel using any prescribed medication or controlled substance as part of their routine healthcare or following a medical procedure or injury must report this to the Supervising Physician. The Supervising Physician may allow the medication and dosage as non-impairing under normal circumstances and allow their use.
2. Any person suspected of alcohol intoxication or under the influence of drug (legal or illegal) by physical signs/symptoms or report of recent alcohol ingestion, will be considered intoxicated and immediately removed from patient care and remain in the “custody” of the on duty paramedic or nurse. The Supervising Physician will be immediately notified and administer a urine screen test and breathe alcohol screening tool at the EMS building by the SUPERVISING PHYSICAN. If the Supervising Physician is not immediately available, the suspected individual will be escorted to the PIMC Emergency Department by the paramedic or nurse for a verified blood and or urine toxicology screening using a legally verified method.
3. Refusal of any of this process will result in immediate termination and potential criminal legal action.
4. If either Supervising Physician administered screens are positive, the suspected individual will be escorted to the PIMC Emergency Department by the Supervising Physician for a verified blood and or urine toxicology screening using a legally verified method.
5. The use of prescribed medications does not constitute grounds for disciplinary action, but being impaired to function from these medications and reporting for duty will subject the employee to disciplinary action.

6. In the event of any question of ability to perform duties safely and properly while taking prescribed medications, a release or clearance from the employee's Physician and the agency Supervising Physician must be obtained.
7. The District maintains a ZERO TOLERANCE rule. Any personnel suspected of being under the influence within the course of their patient care or operational duties will be subject to immediate verification through the above mechanism.
8. If the person in question refuses any or all of the screening choices presented to him/her they will be immediately suspended with pending discharge. The Sheriff's Office may additionally be notified when warranted.

## **P.5 DRESS CODE AND UNIFORMS**

### **P.5.1 Dress Code**

All employees are expected to wear clothing that is appropriate for the department in which they work and in accordance with the duties to be performed.

#### Procedures for "General Dress Code"

Company approved uniforms will be provided and must be worn while on duty, as well as some form of identification, such as a name tag, ID Card, or name on the uniform.

Personal radio/cassette players/cell phones with headphones may not be worn by employees who are on call.

Personal Protective Equipment (PPE) will be worn as directed by the agency head through standing orders or verbal directions.

When in uniform whether on duty or not, staff members should observe all standards of behavior that the public would expect from hospital district employees while on duty, e.g. no alcohol consumption, and treat members of the public with respect and consideration.

### **P.5.2 Village at the Harbor Uniforms**

#### Procedures for "Village at the Harbor Uniforms"

Staff members will be issued three sets of uniforms, which may be replaced as needed after reasonable wear and tear. Staff members may NOT wear them for other work.

### **P.5.3 San Juan Island EMS Dress Code**

#### Procedures for "San Juan Island EMS Dress Code"

**Administrative personnel:** will be easily identifiable as agency personnel by wearing professional EMS clothing and/or business casual appropriate clothing while at work. Logos on clothes must be SJIEMS approved and issued clothing. No other EMS/Fire agency logos are allowed. PPE shall be worn consistent with the conditions and Agency protocols.

The Agency's Community Paramedicine provider(s) shall be considered on-duty responders for the purposes of this policy but have flexibility if the situation requires adaptation.

**Union Employees and On-duty Responders:** Fulltime EMTs/Paramedics, volunteer EMTs filling station shifts, per diem responders, Community Paramedicine) will dress consistent with the terms for union employees on duty in the Collective Bargaining Agreement. This, broadly summarized, means class B uniforms during business hours and outside of that may wear class C uniforms / station wear consisting of EMS LOGO T-shirts or Collared shirts. PPE shall be worn consistent with the conditions and Agency protocols.

**Response from the community:** If responding from the community (not on duty), reasonable effort should be made to assure personal safety and easy identification by the patient and on-scene citizens. Verbal identification of the license and agency to the patient is always required. Extra safety equipment is provided in the ambulance for use by responders on-scene when required (reflective vests, safety glasses, face masks, helmets, turn-out gear...). PPE shall be worn consistent with the conditions.

**Marine response:** If responding to a request to provide service on a boat, personnel must be dressed to provide appropriate protection from the elements as outlined in the Marine Response guidelines and wear an approved PFD 100% of the time while on the docks and or boat. PPE shall be worn consistent with the conditions and Agency protocols.

**Formal Wear:** Uniformed staff members are entitled to Class A uniforms, by request, after three years of employment.

#### **P.5.4 Surplus of Uniforms**

Employees are required to return uniforms once they have completed their service with the District, provided, however, that uniforms and clothing worn for more than one year may be considered expired and need not be returned. Former employees are prohibited from wearing uniforms or clothing with District logo or insignia.

District insignias should not be worn by those not employed or actively volunteering with the District .

### **P.6 EMPLOYMENT WITH THE HOSPITAL DISTRICT**

#### **P.6.1 Applicability**

For the purposes of this policy, "personnel" means all persons doing work for the District, including volunteers, staff, educators, etc. Employee is considered to mean the same thing as "personnel" in this policy.

#### **P.6.2 Employment At Will**

Except for those employees covered by Civil Service commission rules, collective bargaining agreements or certain employees under section 4.010, employment with the District is "At Will." Nothing in the manual or its application to any person or circumstances, nor any specific guideline, policy or action by the District, Superintendent, or any Board Member, shall constitute or be construed to create a contract of employment or tenure.

This manual is intended solely for guidance of personnel management and shall not be construed to create any right or confer any benefit, either substantive or procedural, which may be argued to be enforceable by any employee against the District.

### **P.6.3 Employer Rights**

The District reserves any legal rights with respect to matters of general legislative or managerial policy, which include, but are not limited to, the exclusive right to determine the mission of its constituent departments and commissions; select standards for employment and promotion; direct its employees; take disciplinary action; relieve its employees from duty because of lack of work or for other legitimate reasons; maintain the efficiency of governmental operations; determine the methods, means and personnel by which government operations are to be conducted; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work.

### **P.6.4 Creation of New Positions**

As a progressive agency with growing personnel needs, it is important to have a defined path of the hiring and advancement process that mirrors best practices and industry standards.

The District prefers internal hiring and advancement especially for line staff positions such as the ambulance, but in the judgement of person doing the hiring, candidates must be qualified for the position, and there must be a meaningful selection of candidates to make a good decision. While this is a stated preference, it is not a requirement.

#### Procedures for “Creation of New Positions”

##### **San Juan Island EMS**

San Juan Island EMS has many volunteers who invest time and effort with minimal compensation into the District. EMS volunteers also have experience in our system and have been trained by the District to fill roles within San Juan Island EMS.

Therefore, when a new position either full-time or part-time is created, strong preference shall be given to internal candidates, such as volunteers or part-time employees, over those outside of the District.

This does not preclude posting a position externally from the day the position is created or opened for applications and is a hiring preference rather than a mandate.

### **P.6.5 Application for Employment and Job Descriptions**

Applications for employment need not all be the same in every instance or for every position but should gather important information for the employer in beginning the hiring process.

A job description should be available for every position that details key information such as PERS / LEOFF eligibility, parttime or fulltime, supervisory responsibilities, etc.

All personnel must be able to meet the requirements of their job descriptions. Job descriptions should be updated regularly by the agency head or human resources to ensure that they are up to date. Job descriptions shall apply to all employees who carry the same title and position.

For instance, care providers of all kinds must have the physical strength to carry, lift, extricate and perform similar maneuvers in a manner not detrimental to the patient, fellow personnel or themselves.

Employees must maintain the licensure or credential necessary to meet their job responsibilities. These qualifications and prerequisites are generally enumerated in the employee's job description.

#### Procedures for "Application for Employment and Job Descriptions"

##### **Application Process**

A job description will be posted along with a request for a cover letter, at a minimum. This is the application at its most basic. Other items may be requested based on the agency head's hiring processes.

The following will apply:

1. Any person desiring employment will be asked to complete an application. The application will vary by department, and reflect the goals of the agency head for the position.
2. Applications may be kept on file for up to six months.
3. The application will be placed in the personnel file if the applicant is hired.

##### **Employment Verification**

The application's accuracy should be checked, ensuring that at a minimum the last five years of employment is accurate, and that any degrees claimed are verified.

Minor discrepancies are not an issue, but any significant discrepancies will result in automatic disqualification for employment with the hospital district. Significant discrepancies on an application may constitute grounds for termination, especially where the discrepancy appears to be a result of dishonesty.

##### **Licensure Requirements**

- Personnel must acquire and maintain a good working knowledge of all District equipment and policies.
- Personnel are required to attend adequate Continuing education, credential based ongoing training such as OTEP, and operational trainings as required.
- Personnel must be appropriately licensed/certified as required by Washington State
- Personnel must be at least eighteen years old and have a high school diploma or equivalency qualifications.

##### **Driving**

Any role that requires driving must possess a valid Washington State Driver's License. Those who operate emergency vehicles, must meet the District's standards for driving (see below under "Hiring: Requirements")

## **P.6.6 Interviews and Testing**

A process should be established when hiring for a position to enable the hiring authority to compare candidates in a fair and consistent manner. It should involve other staff to the extent that it is reasonable and helpful in hiring.

Human Resources and/or agency heads will screen applicants prior to scheduling interviews. Interview and hiring processes are ultimately set by the agency head based on the position. In general, interviews are conducted using a structured interview process, with evaluation forms completed after each interview.

## **P.6.7 Reference Checks**

Human Resources or agency heads will conduct professional reference checks and employment verification for each applicant being considered for any position. In general, three professional reference checks are required from each applicant.

## **P.6.8 Criminal Background Checks – Village at the Harbor**

This segment applies only to Village at the Harbor and Village at Home.

### Procedures for “Criminal Background Checks – Village at the Harbor”

#### **Background checks — National fingerprint background check:**

1. Administrators and all caregivers who are hired after January 7, 2012 and are not disqualified by the Washington state name and date of birth background check, must complete a national fingerprint background check and follow department procedures.
2. After receiving the results of the national fingerprint background check the community will not employ, directly or by contract, an administrator or caregiver who has been convicted of a crime or has a finding that is disqualifying under WAC 388-78A-2470.
3. The community may accept a copy of the national fingerprint background check results letter and any additional information from the department's background check central unit from an individual who previously completed a national fingerprint check through the department's background check central unit, provided the national fingerprint background check was completed after January 7, 2012.

#### **Background checks — Washington state name and date of birth background check — Valid for two years — National fingerprint background check — Valid indefinitely.**

1. A Washington state name and date of birth background check is valid for two years from the initial date it is conducted. The boarding home must ensure:
  - a. A new DSHS background authorization form is submitted to the department's background check central unit every two years for all administrators, caregivers, staff persons, volunteers, and students; and
  - b. There is a valid Washington state name and date of birth background check for all administrators, caregivers, staff persons, volunteers and students.

2. A national fingerprint background check is valid for an indefinite period of time. The community will ensure there is a valid national fingerprint background check completed for all administrators and caregivers hired after January 7, 2012. To be considered valid, the national fingerprint background check must be initiated and completed through the department's background check central unit after January 7, 2012.
3. The boarding home may conditionally hire an administrator, caregiver, or staff person directly or by contract, pending the result of the Washington state name and date of birth background check, provided that the boarding home:
  - a. Submits the background authorization form for the person to the department no later than one business day after he or she starts working;
  - b. Requires the person to sign a disclosure statement indicating if they have been convicted of a crime or have a finding that is disqualifying under WAC 388-78A-2470;
  - c. Has received three positive references for the person;
  - d. Does not allow the person to have unsupervised access to any resident;
  - e. Ensures direct supervision of the administrator, all caregivers, and staff persons; and
  - f. Ensures that the person is competent, and receives the necessary training to perform assigned tasks and meets the training requirements under chapter 388-112 WAC

#### **P.6.9 Motor Vehicle License Check (Driving)**

The District will comply with State of Washington and federal requirements (if any) regarding operation of motor vehicles, whether emergency or civilian. Additionally, the District will follow best practices for motor vehicle operation and safety standards. Part of this is verification of the employee's motor vehicle safety record.

Anytime the employee is driving for a work-related purpose (not including commute to work) the District incurs liability for that employee's actions. Therefore, any employee who drives for a work-related purpose must meet all motor vehicle operation requirements listed herein, regardless of whether operating an official, District-owned vehicle.

##### Procedures for "Motor Vehicle License Check"

The District will review every employee's driving history at least every three years. All new hires, and at the period review, will be subject to the following:

1. A copy of the employee's license will be made if they will be required to drive for work related purposes
2. The Washington state patrol will be contacted to do a search of the driving record of the employee (for civilian vehicle operation the local police department may be utilized)
3. The employee will be ineligible to drive the company vehicle if they have experienced any one of the following:
  - a. Reckless Operation of a Motor Vehicle (last 3 years). Anyone convicted of these or any felony within the past three years or while District Applicants may be suspended or discharged from service. This shall also be considered misconduct if currently employed by the District

- b. Driving or boating under the Influence DUI/BUI (last 6 years)
- c. If a member receives an infraction under this paragraph, they are obligated to notify their supervisor within five (5) business days. Failure to do so may result in additional discipline.
- d. If an employee is found to be ineligible because of a finding on their Driver License Record, they will be notified that their driver status is suspended until their record is either cleared or the required time has passed.
- 4. Employee must meet any state or federal requirements to operate the vehicle such as emergency vehicles (WAC 248-17-211)

### **P.6.10 Pre-Employment Physical**

Employees must be able to perform their jobs without undue risk to themselves or the people we serve. A pre-employment physical is an important part of that.

#### Procedures for “Pre-Employment Physical”

1. Each employee may be required to have a physical completed by a physician prior to the first day of work but after the job offer has been made.
2. The cost of the physical will be reimbursed to the employee upon receipt of the bill from the physician and upon receipt of the completed physical.
3. The purpose of the physical is to determine if there is any communicable disease or disability that would make an employee ineligible or unable to perform the functions of their job, and to determine if there are any reasonable accommodations that will be needed for the employee to complete the position hired for.
4. The physical exam must include a test for tuberculosis.

Employees who have no contact with patients or residents may be exempt from this procedure at the option of the agency head.

Management hires or those under a specific contract may be exempt from this requirement if specifically stated, but must meet the requirements of their licensure or credential (E.g. EMT-P) if applicable.

### **P.6.11 Employee Eligibility Verification and IRS Compliance**

The hospital district, as a local government unit, must comply with all laws and regulations regarding employment. All employees must be legally eligible to work in the State of Washington and the United States of America. All employees must be properly registered with the Internal Revenue Service (IRS).

#### Procedures for “Eligibility Verification and IRS Compliance”

##### **Verification of I-9 Form**

1. All applicants must prove legal status in order to be employed. Copies of the proof must be in each employee’s personnel file.
2. Examples of proof:
  - a. Social Security Card and picture ID (driver’s license).

- b. Passport.
- c. Birth certificate and picture ID.
- d. Military ID card and picture ID

3. Legal status must be verified before the applicant begins employment.
4. Use Employee Eligibility Verification Form I-9 to verify eligibility.

#### **Internal Revenue Service Form W-4**

1. All applicants must complete a W-4 form.
2. This form must be completed before the applicant begins employment.
3. This form will be placed in the personnel file.
4. This form may be changed by the employee at any time.

Note: The higher the number of dependents, the lower the amount of taxes withheld.

#### **P.6.12 Pre-Employment Requirement Review**

Other requirements exist as needed, whether stated in this policy or not, but should to the extent possible be clearly defined and identified for all applicants.

##### Procedures for “Pre-Employment Requirement Review”

In addition to the requirements laid out in the other segments of this section:

- A. Applicants must have the physical strength to perform their responsibilities, as laid out in their Job Description and as required by relevant regulatory and legal authorities.
  - a. For instance, EMS personnel must be able to carry, lift, extricate and perform similar maneuvers in a manner not detrimental to the patient, fellow Applicants or themselves. (WAC 248-17-211)
- B. Applicants must have all necessary immunizations and or titer results.
- C. Applicants must be appropriately licensed/certified as stated in their job description.
- D. Applicants must acquire and maintain a good working knowledge of all District equipment and policies.
- E. Applicants are required to attend adequate CE and OTEP and operational trainings as required.
- F. Applicants must meet statutory age requirements
  - a. For EMS, must be at least eighteen years old, not older than 69 years and have a high school diploma or equivalency qualifications. (WAC 248-17-211)
- G. Healthcare providers have close and personal contact with those we serve, who may be of all ages, races and cultural backgrounds, it is required that all personnel:
  - a. Are clean and hygienic; while standards of grooming and appearance can reasonably vary based on culture, religion, and other factors, healthcare workers should cultivate an appearance that will promote trust with the people we serve.
  - b. Avoid strong fragrances and smells that may be hard for patients and others to tolerate.

- c. Are able to communicate well with people of all persuasions.
- d. Are able to follow orders given by those in charge, and give orders when required.

H. Applicants shall maintain a positive attitude and high degree of cooperation with coworkers

I. Applicants who cause division, spread rumors, or are seen as disruptive to the cohesive and positive work environment may be removed from their position.

J. No Applicants will drive any District vehicle after consuming any intoxicating liquor, narcotics or any other drug that may impair their judgment or ability to perform in a safe manner. (See Alcohol and Drug Policy)

K. For those who use a personal vehicle for work purposes (e.g. responding POV to an EMS scene), all applicants will carry the State of Washington legally required limit of liability insurance on any vehicle they use to respond to aid calls.

L. It must be stressed that Applicants will be involved in many people's lives. Applicants must be professional in their actions and appearance so as not to offend patients and the community.

M. EMS Applicants will follow all prehospital guidelines approved by the County Medical Program Director and all State guidelines and laws as directed by San Juan Island EMS, as well as those of San Juan Island EMS.

N. Applicants will meet any other requirements for training, education, OTEP, certifications, experience, quarterly call and educational volumes and any other requirements specified by the District.

### **P.6.13 Paramedic Employment Requirements**

Paramedics employed by the District must meet the requirements of their licensure, certifications, skills, knowledge, courses, and competencies for annual and recertification requirements for paramedics of the agency. These requirements may be set by Federal, State, San Juan Island EMS, or the Medical Program Director. A list is maintained here for convenience, but all paramedics must meet the up-to-date standards set by these various sources of authority.

#### Procedures for "Paramedic Employment Requirements"

##### **Licensure Requirements**

Paramedics will minimally meet or exceed the Annual Requirements as outlined below. Failure to meet minimum requirements may subject the employee to suspension of ability to practice in an unpaid capacity up to termination. The recertification or re-licensure requirements exceed State and National standards and must be met or exceeded for continued employment with the agency. This includes meeting annual competencies and successfully passing the recertification didactic every three years with a minimum score of 80%.

The following are based on the current job description for Captain/Paramedics, and will be updated from time to time.

1. Possess WA State Paramedic with 3 years of ALS 911 transport experience.
2. Possess current AHA Advanced Cardiac Life Support (ACLS) Provider.

3. Possess current AHA Pediatric Advanced Life Support (PALS) Provider or equivalent (EPC, PEPP).
4. Possess current AHA Basic Life Support (BLS) Provider.
5. Possess current NAEMT PreHospital Life Support (PHTLS) Provider or equivalent (TECC, ATLS, BTLS).
6. Possess current FEMA IS 100, 200, 700.
7. Complete Hazardous Materials Awareness (HMA).
8. Possess a Washington State Driver License in good standing in accordance with SJIEMS Policies and Procedures.
9. Complete Field Training and Evaluation Program, pass Medical Program Director ALS protocols exam and field clearance, and complete a Paramedic Emergency Airway Course (PEAC).
10. Complete agency approved driver training and maintain proficiency in operation of emergency vehicles within one month of hire
11. Pass a drug screen, background check, medical exam, and physical ability test.
12. Work well with others in a variety of settings.
13. Possess a comprehensive knowledge of emergency medical services principles and techniques.
14. Possess a comprehensive knowledge of laws, regulations, and ordinances pertaining to emergency medical services.
15. Demonstrate a comprehensive knowledge of local medical protocols.
16. Obtain or provide documentation of required immunizations and vaccinations recommended for healthcare providers.
17. Do not possess any felony convictions restricting the maintenance of a healthcare provider credential.

#### **Preferred**

1. University of WA Harborview Paramedic Training Program graduate.
2. Associate Degree or higher.
3. American Heart Association and/or NAEMT Instructor, and/or WA State DOH EMS Evaluator.
4. Critical care transport experience.
5. AAP Neonatal Resuscitation Provider (NRP).
6. USCG Boat Captain or Boater Safety.
7. Rural EMS experience.
8. Literate in Spanish.

Paramedics must be able to perform the physical tasks required for the essential functions of the job which include as set in their job description.

#### **P.6.14 EMT Employment Requirements**

EMTs employed (whether volunteer or staff) by the District must meet the requirements of their licensure, certifications, skills, knowledge, courses, and competencies for annual and recertification requirements for EMTs of the agency. These requirements may be set by Federal, State, San Juan Island EMS, or the Medical Program Director. A list is maintained here for

convenience, but all EMTs must meet the up-to-date standards set by these various sources of authority.

**Procedures for “EMT Employment Requirements”**

The following are based on the current job description for Lieutenants/EMTs, and will be updated from time to time.

1. Possess current AHA Basic Life Support (BLS) Provider.
2. Possess current FEMA IS 100, 200, 700.
3. Complete Hazardous Materials Awareness (HMA).
4. Possess a Washington State Driver License in good standing in accordance with SJIEMS Policies and Procedures.
5. Complete Field Training and Evaluation Program, pass Medical Program Director BLS protocols exam and field clearance.
6. Complete agency approved driver training and maintain proficiency in operation of emergency vehicles within one month of hire
7. Pass a drug screen, background check, medical exam, and physical ability test.
8. Work well with others in a variety of settings.
9. Possess a comprehensive knowledge of emergency medical services principles and techniques.
10. Possess a comprehensive knowledge of laws, regulations, and ordinances pertaining to emergency medical services.
11. Demonstrate a comprehensive knowledge of local medical protocols.
12. Obtain or provide documentation of required immunizations and vaccinations recommended for healthcare providers.
13. Do not possess any felony convictions restricting the maintenance of a healthcare provider credential.
14. Preferred
15. Nationally Registered EMT is strongly preferred.
16. AHA Pediatric Emergency Assessment Respiratory (PEARS) Provider or equivalent (EPC, PEPP).
17. NAEMT PreHospital Life Support (PHTLS) Provider or equivalent (BTLS).
18. Associate Degree or higher.
19. American Heart Association, NAEMT Instructor, and/or WA State DOH EMS Evaluator.
20. Critical care transport experience.
21. AAP Neonatal Resuscitation Provider (NRP).
22. USCG Boat Captain or Boater Safety.
23. Rural EMS experience.
24. Literate in Spanish.

EMTs must be able to perform the physical tasks required for the essential functions of the job which include as set in their job description.

## **P.6.15 Training and Long-term Care Certification Requirements**

The hiring of qualified personnel and ongoing training is necessary to assure the quality and training of staff providing services to residents and to provide opportunities for growth and development of skills and professionalism.

### Procedures for Training and home care aide certification requirements

1. The community must ensure staff persons hired before January 7, 2012 meet training requirements in effect on the date hired, including requirements in chapter 388-112A WAC.
2. The assisted living community must ensure all administrators, or their designees, and caregivers hired on or after January 7, 2012 meet the long-term care worker training requirements of chapter 388-112 WAC, including but not limited to:
  - a. Orientation and safety;
  - b. Basic;
  - c. Specialty for dementia, mental illness and/or developmental disabilities when serving residents with any of those primary special needs;
  - d. Cardiopulmonary resuscitation and first aid; and
  - e. Continuing education. (12 approved credits annually to be obtained prior to birthdate)
3. The assisted living community must ensure that all staff receive appropriate training and orientation to perform their specific job duties and responsibilities.
4. The assisted living community must ensure all persons listed in subsection (2) of this section, obtain the appropriate certification.
5. Under RCW 18.88B.041 and chapter 246-980 WAC, certain individuals including registered nurses, licensed practical nurses, certified nursing assistants, or persons who are in an approved certified nursing assistant program are exempt from long-term care worker training requirements. Continuing education requirements still apply as outlined in chapter 388-112 WAC.
6. Must be able to perform the physical tasks required for the essential functions of the job which include as set in their job description.
7. Other requirements as set by the agency head by job description

## **P.6.16 Onboarding Requirements**

All new personnel must meet onboarding requirements and ongoing training requirements set by the agency head, and pass a field training officer process if applicable (see departmental policies specific to onboarding and ongoing training).

Human Resources will have the employee fill out many forms as part of the enrollment process. Employees should also sign a HIPAA Acknowledgement and Receipt of Policies and Procedures form. However, failure to sign these forms does not reduce the employee's obligation to comply with HIPAA and comply with these Policies and Procedures.

## **P.6.17 Children in the Workplace**

### Procedures for “Children in the Workplace”

Childcare is the responsibility of the employee, and children of employees should not be brought to work except for specific events designed for that purpose and approved by the agency head (e.g. a meet and greet, or bring your child to work day, etc.) or incidental events (e.g. the employee stops by to pick up a paycheck and brings their child in with them).

## **P.6.18 Pets in the Workplace**

### Procedures for “Pets in the Workplace”

Employee pets are not permitted in the workplace. The employee’s supervisor may permit short-term visits of less than one day, but the employee is responsible for any liability resulting from the animal’s activity, and the animal may not be left unattended under any circumstances. The employee must be able to do their job while supervising the pet, nor may the pet in any way interfere with the District’s operations.

It is worth reiterating that while most pet owners believe their animals to be safe and of no risk to other people, the District has no way to verify that this is the case, nor do the employees, guests, and residents that the District is responsible for while on the District premises. The employee is expected to closely supervise their pet, regardless of how comfortable the employee may feel about their pet being around other people, and the safety and comfort of the other employees, residents, and guests is far more important any consideration of a pet’s visit.

While safety and comfort are important considerations, the biggest reason for not allowing pets is that this is a professional workplace and employees are expected to be fully present and attentive to their jobs while on duty.

This does not include service animals as part of an official ADA accommodation that does not cause an undue hardship on the District or interfere unreasonably with its operations.

## **P.6.16 Professional Behavior**

Employees are expected to be supportive coworkers that contribute to a culture of cooperation and collaboration.

### Procedures for “Professional Behavior”

Professional behavior can be hard to define and can vary between work sites, but one good measurement is the general ability of an employee to work as part of a team. Personnel who have repeated issues with coworkers may not be a good fit for the District, especially when others don’t seem to be having the same issues.

Personnel should act with honesty, integrity, and accountability at all times. This includes taking responsibility for actions, supporting team decisions, and participating positively in the workplace. Employees should communicate clearly, consistently, and respectfully.

Professional boundaries must be maintained to protect trust and prevent conflicts of interest. Employees should address disagreements respectfully and work toward constructive solutions.

Staff are also expected to present themselves appropriately, be punctual, and conduct themselves professionally in all interactions, including digital or written communication.

Personnel who cause division, spread rumors, or are disruptive to the cohesive and positive work environment may not be a good fit for the District.

Personnel with these issues may face discipline (up to and including termination) or an improvement plan. Failure to meet the criteria outlined in an improvement plan may result in termination or further progressive discipline.

#### **P.6.17 Hiring Incentives and Bonuses**

A hiring bonus is a one-time cash incentive to promote hiring at San Juan County Public Hospital District No. 1 (the “District”). It may be utilized to fill vacant, full-time positions. A hiring bonus may be provided to a new full time employee, a current employee, or both.

New employees are eligible for a hiring bonus when they remain employed with the District for more than six months in a position that is eligible for this one-time benefit.

Current employees, who have been with the District for over six months, are eligible to receive a hiring bonus upon the successful referral of a candidate who is hired for an eligible position and remains employed by the District for more than six months.

A hiring bonus may not exceed 5% of the position's total annual cost, or \$2,000, whichever is greater.

##### Procedure for “Hiring Incentives and Bonuses”

All hiring bonuses must be pre-approved by the Superintendent. Currently they are only available to Village at the Harbor or Village at Home employees. They may be applied to other employees by revising this procedure.

The hiring bonus will be applied to the new employee's first paycheck in full. If the employee does not remain employed for at least six months with the District, the employee is responsible for repaying the entirety of the bonus to the District. The District holds the right to deduct the hiring bonus amount from an Employee's last paycheck(s) received.

Employees shall enter into contract with the District upon hire, agreeing and consenting to the District deducting the hiring bonus amount from Employee's last paycheck(s).

Referring Employees will receive their hiring bonus upon completion of the referred employee's six-month period. Failure for the referred employee to remain employed for six consecutive months with the District will result in the loss of the hiring bonus for the referrer. Referrers who quit or are terminated prior to the completion of the referred employees' six-month period are not eligible to receive the hiring bonus.

Employees who quit or are terminated and choose to reapply for a hiring bonus eligible position are not entitled to a hiring bonus upon return to work for the District.

### **P.6.18 Employee Names and Pronouns**

San Juan County Public Hospital District No. 1 is committed to promoting an inclusive environment for all employees and persons.

Individuals preferred names and pronouns will be used by the District when at all possible, though there are some instances in which legal names and sex (gender) identifications are required for the proper function of the District.

#### Procedure for “Employee Names and Pronouns”

##### **Legal Names**

In some instances, legal names are required for documentation, personnel, and financial functions by the District. Legal name and sex (gender) will be defined for the purpose of this policy as the name and sex (gender) provided at birth to the employee and/or the registered name and sex (gender) the employee holds with the federal and state government.

Legal names are required under the following circumstances:

- Employees are required to provide their legal name and sex (gender) during the hiring and onboarding process. This information will be used to comply with federal and state reporting requirements for the following purposes:
  - For financial reporting purposes to state and federal entities, including but not limited to, W2, I9, and W4 forms.
  - To conduct background and reference checks.
  - For benefits purposes, including healthcare enrollment.

##### **Preferred Names and Pronouns**

Except when legal names are required for state and federal reporting purposes (exceptions listed above), an employee’s preferred name and pronoun will be utilized by the District. Employees of the District have the option to provide their preferred name and pronoun but are not required to do so.

Additionally, employees have the option to request the following:

- Request a change to their email address to reflect their preferred name.
- Identify their preferred name and/or pronoun in their email signature line.
- Request a change to their preferred name and/or pronoun under their employee bio on the District’s websites.
- Request that their preferred name be used on employee I.D. badges.

### **P.6.19 Remote Work**

The purpose of this policy is to establish clear guidelines for employees who work remotely on a temporary or occasional basis. This policy ensures productivity, communication, and security standards are upheld while supporting flexibility and work-life balance.

Employees working remotely must meet the same standards of productivity and quality as on-site employees. Managers may require periodic performance reviews or check-ins.

Management may modify or revoke remote work arrangements based on:

- Performance concerns
- Business or operational needs
- Organizational restructuring
- Compliance issues

The District will provide notice when possible, but reserves the right to end remote work arrangements immediately if necessary.

Employees who have been approved for remote work may only do so from the following states:

- Unlimited: Washington, Alaska, Nevada, Texas, Florida, Wyoming, South Dakota, Tennessee, New Hampshire
- 30 Days or Less: Arizona, Hawaii, Illinois, Indiana, Montana, West Virginia
- 14 Days or Less: Connecticut, Georgia, Louisiana, New Mexico, North Dakota, Utah

Unless for conference purposes, employees **are not** allowed to work remotely from the following states: Maine, California, Idaho, Minnesota, Oklahoma, Oregon, South Carolina, Wisconsin, New York, Colorado, Nebraska, Kansas, Iowa, Missouri, Arkansas, Mississippi, Alabama, Kentucky, Michigan, Ohio, Vermont, Massachusetts, Rhode Island, New Jersey, Delaware, Maryland, Virginia, North Carolina, Pennsylvania

Allowable states of travel are based on state payroll tax laws. This policy will be updated as laws change.

## **Eligibility**

Eligibility for remote work depends on:

- The nature of the position and job duties
- Employee performance and reliability
- Operational and departmental needs

Eligibility is determined by management on a case-by-case basis and may be reviewed or revoked at any time.

## **Approval Process**

1. Employee submits a written remote work request to their supervisor.
2. Supervisor reviews the request based on job requirements, performance, and departmental needs and approves, as allowable.

## **P.7 FAMILY AND MEDICAL LEAVE ACT/WASHINGTON FAMILY CARE ACT/WASHINGTON PAID FAMILY LEAVE ACT**

### **P.7.1 General Statement**

The purpose and scope of this policy is to define the certain leaves allowable to employees of District. This policy affects all District employees.

It shall be the policy of District to grant FMLA, PFML and/or WFCA leave to any District employee who meets the requirements of the policy and applicable federal and state law.

References include “Family and Medical Leave Act of 1993 (FMLA), as amended,” RCW Chapter 49.12, “Washington Family Care Act (WFCA),” and “Washington Paid Family Medical Leave, RCW 50A.”

### **P.7.2 Family Medical Leave Act (FMLA)**

#### Procedures for “Family Medical Leave Act”

##### **Statement of Compliance:**

The District, pursuant to the Family Medical and Leave Act of 1993 (FMLA) as amended, recognizes an employee shall be entitled to twelve (12) weeks each year of unpaid leave, or paid leave, if applicable, for qualifying family and medical reasons.

##### **Employee Eligibility**

To be eligible for FMLA, an employee must (1) work for District; (2) have worked for District for at least a total of twelve (12) months; and (3) have worked at least 1,250 hours over the prior twelve (12) consecutive months. Additionally, the District must have at least 50 employees in order for an employee to be entitled to take FMLA leave.

##### **Leave Entitlement**

Under FMLA, District must grant an eligible employee up to a total of twelve (12) work weeks of unpaid leave, or *applicable* paid leave, or a combination of both, during any twelve (12)-month period for one or more of the following reasons:

(1) Birth of a Child

- (a) If you are the mother: FMLA leave may be authorized for medical complications the female employee or her baby may experience related to pregnancy and childbirth (may use available sick leave or PTO as available).
- (b) If you are the spouse of the mother: Generally, up to six (6) weeks of FMLA leave may be authorized for employees to care for the spouse during her temporary disability related to childbirth. (Authorizations for this purpose require a completed Leave Request Form and Certification of Healthcare Provider Form from the health care provider. The approved FMLA leave for this purpose is authorized only for the time spent in the actual, direct care of the recovering spouse. Contact Human Resources for the additional certification documentation needed for extensions of FMLA leave for the spouse's recovery from childbirth.

(2) Bonding with a Child

- (a) Mother: Up to twelve (12) weeks of available FMLA leave may be authorized for bonding with a new-born child (not eligible for sick leave, must be completed within 12 months of the date of the child's birth).
- (b) Spouse of the mother: The employee's remaining FMLA leave may be authorized for bonding with a new-born child (not eligible for sick leave; must be completed within 12 months of the date of the child's birth).
- (c) Employee receiving a foster or adopted child: Up to twelve (12) weeks of available FMLA leave may be authorized to care for a child during the first 12 months following the placement of the child with the employee for adoption or foster care (not eligible for the use of sick leave).

(3) Care for an Immediate Family Member (Spouse, Child, or Parent) with a Serious Health Condition

(4) When the Employee is Unable to Perform the Duties of His/Her Position Because of a Serious Health Condition

Both spouses employed by District are jointly entitled to up to a combined total of twelve (12) work weeks of family leave for:

- the birth of a child or placement of a child for adoption or foster care; and
- to care for a child or parent (but not a parent "in-law") who has a serious health condition.

The District will determine if leave requests from both spouses should be granted to only one individual at a time.

The twelve (12)-month period for leave to care for the employee's own parent, child or for the employee's own serious health condition shall be on a rolling year basis for all requests.

### **Definitions**

"Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:

- 1) any period of incapacity or treatment or recovery or subsequent treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
- 2) any period of incapacity requiring absence of more than three (3) consecutive calendar days from work, school, or other regular daily activities that also involves continuing treatment two (2) or more times by (or under the supervision of) a health care provider;
- 3) continuing treatment by (or under the supervision of) a health care provider for a chronic or long-term health condition, (e.g., chemotherapy or radiation for cancer, dialysis for kidney disease, physical therapy for arthritis, etc.); or
- 4) chronic, but not debilitating conditions, that generally cause episodic periods of incapacity, even if less than three (3) days' duration, and where a health care provider visit is not necessary for each absence, (i.e., diabetes, epilepsy, morning sickness due to pregnancy, prenatal care, asthma, etc.).

"Continuing Treatment" by a health care provider is defined to mean:

- 1) two or more treatments by a health care provider;

- 2) two or more treatments by a health care practitioner on referral from a health care provider;
- 3) a single visit to a health care provider resulting in a regimen of continuing treatment;
- 4) continuing supervision, without active treatment, by a health care provider because of an incurable condition.

“Immediate Family” is defined as:

- 1) the biological parent of an employee or a non-biological individual who acted as a parent to an employee when the employee was a child. This term does not include parents-in-law or grandparents;
- 2) a spouse; and
- 3) a biological child, adopted or foster child, a stepchild, a legal ward or a child of a person acting as a parent who is under eighteen (18) years of age or who is eighteen (18) years of age or older and incapable of self-care because of a mental or physical disability as defined in the Americans with Disabilities Act (ADA), as amended.

### **Use of Paid and Unpaid Leave**

All eligible employees shall be entitled to FMLA leave as provided under the law. In general, FMLA leave is unpaid; however, District will require paid leave to be substituted for unpaid leave when:

- a) Employee:
  - o Whether on continuous, intermittent leave, or a reduced work schedule during the period of FMLA leave for the employee's own serious health condition, District will require employee to exhaust his/her sick leave bank, if applicable, except as provided for under the heading “Workers’ Compensation Runs Concurrently”
  - o Once the employee's sick leave bank is exhausted for his/her own serious health condition, District will require employee to use his/her accrued vacation bank, followed by compensatory time. If such leaves are depleted, any remaining FMLA leave will be without pay.
- b) Immediate Family: Spouse, Child, or Parent
  - o Employees shall use accrued sick leave or other banks of paid time off (employee choice) for FMLA leave to care for a spouse, child, or parent with a qualifying serious health condition, provided all FMLA requirements are met.

### **Intermittent Leave or Reduced Work Schedule**

- A. Eligible employees may take FMLA leave in twelve (12) consecutive weeks or may use the leave intermittently (in separate blocks of time periodically when needed over the year). Under certain circumstances, eligible employees may also use FMLA leave to reduce the workday or the workweek, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of twelve (12) weeks of their regular work schedule over a twelve (12)-month period. *Intermittent leave is not available as a matter of right following the birth of a child or when a child is placed for adoption or foster care.*

B. Intermittent leave or reduced leave schedules are subject to District approval, *unless medically necessary*. Since regular and predictable work hours are an essential part of an employee's job, the employee is *required* to coordinate the scheduling of his/her own or eligible family member's medical treatments with Human Resources or the department head to ensure the requested leave does not unduly disrupt the operations of District.

The employee may be required to show that the time of day of the requested leave and the intervals between the leave periods are also medically necessary. If the leave for either the employee or his/her eligible family member is medically necessary, the employee shall provide District a completed Certification of Healthcare Provider Form from the health care provider.

C. The medical certification must show that the multiple, short duration absences or a reduced work schedule are a part of, or may result from, the treatment the employee or his/her eligible family member is receiving for a serious health condition.

D. The treatment information required in the medical certification must substantiate that intermittent leave or a reduced work schedule are necessary, and that the medical needs of the employee or his/her eligible family member are best accommodated through an intermittent leave or a reduced work schedule.

E. An employee using intermittent FMLA leave or on a FMLA-based reduced work schedule may be temporarily transferred to an alternate position or work group that better accommodates the leave or schedule but that has equivalent pay and benefits.

#### **Workers' Compensation Runs Concurrently**

If an employee has a serious health condition resulting from a workers' compensation on-the-job injury that meets the criteria for the 12-week FMLA entitlement, the FMLA leave period shall run concurrently with workers' compensation leave.

#### **Notice Requirements for FMLA Leave**

##### **A. Employee's Requirements**

- 1) Once the employee learns of the need to take leave for his/her own or eligible family member's medical treatment, the employee is required to notify Human Resources, either verbally or in writing. All employees will complete the attached District Leave Request Form. If the notice is verbal, the Leave Request Form must be completed as soon as possible, but no later than the following payday. (If the payday is less than one week after the verbal notice, the Leave Request Form must be completed no later than the subsequent payday.)
- 2) If the FMLA qualifying event is *foreseeable* (such as birth of a child, placement for adoption or foster care, or planned medical treatment for a serious health condition), the employee must give at least thirty (30) days' advance notice before beginning FMLA leave. If the employee does not provide thirty (30) days' notice for

*foreseeable leave with no reasonable excuse for the delay, the leave request may be denied until at least thirty (30) days from the date District receives notice from the employee. Where leave is foreseeable and thirty (30) days' notice has been given, the employee must provide a medical certification before the leave begins.*

**B. District Requirements**

- 1) District will respond to the employee by completing a Response to Employee Request for FMLA leave form and WH Publication 1420 (Notice to Employees of Rights under FMLA). An employee who requests leave to care for a family member in the Armed Services may be requested to complete Form WH-384 (Certification of Qualifying Exigency for Military Family Leave) or Form WH-385 (Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave), as applicable.
- 2) Within five (5) business days of receiving employee's Application for FMLA leave, District will provide the employee with WH-381 (Notice of Eligibility and Rights and Responsibilities).
- 3) As set forth in the Response to Employee Request for FMLA leave, District will require an employee requesting leave to provide a doctor's certification of the serious health condition. Medical certification will be provided on the U.S. Department of Labor form WH-380-E (or WH-380-F for family member). Such certification will be due within five business days from the request, or the employee must provide a reasonable explanation for the delay. If the leave was unforeseen, the certification must be provided within five business days of when the leave was first taken. Failure to provide certification may result in denial of continuation of leave.
- 4) Within five (5) business days of verifying that the requested leave is or is not FMLA qualified, District will issue to employee a Designation Form .

**Medical Certification**

- A. The employee is required, upon request of District, to provide medical certification from the health care provider stating the medical necessity and current need for FMLA leave. District may contact the healthcare provider, only as defined in the FMLA regulations, for purposes of clarification and authenticity of the medical certification from an authorized healthcare provider under FMLA .
- B. Whether the leave is foreseeable or unforeseeable, medical certification *must* be provided within fifteen (15) calendar days from the date the employee gives District notice of the need for leave. Taking FMLA leave may be denied if these requirements are not met, unless there is a reasonable excuse for the delay. District will advise the employee if the medical certification is incomplete within seven (7) days of its receipt. If the medical certification is incomplete, the employee will be provided a reasonable opportunity to cure such deficiency.
- C. District has the right to request a second or third medical opinion, at its expense. If the first and second opinions conflict, District may require a third opinion which shall be final and binding.

- D. District has the right to request periodic re-certifications in accordance with the FMLA regulations. For eligible, ongoing serious health conditions, District may require annual re-certifications. For changes in intermittent leave and reduced work schedules, District may require an updated medical certification.
- E. While on FMLA leave, District has the right to ask an employee to report additional information regarding the FMLA-approved serious medical condition and his/her intent to return to work.
- F. District reserves the right to require a "fitness for duty" medical certification from the physician in order for the employee to return to work. Illustrative situations in which a fitness for duty medical certification *would be required* involve a mental disability, substance abuse or where the medical condition and the employee's position are such that District believes the employee may present a serious risk or injury to himself/herself or to others.
- G. District reserves the right to review and address any apparent misuse of FMLA leave.

#### **Maintenance of Benefits**

- A. District will continue to maintain group insurance coverage for the employee on FMLA leave whenever such insurance was provided before the leave and on the same terms as if the employee had continued to work.
- B. If the employee pays a portion of his/her insurance premiums prior to taking FMLA leave, the employee will continue to be responsible for his/her portion while on leave.
- C. If the employee does not continue insurance payments, District may discontinue coverage during the FMLA leave.
- D. Reimbursement may be sought by District for premiums paid during the period of FMLA leave if the employee fails to return to work and it is not due to illness or circumstances beyond the employee's control.

#### **Status, Pay, Returning to Work, Job Restoration**

- A. While on FMLA leave, the employee will continue to receive health insurance benefits.
- B. Employees taking leave under this policy must use all eligible paid sick leave, vacation, compensatory time, and eligible floating holidays before taking the remainder as unpaid leave. Such paid leave will be considered FMLA leave and counted toward the 12 eligible weeks.
- C. Employees on unpaid leave of absence will cease to accrue vacation and sick leave until they return to work. Employees who take intermittent leave will accrue PTO on a prorated basis, adjusted so that they only accrue PTO for hours worked.
- D. Retirement system contributions shall not be made during unpaid leave. FMLA unpaid leave shall not be treated as a break in service for purposes of vesting and participation. However, retirement service credit may not be earned where Department of Retirement System criteria has not been met.
- E. Upon returning from FMLA leave, the employee is entitled to the same position held when the FMLA leave commenced or to a position with equivalent benefits and pay, unless the employee is determined to be a "key" employee as defined in the FMLA

regulations. This entitlement does not apply in certain situations such as the following: (1) the employee's position is eliminated in a reduction of force; (2) the employee takes another job while on FMLA leave; (3) the employee fails to provide timely notice of FMLA leave; (4) the employee fraudulently obtained the FMLA leave; (5) the employee is unable to perform the essential functions of his/her position after the FMLA is exhausted; or (6) the employee fails to return from FMLA leave on the established date.

F. In the case of employee illness, District may require a fitness for duty report from the employee's physician prior to the employee returning to work. If so, this will be noted on Form WH-382. The employee's practitioner shall complete the Fitness for Duty - Physician or Practitioner Certification form (WH-380-E), and forward this confidentially to Human Resources.

G. Failure of an employee to return to work on the established date, beyond 12 weeks entitled in this policy, without legal excuse may result in disciplinary action up to and including termination.

### **P.7.3 Washington Paid Family and Medical Leave**

Washington Paid Family Medical Leave (PFML) is a state-run insurance program and is not administered by District. Applications for PFML are submitted to the Employment Security Department (ESD) as explained herein.

#### **Procedures for “Washington Paid Family and Medical Leave”**

A. **Maintaining Health Benefits:** District will maintain existing health benefits for employees on PFML leave so long as their PFML leave overlaps with their FMLA leave. While on PFML, the employee remains responsible for the employee's share of the cost of their health benefits. Employee may authorize their PTO to be used to pay for the employee's share of health benefits while on PFML, otherwise they are responsible for writing a monthly check to the District for the total amount of their owed benefit deduction while on PFML before the 25th of the month prior. Failure to pay the employee portion of benefits will result in termination of benefits in their entirety.

B. **Payroll Deductions.** The Washington State Paid Family and Medical Leave (PFML) program is funded through premiums collected by ESD via payroll deductions and District contributions. The premium rate is established by law.. Should the State in the future modify the PFML premium rate or the percentage of premiums subject to collection through payroll deduction, District will modify payroll practices to reflect those statutory changes.

C. **Eligibility.** Under PFML, employees may be eligible for monetary benefits and job protection when taking leave for covered reasons. Eligibility requirements are as follows:

- **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.
- **Job Protection:** In order to be eligible for job protection under PFML, an employee must meet FMLA eligibility requirements (must have worked for District for at least 12 months and have worked 1,250 hours in the last year).

An employee is ineligible for PFML benefits during any period of suspension from employment or during which the employee works for remuneration or profit (e.g., outside employment or contracting).

D. **Leave Entitlement.** Eligible employees are entitled to take up to twelve (12) weeks of medical or family leave, or a combined total of sixteen (16) weeks of family and medical leave per claim year, plus an additional two (2) weeks of leave may be available in the event the employee's leave involves incapacity due to pregnancy. The claim year begins when the employee files a claim for PFML benefits or upon the birth/placement of the employee's child. PFML leave may be taken for the following reasons:

- **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.
- **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 age 18 with the employee (through adoption or foster care); or for qualifying military exigencies as defined under the FMLA. 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 leave may be taken intermittently, provided that there is a minimum claim requirement of eight (8) consecutive hours of leave in a week for which benefits are sought.

E. **Notice to Employees.** District will post the required PFML workplace poster in the workplace. District will provide a Statement of Employee Rights to employees who may be eligible for Paid Family and Medical Leave the later of (i) five (5) business days after an employee's seventh (7th) consecutive day of absence due to family or medical leave; or (ii) five (5) business days after an employer becomes aware that the employee's absence is due to family or medical leave.

F. **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.

G. **Notification Requirements.** An employee must provide written notice to District of the intent to take PFML leave. If the need for leave is foreseeable, notice must be given at least thirty (30) days in advance of the leave. For unforeseeable leave, notice must be given as soon as is 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 District, ESD will temporarily deny PFML benefits. After receiving the employee's notice of the need for leave, District

will advise the employee whether the employee is eligible for job protection under PFML or FMLA or both.

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

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

H. **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 75 - 90 percent of an employee's average weekly wage. 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 (7)-day waiting period. The waiting period begins on the Sunday of the week in which PFML leave is first taken. The waiting period is counted for purposes of the overall duration of PFML leave, but no monetary benefits will be paid by ESD for that week. Employees may use available accrued leave to cover absences during the waiting period.

I. **Maintaining Health Benefits.** District will maintain existing health benefits for employees on PFML leave so long as the Employee authorizes PTO to be deducted in sufficient amount to pay for the Employee's share of health benefits for that month and the employee has also enrolled in FMLA. To the extent District and employee share the cost of existing health benefits, the employee remains responsible for the employee's share of the cost during any continuation of health benefits.

J. **Supplementation of PFML Benefit with Paid Leave.** District will permit comp time, sick leave and vacation leave to be used as a "supplemental benefit" to make up the difference between an employee's regular wage so that an employee continues to receive from all sources (including disability insurance payments) an amount of income equivalent to what would have been received if the employee were not on PFML.

Requests for supplemental benefits must be submitted weekly. Employee shall inform District of and, upon request, provide backup documentation for, the following:

- the amount in benefits received from all sources (including PFML and disability), if any, for that week; and
- whether the employee is requesting to use sick leave, vacation leave, or both as supplemental benefits, and the number of hours of each.

District will deny requests for supplemental benefits to the extent they cause the employee's combination of benefits from all sources (including supplemental benefits,

PFML benefits, and disability insurance) to exceed the employee's regular compensation.

An employee may pay District the money it receives from PFML and disability to buy back the comp time, sick leave a, and vacation used supplemental benefits.

*Important note:* When submitting a weekly PFML benefit application to ESD, an employee should not report supplemental benefits to ESD to ensure that the full PFML benefit is received for the week.

- K. Coordination with Other Benefit Programs. When an employee is on leave and only receiving PFML benefits, the employee is deemed to be in unpaid status for purposes of District policies and benefit programs. Insurance coverage will be handled in the same manner as other unpaid leaves of absence, pursuant to District policy and subject to any FMLA or other legal requirements requiring continuation of coverage. The employee will not accrue sick leave, vacation leave or PTO during PFML leave.
- L. Job Restoration; Return to Work Recertification. An employee who is eligible for job-protected leave will be restored to the same or equivalent position at the conclusion of PFML leave, unless unusual circumstances have arisen (e.g., the employee's position or shift was eliminated for reasons unrelated to the leave). District may require a return-to-work certification from a health care provider before restoring the employee to work following PFML leave where the employee has taken leave for the employee's own serious health condition and has been on leave for more than four (4) days and/or the employee holds a safety-sensitive position or where such certification is otherwise legally required. Under certain conditions, District may deny job restoration to a salaried employee who is among the highest paid ten percent of District employees. If an employee taking PFML leave chooses not to return to work for any reason, the employee should notify District as soon as possible. Use and Accrual of Paid Time Off (PTO) while on PFML. Employees on unpaid leave of absence will cease to accrue vacation and sick leave until they return to work. Employees who take intermittent leave will accrue PTO on a prorated basis, adjusted so that they only accrue PTO for hours worked.

#### **P.7.4 Washington Family Care Act**

Procedures for "Washington Family Care Act"

#### **Washington Family Care Act Leave Provisions**

- 1. In accordance with the Washington Family Care Act (WFCA), employees may be eligible to access their accrued sick leave or other banks of paid time off to care for a child (under 18 or over 18 who is incapable of self-care because of a mental or physical disability), spouse, state-registered domestic partner (if one of the partners is 62 or older), parent (biological parent of the employee or someone who stood loco parentis to the employee when the employee was a child), parent-in-law (parent of the employee's spouse), or grandparent (parent of a parent of the employee) who has a serious health condition or emergency condition as defined in Subsection No. 2 below.

2. For the purposes of WFCA leave, a "serious health condition" shall be defined as it is in the FLMA policy and procedure outlined above, with the addition that, for a child, an eligible health condition may also be any medical condition requiring treatment or medication that the child cannot self-administer or any medical or mental health condition that would endanger the child's safety or recovery without the presence of a parent or guardian. An "emergency condition" shall be defined as a health condition that is sudden, generally unexpected, or that involves circumstances that demand immediate action and are typically short-term in nature.
3. An employee who has a family member who has a serious health condition or emergency condition shall submit a Leave Request Form and a signed Certification of Physician or Practitioner form from a physician or healthcare provider certifying that the family member's health condition meets the criteria of the law.
4. Generally, only a sick leave incident form is required for employees who accompany their eligible children to minor, routine dental or medical appointments, or whose children have health conditions requiring three (3) or fewer days of leave for their care. A Certification of Healthcare Provider form is required for employees whose children whose health conditions require more than three (3) days of leave for their care.
5. Employees under a corrective performance improvement plan who are required to submit a certification from a physician or healthcare provider for each sick leave incident shall also submit the same type of certification from a physician or healthcare provider for each use of WFCA leave.
6. WFCA leave is only available to employees who have completed their probationary period, unless otherwise provided for by an applicable bargaining agreement, and who have accrued leave banks.
7. Employees may only use WFCA leave if other members of his/her household are unavailable to provide the care needed. It shall be the responsibility of the employee to provide the necessary verification to this effect.

## **P.7.5 Other Considerations**

Personal and family situations may vary regarding the use of the above leave. Human Resources should be contacted to assist in clarifying the application of this policy and related laws, policies, and labor agreements.

Employees may not engage in outside employment during a period of leave covered by this policy.

## **P.8 GRATUITIES AND GIFTS**

### **P.8.1 General Statement**

Staff members are not permitted to accept tips. Monetary gifts are expressly forbidden.

Small, inexpensive, personal remembrances, such as baked or handmade items, may be accepted.

Gift exchanges that are planned to occur around a special event, Christmas, birthdays, secret pal program, etc. are exempt from this policy and related procedure unless the value of the gift is above the guidelines given for the event.

Residents of Assisted Living facilities will sometimes wish to gift items to staff. Gifts of valuable items will be considered only after consultation with the resident's family and the agency head. Such offers will be discouraged at all times.

### **P.8.2 Considerations specific to Village at the Harbor**

#### Procedures for "Considerations Specific to Village at the Harbor"

When gratuities are offered, the following procedures will be followed:

1. The resident will be reminded of the stated policy prohibiting staff members from accepting gratuities.
2. If the resident insists, acceptance or rejection will be handled as follows:
  - If money is offered, it will given to the agency head or the employee's supervisor to handle and return to resident.
  - If a valuable item is offered, the Executive Director will discuss the situation with the family to make sure it is returned and gently handled.
  - Small, personal, inexpensive remembrances, such as baked or hand-made items, may be accepted on special occasions, such as birthdays.

## **P.9 HIRING AND EMPLOYMENT: GENERAL POLICIES**

### **P.9.1 Anti-Discrimination And Anti-Harassment**

The District is committed to providing a work environment that is free of discrimination and harassment. If any employee feels that they have been discriminated against or harassed, the employee should follow the complaint procedure promulgated by the Human Resources Department, which may include talking with his or her immediate supervisor or agency head and/or Elected Official. Charges of discrimination and/or harassment are not subject to the grievance procedure.

### **P.9.2 Equal Employment Opportunity and Affirmative Action Policy**

The District is an equal opportunity employer. The District believes the participation of individuals of diverse ages, races, religions, cultures, abilities and personalities will add to personal development and organizational success. All employees and potential employees will be recruited, selected, trained, promoted, compensated and, if necessary, disciplined or terminated without regard to sex, race, religion, marital status, veteran status, age, national origin, sexual orientation, sexual identity or expression, color, creed, ancestry, disability, or any other basis prohibited by law.

The District will not discriminate against qualified applicants or employees with a sensory, physical or mental disability, unless the disability cannot be reasonably accommodated and prevents proper performance of an essential element of the job. The District will reasonably accommodate qualified individuals with disabilities as defined by the Americans with Disabilities Act.

### **P.9.3 Anti-Harassment Policy**

It is District policy that employees should be able to work in an environment free from all forms of harassment, including sexual harassment and harassment based upon religion, national origin, age, gender, disability, or any other protected classification. The District considers all forms of harassment to be intimidating misconduct that undermines the integrity of the employment relationship, damages morale and interferes with work effectiveness. Such conduct is prohibited and will not be tolerated.

Employees are expected to treat others consistent with this policy, not just to be protected by this policy.

Harassment can, under some circumstances, constitute a violation of federal and state law. Because the District desires to stop harassment before it rises to the level of illegal harassment, this policy may prohibit a broader range of conduct than that which may constitute a violation of federal or state law.

Conduct prohibited by this policy includes, but is not limited to, the following:

- Unsolicited and offensive comments (verbal or written) about an individual's appearance, gender, age, national origin, religion, disability, or other trait which is associated with a protected classification.
- Unsolicited and offensive gestures relating to an individual's gender, age, national origin, religion, disability, or other trait which is associated with a protected classification.
- The display of objects or pictures that cast in a negative light an individual's gender, age, national origin, religion, disability, or other trait which is associated with a protected classification.
- Any other unsolicited and offensive conduct relating to an individual's gender, age, national origin, religion, disability, or other trait that is associated with a protected classification. In the case of sexual harassment, this includes unsolicited and offensive sexual flirtations, advances, or propositions, as well as physical contact of a sexual nature.
- Expressly or implicitly conditioning a term or condition of an individual's employment on the individual's submission to any of the above described conduct.
- Basing employment decisions on an individual's submission to or rejection of any of the above described conduct.

Any employee who believes they have been subjected to harassment is encouraged to bring any such incidents to the immediate attention of his or her immediate supervisor or any member of management, HR Department (if applicable), any Elected Official, or the District Council.

An employee found to have engaged in harassment in violation of this policy will be subject to immediate discipline up to and including termination.

Retaliation against an individual who reports conduct that they believe constitutes discrimination or harassment, or against an individual who provides information in connection with a complaint of discrimination or harassment, is strictly prohibited. Retaliation can be in the form of harassment or denial of promotions, wages, benefits, or any other privileges, terms, and conditions of employment.

Any employee who believes they have been subjected to retaliation is encouraged to bring any such incidents to the immediate attention of his or her immediate supervisor, the Human Resources Department, the Superintendent, any Elected Official, or a member of the District Council.

An employee found to have engaged in retaliatory conduct in violation of this policy will be subject to immediate discipline up to and including termination.

#### **P.9.4 Religious Accommodation**

It is the intent of the District to comply with state and federal guidelines regarding accommodation for employees' religious beliefs and practices. At the first indication that an employee may have a conflict concerning working conditions because of religious beliefs the agency head and/or Elected Official is to contact the Human Resources Department (if applicable) or consult with the District's legal counsel. Each set of circumstances will be reviewed separately to ensure consistency of District actions. Factors considered include the individual's particular job, working hours, schedules, productions and any undue hardship to the District.

#### **P.9.5 Americans with Disabilities Act (ADA) and Amendments (ADAAA)**

The Americans with Disabilities Act of 1990 (ADA) and the Americans with Disabilities Amendments Act (ADAAA) are federal laws that require employers to provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of the District to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is the District policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

When a job applicant with a disability requests accommodation and can be reasonably accommodated without creating an undue hardship or causing a direct threat to workplace safety, the individual will be given the same consideration for employment as any other applicant.

Applicants who pose a direct threat to the health, safety and well-being of themselves or others in the workplace when the threat cannot be eliminated by reasonable accommodation will not be hired.

The District will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation or if the accommodation creates an undue hardship to the District. Contact the Human Resources Department with any questions or requests for accommodation.

All employees are required to comply with the company's safety standards (Section 16.050). Current employees who pose a direct threat to the health or safety of themselves or other individuals in the workplace will be placed on leave until an organizational decision has been made in regard to the employee's immediate employment situation.

Individuals who are currently using illegal drugs or drugs not prescribed for that person are excluded from coverage under the District's ADA policy.

As used in this ADA policy, the following terms have the indicated meaning:

- **Disability**: A physical or mental impairment that substantially limits one or more major life activities of the individual, a record of such an impairment, or being regarded as having such an impairment.
- **Major life activities**: Term includes caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working.
- **Major bodily functions**: Term includes physical or mental impairment such as any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin and endocrine. Also covered are any mental or psychological disorders, such as intellectual disability, organic brain syndrome, emotional or mental illness and specific learning disabilities.
- **Substantially limiting**: In accordance with the ADAAA final regulations, the determination of whether an impairment substantially limits a major life activity requires an individualized assessment, and an impairment that is episodic or in remission may also meet the definition of disability if it would substantially limit a major life activity when active. Some examples of these types of impairments may include epilepsy, hypertension, asthma, diabetes, major depressive disorder, bipolar disorder and schizophrenia. An impairment, such as cancer that is in remission but that may possibly return in a substantially limiting form, is also considered a disability under EEOC final ADAAA regulations.
- **Direct threat**: A significant risk to the health, safety or well-being of individuals with disabilities or others when this risk cannot be eliminated by reasonable accommodation.
- **Qualified individual**: An individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.
- **Reasonable accommodation**: Includes any changes to the work environment and may include making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, telecommuting, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.
- **Undue hardship**: An action requiring significant difficulty or expense by the employer. In determining whether an accommodation would impose an undue hardship on a covered entity, factors to be considered include:
  - The nature and cost of the accommodation.
  - The overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation, the number of persons employed at such facility, the effect on expenses and resources, or the impact of such accommodation on the operation of the facility.
  - The overall financial resources of the employer; the size, number, type and location of facilities.

- The type of operations of the company, including the composition, structure and functions of the workforce; administrative or fiscal relationship of the particular facility involved in making the accommodation to the employer.
- Essential functions of the job: Term refers to those job activities that are determined by the employer to be essential or core to performing the job; these functions cannot be modified.

The examples provided in the above terms are not meant to be all-inclusive and should not be construed as such. They are not the only conditions that are considered to be disabilities, impairments or reasonable accommodations covered by the ADA/ADAAA policy.

#### Procedures for “Americans with Disabilities Act (ADA) and Amendments (ADAAA)”

##### **Grievance Procedure under The Americans with Disabilities Act**

This Grievance Procedure is established to meet the requirements of the ADA. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the District. The District’s Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem.

Alternative means of filing complaints, such as personal interviews or an audio recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or designee as soon as possible but no later than 60 calendar days after the alleged violation to the Superintendent.

Within 30 calendar days after receipt of the complaint, the Superintendent and/or Board designee will meet with the complainant to discuss the complaint and the possible resolutions. Subsequent to this meeting, the Superintendent and/or Board designee will investigate and respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio file. The response will explain the position of the District and offer options for substantive resolution of the complaint if possible.

If the response by the Superintendent or Board designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the District Board.

Within 30 calendar days after receipt of the appeal, the District Board will meet with the complainant to discuss the complaint and possible resolutions. Subsequent to this meeting, the District Board will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the Superintendent or Board designee, appeals to the District Board, and responses from these two offices will be retained by the District in accordance with Washington State retention schedules.

## **P.9.6 Accommodations for Pregnant Workers and Related Conditions**

The District provides reasonable accommodation to qualified employees for known limitations related to, affected by, or arising out of pregnancy, childbirth, and related medical conditions, including the need to express breast milk.

All accommodations under this policy require the employee to inform their department head of any change in working status.

Accommodations do not always require supporting documentation or health care provider certification- they may be immediately approved by department heads. Some examples of accommodations that do not require supporting documentation or health care provider certification include:

- Providing more frequent, longer, or flexible restroom breaks
- Modifying a no food or drink policy
- Providing seating or allowing more frequent sitting if the job requires standing
- Modifying lifting limits of greater than 17 pounds
- Providing reasonable break time to express breast milk as necessary after the child's birth
- Having access to a lactation space for up to 24 months

If you believe additional accommodations are needed, complete the Pregnancy Related Accommodation Request form. A written certification from a health care professional explaining the need for reasonable accommodation may be required.

This policy is intended to comply with the Healthy Starts Act ([RCW 43.10.005](#)), the Pregnant Workers Fairness Act, ([42 U.S.C. 2000gg-3](#) and [29 CFR 1636](#)), the Providing Urgent Maternal Protections for Nursing Mothers Act or PUMP Act ([P.L. 117-328](#)), and relevant sections of Title IX ([34 CFR 106](#)).

## **P.9.7 Anti-Bullying**

The District believes that all employees and volunteers should be treated with dignity and respect and will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined, up to and including termination. The District defines bullying as “repeated (may be a single incident dependent upon severity) inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment.”

### Procedures for “Anti-Bullying”

Bullying may be intentional or unintentional. However, where an allegation of bullying is made, the intention of the alleged bully is irrelevant, and will not be given consideration when considering corrective actions. As in sexual harassment, it is the effect of the behavior upon the individual that is important. However, senior management will investigate an employees’ behavior and consider it by the standard of what would be

bullying in the eyes of a reasonable person at their sole discretion. In the event that a member of the senior management is the person accused, the Board of Commissioners will make this specific determination. The District considers the following types of behavior examples of bullying:

- Verbal Bullying: slandering, ridiculing or maligning a person or his/her family; persistent name calling which is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- Cyber Bullying: behaviors listed under Verbal Bullying above but through the Internet or on social media sites.
- Physical Bullying: pushing; shoving; kicking; poking; tripping; assault, or threat of physical assault; damage to a person's work area or property.
- Gesture Bullying: non-verbal threatening gestures, glances which can convey threatening messages.
- Exclusion: systematically excluding or disregarding a person in work-related activities.

An employee found to have engaged in conduct in violation of this policy will be subject to disciplinary action up to and including termination.

#### **P.9.8 Trafficking Victims Protection Act Of 2000**

In accordance with Section 106 (g) of the Trafficking Victims Protection Act of 2000, as amended (22 USC 7104), that can be found at 2 CFR § 175.15, the District, the Board Members, Superintendent, Executive Assistant, Employees, any and all current and/or future subrecipients of any assistance, awards or subawards (the Section 106 Parties) shall not engage in severe forms of trafficking in persons, procure a commercial sex act or use forced labor in the performance of any Federal awards or in the normal course of business.

Any employees or Section 106 Parties who engage in such prohibited behavior during the term of a Federal award or in the normal course of business contrary to this policy shall be subject to discipline under the applicable disciplinary policies or collective bargaining agreement.

Covered entities shall document any sanctions imposed for violations of this rule of the Administrative Code, or department standards and procedures, as required by the Federal Awarding Agency.

The District shall not tolerate nor engage in retaliation against any employee who reports an incident of human trafficking as outlined above.

#### **P.9.8 Violence In The Workplace**

All employees have the right to expect a place of employment that is free from behavior that can be considered harassing, abusive, disorderly, or disruptive. Any violent behavior or behavior that creates a climate of violence, hostility, or intimidation will not be tolerated, regardless of origin. Proactive measures will be taken to minimize the potential for violent acts. Each and every act or threat of violence will result in an immediate and firm response that could, depending on the severity of the incident and/or other relevant considerations, include termination from employment with the District.

This policy includes, but is not limited to, the following behaviors and situations:

- Violent or threatening physical contact (including fights, pushing, and physical intimidation.)
- Direct or indirect threats
- Threatening, abusive or harassing phone calls
- Possession of a weapon on District property
- Destructive or sabotaging actions against District or employees' personal property
- Stalking
- Violation of a restraining order
- Threatening acts or abusive language that leads to tension within the work environment

The following are not considered prohibited behaviors under this policy:

- An employee's supervisor repeatedly asking the employee to properly complete a workplace assignment is not considered harassment
- An employee's supervisor showing irritation due to the employee's repeated failure to follow policy or meet workplace expectations is not considered hostile or violent
- An employee's supervisor stating that due to the employee's work performance or policy violation the employee may be subject to disciplinary action including termination is not considered threatening

Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on District property shall be removed from the premises as quickly as safety permits, and shall remain off District premises pending the outcome of an investigation. No existing District policy, practice or procedure should be interpreted to prohibit decisions designed to prevent a threat from being carried out, a violent act from occurring or a life-threatening situation from developing.

Reporting procedures have been developed to encourage early reporting, support and stress reduction for employees as well as the prevention of violence. Any employee can report concerns or incidents to his or her immediate supervisor, a member of the Human Resources Department, or any member of management. The District will initiate an appropriate response. This response may include, but is not limited to, termination of employment and/or criminal prosecution of the person(s) involved.

All employees who obtain a protective restraining order, which lists the District premises as being a protected area, must provide to their immediate supervisor a copy of any temporary or permanent protective or restraining order. The immediate supervisor and other District officials shall respect the sensitivity of the information requested and maintain confidentiality and employee privacy to the extent possible while fulfilling the requirements of this policy.

### **P.9.9 Whistleblower Protection**

In compliance with the Local Government Employee Whistleblower Protection Act, RCW 42.41 employees are expected to disclose any improper governmental action taken by District officials or employees and cooperate in investigations, understanding they are protected from retaliation if disclosure was made in Good Faith. This policy also safeguards legitimate employer interests by

encouraging complaints to be made first to the District, with a process provided for speedy dispute resolution.

#### Procedures for “Whistleblower Protection”

##### **Definitions:**

Improper Governmental Action is any action by a District officer or employee 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 officer’s or employee’s employment, and is:

Is in violation of any federal, state or local law or rule;  
an abuse of authority;  
of substantial and specific danger to the public health or safety; or  
a gross waste of public funds.

Improper Governmental Action does not include personnel actions including employee grievances, complaints, appointments, promotions, transfers, assignments, reassessments, reinstatements, restorations, re-employments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or civil service laws, alleged violations of labor agreements, or reprimands.

Retaliation means any adverse change in the terms and conditions of a District employee’s employment, or hostile actions by another employee towards a District employee that are encouraged by a supervisor or senior manager or official. Retaliation does not include appropriate consequences resulting from a violation of law, rule, policy or procedure, a negative comment in an otherwise positive or neutral evaluation, or actions justified by poor performance or history.

Good Faith means an honest, reasonable belief that an Improper Governmental Action has occurred or is occurring. A belief does not have to be proven true to be in Good Faith. Knowingly making a statement that is misleading, false, or deceptive; or willingly ignoring facts that would disprove a belief that Improper Governmental Action has occurred; is lack of Good Faith.

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

##### **Procedure for Reporting Improper Government Action:**

Employees who become aware of improper governmental action should raise the issue first with their supervisor. If requested by the supervisor, the employee shall submit a written report to the supervisor, or to some person designated by the supervisor, stating in detail the basis for the employee’s belief that an improper governmental action has occurred.

Where the employee reasonably believes the improper governmental action involves the employee’s supervisor, the employee may raise the issue directly with the Superintendent or a Board Member. Where the employee reasonably believes the improper governmental

action [matter] involves the Superintendent, the employee may raise the issue directly with a Board Member or the Prosecuting Attorney. If the matter involves a Board Member, the employee may raise the issue with the Superintendent and/or any other Board Member. This should be done as soon as the employee becomes aware of the improper action.

In the event a particular complaint involves allegations of criminal behavior, the District may refer the matter to the appropriate law enforcement authorities. If the complaint involves allegations of criminal behavior that may cause immediate harm to an individual or to property, the complaining employee may first report the matter to the Sheriff's Department before initiating the procedures described in this policy.

The agency head, Elected Official and/or Superintendent shall take prompt action to assist the District in properly investigating the report of improper governmental action. Officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under the law, unless the employee authorizes in writing the disclosure of his or her identity. 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 the personnel actions taken as a result of the investigation may be kept confidential (to the extent permitted by law).

In an emergency, where the employee believes that personal injury or property damage 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. As noted above, the employee may also report an emergency matter to the Sheriff's Department or another law enforcement agency.

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

Employees who fail to make a good faith attempt to follow the District's procedures in reporting improper governmental action shall not be entitled to the protection of this policy against retaliation, pursuant to RCW 42.41.030.

#### **Protection Against Retaliatory Actions:**

Officials and employees are prohibited from taking retaliatory action against an employee because the employee has in good faith reported an improper governmental action in accordance with these policies and procedures.

An employee who believes they have been retaliated against for reporting an improper governmental action must provide written notice to his/her supervisor within 30 days of the alleged retaliatory action. If the supervisor is allegedly involved in the retaliation, the written notice should be provided to the Human Resources Manager, their Elected Official or Superintendent. The written notice must specify the alleged retaliatory action and the relief

requested. Officials and supervisors shall take appropriate action to investigate and assess complaints of retaliation.

Represented employees may elect to pursue such issues through the labor agreement grievance process, in which case the procedures that follow would not apply.

After receiving the District's response to the retaliation complaint, or 30 working days after the delivery of the complaint to the District, the employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing should deliver the request for hearing to the Human Resources Manager or Superintendent within the earlier of either 15 working days after delivery of the District's response to the complaint of retaliation, or 45 working days after delivery of the employee's complaint of retaliation to the District. Upon receipt of the request for hearing, the District shall apply within five (5) working days to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge.

**Management Responsibilities:** The Human Resources Department is responsible for implementing District policies and procedures, for reporting improper governmental action and for protecting employees against retaliatory actions. This includes ensuring that this policy and these procedures are:

1. Permanently posted where employees will have reasonable access to them;
2. Made available to any employee upon request; and,
3. Provided to all newly hired employees.

Officers, managers and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility. Violations of this policy and these procedures may result in appropriate disciplinary action up to and including termination.

## **P.10 INFORMATION TECHNOLOGY APPROPRIATE USE POLICY**

### **P.10.1 Purpose**

This policy is provided to employees and volunteers of the District to enhance their ability to conduct official business of the District. These resources, including the data and/or content they create, are considered District property and are designed to improve work performance, facilitate research, share information, and allow for innovation and communication. These resources include, but are not limited to, workstations, laptop computers, peripheral systems (storage and printing), smart phones, mobile phones, networks, servers, Internet services, phone systems, voicemail, text messaging and email. Every employee and volunteer has an obligation, generally, and in particular, with respect to use of District technology services, to observe local, state and federal laws and enhance the public image of the District.

All District employees and volunteers are required to comply with the policies specified herein when using District-owned technology resources and services. They are further required to report to the District all suspected security and/or policy violations to their agency head or the Superintendent.

All District agency heads and/or Elected Officials shall be responsible for ensuring appropriate resource use for all employees and volunteers under their direction.

### **P.10.2 Definitions**

Destructive software or programs: defined as a program intended to cause damage to a computer system. Common examples include computer viruses, Trojan horses, worms, adware, spyware, malware, ransomware, keystroke-loggers, and root kits.

Employee is defined as any District paid employee or contract employee.

Email is an electronic communication that may be sent to another user within the District's information system or to a user outside the District's system via the Internet.

Inappropriate is defined as disparaging, sexual, abusive, profane, or offensive; or in violation of any state, federal or local law; or adversely or negatively reflecting upon the District.

Internet refers to the World Wide Web.

Intranet refers to local internet, hosted locally within the District network.

Peer-to-Peer networking is defined as programs that share data between computers. Examples would be Pirate Bay, Popcorn, Bit Torrents etc.

Social Media is defined as social websites that share information such as Facebook, Twitter, Snapchat etc.

Technology Resources include all electronic equipment, software and/or data (either furnished by the District or property of the employee) used in the performance of their work assignments, including computers, telephones, fax machines, pagers, email, voice mail, cell phones, smart phones and PDAs.

Unauthorized Software is defined as any copyrighted content, unlicensed software or software that is not approved by the Northwest Technologies and/or the San Juan County IT department.

Volunteer is defined as any District volunteer.

Web based email is defined as personal email providers such as Gmail, Hotmail, Yahoo, etc.

### **P.10.3 Applicability**

District technology use applies to District issued electronics (cell phones, laptops, workstations, etc.) or any devices connected to District provided internet.

#### Procedures for "Applicability"

##### **Village at the Harbor**

This policy does not apply to Village at the Harbor residents' personal devices on personally provided internet, or their guests doing the same. Nor does it apply to Networks made available to residents for their personal use (excepting any malicious use).

Internet used by Village administration and staff should be on a network separate from residents for security reasons.

## **EMS**

EMS personnel on-duty but outside of daytime hours (approx. 20:00 – 08:00) may use the District's internet to stream video or browse the internet for personal use, provided it is on personal devices and on reputable sites (e.g. Netflix, YouTube, Hulu) that will not pose a security threat to the District's network. Likewise, designated TVs in sleeping spaces and recreation areas may be used for entertainment outside of daytime hours.

However, all other prohibitions as laid out in these Policies and Procedures still apply, e.g. an employee may not use this time to fundraise, or to engage in political activities, or to operate a business, etc. Note that due to the high risk of introducing malicious software when browsing pornographic websites, access is specifically prohibited on any device connected to the Agency's internet or owned by the San Juan Island EMS.

### **P.10.4 Appropriate Use**

#### Procedures for “Appropriate Use”

The District encourages use of technology resources and services by employees and volunteers to facilitate the official business of the District, including the following:

- To perform research and acquire information related to, or designed to facilitate the performance of regular assigned duties;
- To communicate and collaborate with fellow employees and volunteers regarding matters within the assigned duties of the employee;
- To transfer files and other information pertaining to matters within the assigned duties of the employee;
- To communicate with customers, contractors, consultants, vendors and other external parties to accomplish or enhance the District's official business;
- To facilitate performance of any task or project in a manner approved by the supervisor of an employee, contract employee or volunteer;
- Incidental personal use that does not negatively impact employee productivity or the District network performance.

Employees and volunteers are expected to share responsibility in managing their District owned workstation and other technology resources. In general, employees and volunteers are allowed to individually customize the configuration, including the “look and feel” of their computer and other devices provided by the District, with the exception of installing or downloading unauthorized software or modifying security settings as described further in this policy.

If any problems result from user installation of unauthorized software which cannot be quickly and easily resolved by NWT, or if unlicensed or inappropriate software or information is found on District-owned assets, or if required monitoring tools and utilities are found to have been removed by the user without authorization, then the workstation will be immediately restored to its original District standard configuration and image and the

employee or volunteer may face disciplinary action. Overall, the District reserves the right to return the information technology systems to their original configuration at any time if necessary to restore functionality and operability.

### **P.10.5 Prohibited Activities**

The District shall maintain a list of prohibited activities, and updated it as needed.

Employees and volunteers should be aware that the consequence of installing/downloading of unauthorized or inappropriate information/software, or the removal or modification of monitoring tools and utilities installed and required by Northwest Technologies may result in an immediate and complete re-image of the system to its original District standard configuration. In addition, the ability to install or download software and make changes to the workstation by the individual user may be revoked.

Disciplinary action, including termination of employment or volunteerism and/or termination of network and Internet access may also result from non-compliance with this policy. Violations of certain parts of this policy could result in indictment under the Computer Fraud and Abuse Act (CFAA).

#### Procedures for “Prohibited Activities”

The following uses of technology resources and services provided by the District are expressly prohibited, unless required to perform legally necessary functions of the District:

- Copying, disseminating, downloading, or printing of copyrighted materials (including articles, software, or other forms of media and content) in violation of copyright laws.
- The use of social media (unless business related), web-based email or other potentially destructive programs on any computer that access financial information or computers that are used to process payments over the internet.
- Downloading or installing unauthorized software.
- Disclosing private “Personal Information” (e.g., social security numbers, credit card numbers, Driver’s License numbers, PIN numbers, personal medical information) and Security Sensitive Information found on District computer systems without explicit permission or direction of the Superintendent or as required by law in a legal proceeding.
- Sending, receiving, printing, or otherwise disseminating proprietary data, trade secrets, or confidential information in violation of District policy, proprietary agreements, or federal, state, local and/or international laws.
- Using offensive or harassing statements, images or language including disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious or political beliefs, or any other basis prohibited by local, state or federal law.
- Sending, receiving, or soliciting sexually-oriented messages, images, software, or content.
- Operating a business or soliciting money for personal gain.
- Using District-owned information and communications technology assets for political purpose or gain.
- Solicitation of funds or services for charitable causes without prior approval from the Superintendent.

- Sending chain letters, participating in pyramid schemes or gambling, or engaging in any other activity in violation of local, state, federal, or international law.
- Gaining access to District systems, content, or infrastructure by using any access-control mechanism not assigned to the particular user or permitting another person to have access to services by using the employee or volunteer's assigned access-control mechanism (e.g., giving another employee or person your username and password).
- Removal or any modification of any software, utility, or configuration parameters installed by the NWT to ensure licensing and usage compliance, monitor performance, or protect system asset integrity. These utilities include, but are not limited to, automatic screen saver installation and operation, remote access and download capabilities, configuration and usage accounting, virus scanning, content monitoring, spam controls, etc.
- Establishment of wireless access points/networks and/or modems anywhere on the District network without prior approval from the Superintendent and/or NWT.
- Attachment of any devices anywhere on the District's network infrastructure (including workstations, printers, storage devices, servers, routers, switches, firewalls, hubs, etc.) without prior approval from NWT.
- Gaining or attempting to gain unauthorized access to any computers, computer networks, databases, data, or electronically stored information.
- Using, transmitting, changing, or deleting another user's files, documents, software, or other media without the user's or manager's permission.
- Introducing destructive software or unauthorized software or other malware into any computer, computer system, or network.
- Installing, implementing or using peer-to-peer networking systems on District computers or in District facilities.
- Streaming audio or video that is not directly related to District business.
- Opening links or attachments transmitted in instant messaging systems such as Google Chat, MSN Messenger, etc., due to instant messaging being "unprotected text" that is not recorded or stored as a public record.
- Transmitting, retrieving, or storing except as required for records retention or other government purposes of any communication of a defamatory, discriminatory or harassing nature.
- Transmitting inappropriate materials that might adversely or negatively reflect upon the District or be contrary to the District's best interests.
- The use of a District computer in a way that knowingly creates IT security vulnerability concerns.
- Any other activities which are against local, state, federal, or international law.

Through District provided resources and services, employees and volunteers may be provided access to a wide variety of information sources available on the Internet. In addition to the restrictions and prohibitions generally outlined in this policy, the following restrictions apply specifically to use of the Internet:

- Employees and volunteers may not use Internet access provided by the District to maintain personal websites or web pages.
- Employees and volunteers may not browse or download content from Internet sites containing inappropriate information, except when necessary for law enforcement and

prosecution related work. This includes performing image searches on Google, Yahoo or other search engines for sexually-oriented images.

## **P.10.6 Political Activity**

As a tax-supported institution, it is important that the District demonstrate neutrality regarding political campaigns and candidates. However, employees may engage in political activities, as subject to RCW 41.06.250 and RCW 42.17A.555.

### Procedures for “Political Activity”

In order to answer specific questions that may come up during an election campaign the following points are stated.

Employees may:

- Respond to political inquiry by providing factual information.
- Hold office within a political party.
- Wear as part of their apparel something supporting a political activity, unless job duties would preclude such adornment.
- Participate in campaign issues to the extent they feel appropriate while on their own time.

Employees may not:

- Campaign or advocate for any political opinion or proposal on District time.
- Use District resources (paper, copier, computers, telephones) for campaign purposes.
- Display political items on anything that might be perceived to be the property of the District.

## **P.10.7 Handling Personal/Security Sensitive Information**

During the course of an employee’s or volunteer’s work at the District, Personal Information and/or Security Sensitive Information could be saved on the user’s hard drive, a server hard drive, or placed on portable media such as a USB Flash Drive, Compact Disk (CD), Digital Video Disk (DVD), diskette or other similar device. The user could also have printouts of this information on their desk, in their files or otherwise in their possession in order to perform their work. Handling such information within the requirements of the user’s job is reasonable; however, the user must recognize some issues with the protection of this information.

This information of concern can include classified and confidential government data, healthcare information and personal financial information.

For the purpose of this policy, Personal Information is defined by RCW 42.56.590. This can include date of birth, social security number, Driver’s license, etc.

The law notes that “personal information” does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.

Security Sensitive Information (SSI) includes Transportation Security Administration information marked as Security Sensitive Information and also includes law enforcement, police or District security information that is protected from release to the general public.

#### Procedures for “Handling Personal/Security Sensitive Information”

General expectations for handling Personal and/or Sensitive Information include the following:

- Do not collect Personal Information on your computer, laptop hard drive, USB flash drive, iPod, CDs, smartphones, or other portable media.
- Avoid collecting Secure Sensitive Information on your computer or laptop hard drive.
- Real credit card numbers, social security numbers and driver’s license numbers shall not be used for database or computer testing or development. This includes District information as well as other “social” information such as church data, scout troop rosters, etc.
- If you are in Human Resources, Health and Community Services, Law and Justice or the Auditor’s department, you will have a reason to view and work with such Personal Information; however, you should not download such data onto your computer or USB flash drive, (unless said device is encrypted) so you can work at home or in other off-site locations. This is a very dangerous practice that could result in serious legal and public relations consequences.
- Because of the risks related to IT security, users that process payments for services via credit cards or other means using their workstation, will not access social media sites, web-based email, blogs or other websites that can introduce vulnerabilities and compromise citizen personal or SSI information.
- Adopt a “clean desk practice.” Do not leave paper documents containing personal or SSI information unattended; protect them from view of passers-by and office visitors. Store paper documents containing personal or sensitive information in locked files.
- Immediately retrieve or secure sensitive documents that are printed on copy machines, fax machines, and printers.

#### **P.10.8 Electronic Mail and Voicemail**

The District may provide employees and volunteers with email and voicemail capabilities to facilitate the exchange of information and improve productivity. The District provides these capabilities and services for official use, and all content received and created using email and voicemail accounts is the property of the District and subject to public disclosure.

The District encourages the use of email and voicemail for any purpose identified as a permitted use in this policy; however, email and voicemail may not be used in connection with, or in furtherance of, any prohibited activity identified in this policy, or for other than incidental personal use.

#### Procedures for “Electronic Mail and Voicemail”

The following specific restrictions apply to the use of email and voicemail provided by the District:

- Employees and volunteers shall not use email accounts provided by the District to subscribe to, submit messages to, or read messages from Internet Mailing Lists, Discussion Groups, or News Groups and websites that are of purely personal interest and not related to the District business.
- All external email transmissions using email access provided by the District must contain the first and last name of the sender.
- Employees and volunteers should be aware that email and voicemail message content is subject to interception and may be reviewed at any time. In addition, message content may be subject to disclosure under state and federal law. Employees should communicate confidential data by other means and should have no expectation of privacy when they create, save, send, or receive email and voicemail using resources provided by the District.
- Employees and volunteers who are subjected to email or voicemail transmissions that reflect inappropriate, offensive or harassing content should immediately report the activity to the Superintendent or NWT, so that every effort can be taken to prevent such offensive content from continued transmission through District-owned resources.
- Email footers and signature blocks should generally be used to provide the user's name, title, and telephone number. This function may not contain commercial, political, religious, or inappropriate references and must be consistent with this policy.

### **P.10.9 Network Login Information and Passwords**

Access to District technology resources is only for authorized users approved by District management. Access is restricted and monitored via several means such as user identification and password. Also, other means such as biometrics, smart cards, USB fobs, etc. may be used to protect access to the District network and resources.

#### Procedures for “Network Login Information and Passwords”

Users shall comply with the following requirements and guidelines:

- Passwords shall not be shared or compromised. Never give out your password to anyone – including legitimate business personnel who are backing you up while you are out of the office. Instead, work with NWT to provide alternative means of access to these users (e.g., delegated access to Outlook).
- Avoid using the same password for your network and email log on as you use in other programs and systems. Do not use your District network logins for any of your personal programs, accounts or systems.
- Passwords must meet complexity requirements triggered by Active Directory settings. These passwords are much more resistant to attack than blank or simple passwords. By default, complex passwords enforced by Active Directory have the following properties:
  - Do not contain all or part of the user's account name
  - Contain characters from three of the following four categories:
    - English uppercase characters (A through Z)
    - English lowercase characters (a through z)
    - Base-10 digits (0 through 9)
    - Non-alphanumeric (for example, !, @, #, \$, %, ^, &, \*)
- Consider using the first letter of each word in a phrase or sentence that you can easily remember. For example, “jDi#1imb” translates to “John Doe is number one in my book.”

- Passwords shall normally have a minimum of eight (8) characters, be as meaningless as possible, and fulfil the complexity requirements listed above. “Blank” passwords are not permitted.
- Passwords and log on information are not to be publicly posted in any manner of format and are not to be left in an insecure location. Do not store passwords in unencrypted files such as Excel, Word, Notepad, etc. These can be easily read by someone who hacks into your computer or steals your files (on a hard drive, flash drive, diskette, CD, DVD, etc.).
- The Active Directory Password History setting is 10 passwords remembered. This is set to prevent users from repeatedly using the same password.
- The maximum password age is 360 days. Passwords may be changed more frequently than the specified duration; however, the 360-day setting is established in Active Directory.
- If you believe your password has been compromised, immediately change your log on password and contact the Information Technology department for assistance.
- When leaving your desk unattended, even briefly, you must lock your screen. Simply click the Windows key and the L on your keyboard to lock the screen instantly.

#### **P.10.10 Business Continuity / Disaster Recovery Preparedness**

Individual preparation and preparedness is an important critical success factor for the District – especially with regard to data protection, backup and availability.

##### Procedures for Business Continuity / Disaster Recovery Preparedness

The following practices are suggested for all employees and volunteers in order to be prepared for any disaster ranging from an earthquake to fire on District property to loss of your computer hard drive.

- If you use a laptop computer, learn how to use your computer to log into the District network remotely and how to access and use the Outlook Web Access (OWA) capability.
- Avoid storing originals of important documents on your computer C: drive (which is not backed up) or in District portable media such as USB flash drives, etc. Instead, store originals of District-specific documents in your personal My Documents folder which is on your departmental shared drive.

#### **P.10.11 Loss or Theft of District Information Technology Assets**

##### Procedures for Loss or Theft of District Information Technology Assets

In the event of the loss or theft of District technology resources and other media such as USB Flash Drives/CDs/DVDs/diskettes containing District data, the following steps must be taken.

1. The individual recognizing the loss of the District asset shall immediately notify their supervisor and NWT.
2. NWT shall take immediate action to have the account associated with the lost asset disabled to prevent access, theft or damage to District data.

3. A Police report shall be taken if the device was stolen or suspected to have been stolen.
4. NWT shall inform the Superintendent of the lost device(s). NWT shall identify the type of data lost on the device(s), and determine if any Personal Information and/or Secure Sensitive Data was potentially compromised.
5. If Personal Information and/or Secure Sensitive Data were compromised by the loss of the device(s) then the Superintendent, and the Public Information Officer for the District shall be notified of the loss and actions as required by state or federal law shall be taken as necessary.
6. If any HIPAA protected information was compromised, follow the appropriate policies and procedures relevant to a potential breach

#### **P.10.12 No Expectation of Privacy**

Employee and volunteer privacy does not extend to the work-related conduct of the employee or volunteer, or to work involving the use of equipment, network, Internet access, email, text messaging capability, or voicemail, whether provided and owned by the District or the Employee. Employees and volunteers of the District should, therefore, be aware that email, voicemail, network, text messages, and Internet activity and content created or stored on any resources provided by the District is the property of the District, and as such, the property and all records of usage (electronic or otherwise) are subject to monitoring, auditing, and inspection by the District.

In addition, electronic records are public records subject to Washington State's Public Records Act (RCW 42.56), the law governing retention and destruction of public records (RCW 40.14) .

Employees should be aware that they have no right to or legitimate expectation of privacy with respect to content created, received, transmitted, or stored on computers, networks, storage systems, phone systems (including cellular phones) or other electronic devices and technology services provided by the District.

Some personal use, such as a login to an online newspaper, is almost inevitable by some employees. In making their decisions to make personal use of District computers and equipment, employees are reminded that there should be no expectation of privacy with regard to the use of District communication technologies (e.g., email, facsimile transmissions, voicemail, and websites visited). For example, communications resulting from District computers and equipment may be subject to disclosure under the Public Records Act, in litigation involving the District, or for audit purposes.

Electronic auditing may be implemented within all District networks that connect to the Internet or other publicly accessible networks to support identification, termination, and prosecution of unauthorized activity. These electronic audit mechanisms may be capable of recording the following:

- Access to all computer and phone systems, including successful and failed log-in attempts, connect time, and log-outs;
- Inbound and outbound file and content transfers;
- Terminal connections to and from external systems;

- Sent and received email, text messages and voicemail messages;
- Specific information about Web sites visited, including uniform resource locator (URL) of pages retrieved, and information downloaded;
- Date, time, and user associated with each event.

The Superintendent or agency head may instruct Northwest Technologies to conduct investigations of use of the internet and District information and communications technology systems provided that these investigations are first reviewed and approved by the appropriate agency head/Commissioner, and the Superintendent. This also applies to providing access to terminated or suspended employee or volunteer information by the management or replacement employee or volunteer.

#### **P.10.13 Virus Protection**

The District will take steps to prevent the spread of viruses and malware.

##### Procedures for “Virus Protection”

All employees, guests, residents, and volunteers of the District with access to technology services must exercise caution to avoid the introduction of computer viruses or other destructive software or programs into their computers or the network. Precautions, which should be taken, include the following:

- The Information Technology department will provide, configure and maintain anti-virus software on all District owned computers.
- Do not download or open email attachments from unknown senders.
- Exercise caution when downloading files from the Internet and File Transfer Protocol (FTP) servers. For the protection of the computer system and the District's network, do not download or open files if you are uncertain of their security.
- Before uploading or sending any file or program which has been transferred by any removable media from a computer outside the District network, take reasonable precautions to ensure that the disk, file, or program is free of any virus or other destructive file or program.
- Where employees or volunteers are authorized to use their personal computers to gain access to the District network via some form of remote access (e.g., Outlook Web Access or OWA), those employees and volunteers are required to apply and maintain current antivirus software on that equipment and following the procedures outlined above.

### **P.11 DISCIPLINE**

#### **P.11.1 Policy Statement**

It is the desire of District that we continue to live out a “Just Culture” form of process improvement and quality management. Before any disciplinary action is considered, a fair evaluation and objective assessment of the system and its goals and failures should be performed. We desire to provide guidelines for disciplinary action so that discipline will be fair, equitable, and uniformly applied.

Nothing in the District's policies and procedures may be construed to confer a just-cause termination standard.

Any disciplinary procedure set forth in applicable Collective Bargaining Agreements may apply in lieu of this policy.

Disciplinary Action should ordinarily be implemented when an employee engages in the following:

- Repeated failure to meet job performance expectations.
- Repeated failure to comply with policies and procedures of the organization.
- Repeated failure to behave consistent with the organization's mission and/or values.
- Repeated failure to act in the best interest of the organization.
- Egregious illegal or wantonly reckless action or pattern of behavior.
- Organizationally destructive activities, attitudes, and relationships
- This is not an exhaustive list

While the District ordinarily uses progressive discipline , in its discretion immediate discharge is permissible for particularly egregious offenses, such as (but not limited to):

- Theft.
- Willful destruction of property.
- Dishonesty, falsification of employment application.
- Abuse of residents.
- Reporting to work under the influence of, or in possession of, intoxicants or illegal substances.
- Revealing confidential information, especially HIPAA protected information.
- Gross misconduct.
- Failure to report for work and failure to call in advance of scheduled work time.
- Breaking the law

Probationary union members may be terminated for any non-discriminatory reason in their (typically) first year of employment.

Further, termination for non-disciplinary reasons, such as budget shortfalls or elimination of a position, may result in termination .

### **P.11.2 Responsibility And Authority**

The Superintendent and agency heads alone shall have the authority to admonish, reprimand, suspend or discharge any personnel of the District. Department heads and supervisors may recommend discipline where any agency head permits, but anything more serious than written discipline needs to go through the agency head or Superintendent.

The Superintendent and agency heads shall retain the authority to instruct and correct District personnel from time to time. These actions are not of a disciplinary nature. Furthermore, the Superintendent and agency heads shall retain the right to appoint an employee to provide instruction or correction to other employees as needs arise in the normal course of business. Again, these actions are not of a disciplinary nature.

### **P.11.3 Disciplinary Action**

Any disciplinary action requires the exercising of responsible judgment. Discipline should ordinarily be proportionate to the character of the offense.

In arriving at the appropriate degree of penalty, only offenses for which penalties were imposed within three preceding years will be used to determine whether prior offenses have occurred, unless the original offense was considered to be a major offense. When an employee commits a series of unrelated offenses over a period of time, or a combination of different offenses at the same time, a greater penalty than for a single offense may be considered.

#### Procedures for “Disciplinary Action”

The agency head may engage in non-disciplinary coaching where appropriate.

Otherwise, one of the following methods of discipline may be used: oral admonishment, written reprimand, suspension with or without pay, or discharge. The employer endeavors to appropriately gather facts concerning relevant incidents and appropriately document the reasons for discipline.

#### **Discharge**

When the need for immediate discharge arises, the Superintendent or agency head:

1. Give Gathers all the facts concerning the incident.
2. Gives the employee the chance to express their view and explain the circumstances.
3. Considers the employees explanation and all evidence.
4. Conducts the interview in such a way as to avoid embarrassment or humiliation when possible.
5. States the reasons for the termination so the employee understands the reason for termination.
6. Termination may occur verbally and be effective immediately, but the agency head or Superintendent should additionally:
  - a. written notice of the termination within 1 week of acting.
  - b. Give written notice that he/she may grieve the decision
  - c. Considers any statement written or verbal (former) employee makes.
7. An employee who is terminated for stigmatizing information regarding the reasons for a public employee's discipline or termination that is publicly disclosed may request a Loudermill Hearing. If this occurs:
  - a. The Superintendent and/or agency head arranges a meeting with themselves, the employee, and at least one member of the District Board.
  - b. If deemed warranted, the Superintendent documents the discharge in the personnel's employee file.
  - c. Issues a notice of final decision (handed to employee, sent certified mail, or to a verified email account) with information on the issue and reason for discharge along with his/her appeal and grievance rights as described herein using the ECDF.

## **P.11.6 Voluntary Termination (Resignation)**

The District operates small departments that rely on key personnel. Employees are expected to give the employer as much notice regarding resignation as possible.

### Procedures for “Voluntary Termination (Resignation)”

Employees may cash out at PTO at 75% of value if requested upon leaving the District.

Employees who give more than 30 days' notice of resignation may cash out PTO at 100% of value, if requested.

## **P.11.7 Personnel Evaluation**

It is critical to provide communication to the staff as to their performance, to provide appropriate systems of documentation for communication for both positive and negative performance issues, and to give record for promotions, pay increases and reference inquiries. Employee evaluation will happen on a regular basis.

Employees may request an evaluation if one is not given, or at non-standard intervals.

Any disciplinary action will be carefully documented and communicated with the employee.

Commendations will be given when an employee performs above and beyond the expectations of the position.

### Procedures for “Personnel Evaluation”

#### **Evaluations**

All employees will be evaluated by their supervisors at the end of three months employment and then on an annual basis.

- All employees will be asked to do a written self-evaluation at that time as well.
- Wages will be adjusted at the time of employee evaluations.
- If an employee strongly disagrees with their supervisors evaluation of their performance, they should utilize the grievance procedures.

#### **Commendations**

When an employee goes “beyond the call of duty,” he/she may receive recognition and a special “thank you” where reasonable and appropriate.

- A commendation report will be completed by the supervisor and given to the employee.
- A copy will be placed in the employee’s file.

## **P.11.8 Employee Complaint Process**

This process applies to all employees, supervisors, and managers of the company. It covers complaints related to workplace conduct, policy violations, safety concerns, discrimination, harassment, retaliation, or any other work-related issue.

Employees may report a complaint, in writing or verbally, using any of the following methods:

- Direct Supervisor: Employees are encouraged to raise concerns with their immediate supervisor whenever possible. Employees are encouraged to utilize this option first.
- Agency Head: Employees may submit a complaint to the head of their agency, such as the EMS Chief or the Executive Director of Village at the Harbor. Employees are urged to utilize this option second, if talking to their direct supervisor does not result in an outcome that the employee feels is appropriate.
- HR Contact: If the issue involves sexual harassment, or the employee feels genuinely unsafe addressing the issue with their supervisor or the agency head, employees may approach human resources for direction on how the issue should be handled.

Complaints may be made in good faith without fear of retaliation. The company will acknowledge receipt of the complaint and respond as soon as possible.

- The agency head will review the complaint and determine next steps, which may include interviews, document review, or other fact-finding measures.
- The company will ensure that investigations are handled confidentially to the extent possible and in a manner that is fair to all parties.

After a review, the company will communicate the findings and any resulting actions to the employee and any other affected parties.

- If corrective action is needed, the company will implement it promptly.
- Employees may request a follow-up meeting if they believe the issue has not been resolved.

All complaints and related documentation will be securely maintained by the company in accordance with state and federal recordkeeping requirements.

## P.12 PERSONNEL FILES

See also Administrative Policy 23.20 “Staff Member Medical Records”

Personnel files are key documents that track an employee’s time with the District, training, and other key items.

### P.12.1 Contents

#### Procedures for “Contents”

Each employee will have a personnel file which may include the following:

- Application.
- Interview notes.
- Résumé, if applicable.
- Minimum of three reference checks.
- Criminal background checks, rechecked every two years
- Copy of license or certificates, as applicable.
- Annual performance appraisals.
- Wage-rate adjustments.
- Signed copy of job description.

- W-4.
- Verifications of employment eligibility.
- Copy of social security card.
- Record of orientation, safety and continuing education.
- Any grievances, commendations or other communications with the employee.
- I-9 form.
- Motor vehicle license record (if position requires driving)
- Health documentation requirements.
- Abuse and Neglect Training Verification, if applicable.



## **Personnel Policies and Procedures**

### **Appendices**

## **Appendix A: Pay Scale (2026) for Districtwide Administrative Positions**

Village at the Harbor employees are paid based on a contract or job description approved by the Superintendent; the agency head sets salaries within that range. Most EMS employees are paid consistent with the Collective Bargaining Agreement (CBA). Managers are paid consistent with their contracts.

Other employees receive a wage determined by the Superintendent consistent with the budget. These pay scales are discretionary and intended to set reasonable guidelines.

This pay scale is intended to be updated each year with a COLA of 2-4% each year (set to be equal the union contract's COLA)

There are no current pay scales for non-union staff.

**Appendix B: Pay Scale (2026) Village at the Harbor**

2026 Pay Scale – Village at the Harbor (\$)					
	Year 1	Year 2 (6%)	Year 3 (6%)	Year 4 (6%)	Year 5 (6%)
Intern	19.80	20.99	22.25	23.58	25.00
Dining Assistant, Activities Assistants, Reception, Concierge	21.45	22.74	24.10	25.55	27.08
Resident Assistants, Housekeepers, Activities Coordinator, Prep Cook	22.55	23.90	25.34	26.86	28.47
Medication Technician, Lead Resident Assistant	24.20	25.65	27.19	28.82	30.55
Lead Medication Technician, CNA	25.30	26.82	28.43	30.13	31.94
LPN	29.70	31.48	33.37	35.37	37.50